

SIMCOE COUNTY DISTRICT SCHOOL BOARD

REGULAR BOARD MEETING - WEDNESDAY, JUNE 20, 2012

A G E N D A

NOTE: PUBLIC SESSION will commence at 6:00 P.M., followed immediately by the COMMITTEE OF THE WHOLE in CLOSED SESSION (GEORGIAN ROOM). PUBLIC SESSION will resume AT 7:30 P.M (ROY EDWARDS ROOM).

PUBLIC SESSION

- A.**
- (1) Roll Call
 - (2) Approval of Agenda
 - (3) Approval of Minutes
 - (a) Minutes of the Regular Meeting of the Board held May 23, 2012
 - (b) Minutes of the Special Meeting of the Board held May 24, 2012
 - (c) Minutes of the Special Meeting of the Board held May 30, 2012
 - (4) Declaration of Conflicts of Interest

CLOSED SESSION

- B.** Committee of the Whole

PUBLIC SESSION

- C.**
- (1) Report from Student Trustees
 - (2) Trustee Tribute - Nil
 - (3) Delegations/Presentations
 1. Student Trustee Roy Edwards Presentation
 2. Angie Bridekirk and Laura LaChance Re: Special Education Advisory Committee Report (Blocker Shields June 4, 2012)

D. RECOMMENDATIONS FOR ACTION

- (1) Report from the Closed Session of the Board in Committee of the Whole
- (2) Matters Arising from Previous Meeting:
Motion(s) for which notice was given at previous Board Meeting
 - (a) Notice of Motion from the May 23, 2012 Board Meeting
- (3) Notice of Time Sensitive Motions from Statutory Committees
 - (a) Special Education Advisory Committee – Time Sensitive Motions
June 4, 2012
- (4) Committee Minutes/Reports - Items for Decision
 - (a) Report of the Audit Committee Meeting held June 4, 2012
 - (b) Report of the Business and Facilities Standing Committee Meeting held
June 6, 2012
 - (c) Report of the Program Standing Committee Meeting held June 13, 2012
(REPORT TO FOLLOW)

- (5) Staff Reports – Items for Decision
 - (a) Appointment of Student Trustee Mentor
- (6) Committee Minutes/Reports - Items for Information
 - (a) Report of the First Nations Advisory Committee held April 11, 2012
 - (b) Report of the Parent Involvement Committee Meeting held April 18, 2012
 - (c) Report of the Special Education Advisory Committee Meeting held May 14, 2012
 - (d) Report of the Business and Facilities Standing Committee Meeting held May 22, 2012
 - (e) Report of the Business and Facilities Standing Committee and Special Education Advisory Committee Budget Meeting held May 22, 2012
 - (f) Report of the Human Resources Standing Committee Meeting held June 13, 2012
- (7) Staff Reports - Items for Information
 - (a) Enrolment of First Nation Students on March 31, 2012

E. OTHER MATTERS

- (1) Reports from Liaison Members
- (2) Notices of Motion for next meeting
- (3) Questions and Proposals from Trustees
- (4) Professional Development Seminars Attendance
- (5) Reports/Update from Staff
- (6) Correspondence - Nil

F. FUTURE BUSINESS OF THE BOARD, STANDING COMMITTEES AND ADVISORY COMMITTEES

Regular Meeting of the Board – August 22, 2012 at 6:00 p.m., followed immediately by the Committee of the Whole in Closed Session (Georgian Room), Public Session will resume at 7:30 P.M (Roy Edwards Room)

G. ADJOURNMENT

SIMCOE COUNTY DISTRICT SCHOOL BOARD

PUBLIC SESSION

REVISED RECOMMENDED ACTION – WEDNESDAY, JUNE 20, 2012

REPORT	FYI	Decision Req.	MOTION
			Call Meeting to order. Roll Call
		√	That the agenda be approved as printed.
A-3-a Board Minutes May 23, 2012		√	That the Minutes of the Regular Board Meeting held Wednesday, May 23, 2012 be approved as printed.
A-3-b Special Board Minutes May 24, 2012		√	That the Minutes of the Special Board meeting held Thursday, May 24, 2012 be approved as printed.
A-3-c Special Board Minutes May 30, 2012		√	That the Minutes of the Special Board meeting held Wednesday, May 30, 2012 be approved as printed.
			Declaration of Conflicts of Interest
MOTION		√	That we go into Closed Session of the Committee of the Whole
PUBLIC SESSION			
C-1			Report from Student Trustees
C-2 Delegations/ Presentation			1. Student Trustee Roy Edwards Presentations 2. Angie Bridekirk and Laura LaChance Re: Special Education Advisory Committee Report (Blocker Shields June 4, 2012)
D-1		√	Report from the Closed Session of the Board in Committee of the Whole

SIMCOE COUNTY DISTRICT SCHOOL BOARD
 RECOMMENDED ACTION - 2
 JUNE 20, 2012

<p>D-2-a Notice of Motion from the May 23, 2012 Board Meeting</p>		<p>√</p> <p>√</p> <p>√</p>	<p>That the Board approve the following revisions to the Board By-laws:</p> <p>(1) Revise Item #1 of Article IV: Board of Trustees. Members are entitled to attend standing committee meetings. Members of the Board are encouraged to attend other committee meetings as detailed in the Board approved Selection Committee report but are non-voting members. A member of a board shall attend and participate in meetings of the board, including meetings of board committees of which he or she is a member.</p> <p>(2) Include a section in the Board By-laws entitled Statutory/Advisory Committee Recommendations.</p> <ol style="list-style-type: none"> 1. Statutory/Advisory committees may make recommendations to the Board that are within their mandate and as governed by the Education Act. Should a statutory/advisory committee wish to speak to their recommendation, the Chairperson of the statutory /advisory committee or their designate will be called upon to provide a background to the statutory/advisory committee's recommendation. In the absence of the Chairperson of the statutory/advisory committee, he/she may call upon a trustee member to speak to any recommendation. 2. When presenting a recommendation to the Board, the Chairperson of the statutory/advisory committee or designate shall be allowed up to ten minutes of time, inclusive of questions of clarification from trustees. Any extension of this time may be granted by the Chairperson of the standing committee or of the Board. Debate of any recommendations between trustees and/or the presenter shall be ruled out of order. 3. Time sensitive motions will require a written report to the Board, one week prior to the Board or standing committee meeting at which the item will be considered. The responsibility for providing additional background information shall rest with the Chairperson of the statutory/advisory committee or designate and be submitted through the Superintendent assigned to that committee. 4. When speaking to a recommendation, if a Chairperson or designate of the statutory/advisory committee wishes to speak, they will be permitted to come to the table. 5. Only members of the Board, as defined by the Education Act and these by-laws may move, second and then speak to the recommendations before the Board. <p>(3) Replace the word <i>Ad-hoc</i> with <i>Special</i> under Item #31 of Committee Minutes and Reports. Reports provide information in either a written, verbal and/or visual format. Reports, whether from a standing, statutory or special Ad-hoc committee, are generally kept as brief as possible and may contain recommendation(s).</p>
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SIMCOE COUNTY DISTRICT SCHOOL BOARD
 RECOMMENDED ACTION - 3
 JUNE 20, 2012

<p>D-3-a Special Education Advisory Committee – Time Sensitive Motions June 4, 2012</p>		<p>√</p> <p>√</p>	<p>(1) That the Board approve that the Board cease use of all blocker shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion, as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motions, June 4, 2012, dated June 20, 2012.</p> <p>(2) That the Board approve that whereas there is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and that community agencies and other experts indicate that such use is in fact detrimental to the student and that the use of such devices is contrary to the SCDSB Special Education Statement of Beliefs, that the Simcoe County District School Board accept offers received from the Geneva Centre for Autism, Autism Ontario and local community agencies to implement alternative approaches when delivering services to students, as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motions, June 4, 2012, dated June 20, 2012.</p>
<p>D-4-a Audit Committee Mtg – June 4, 2012</p>		<p>√</p>	<p>That the Board approve the 2012-2013 Internal Audit Plan, as set out in Report No. AUD-D-1, 2012-2013 Internal Audit Plan dated, June 4, 2012.</p>
<p>D-4-b Business and Facilities – June 6, 2012</p>		<p>√</p> <p>√</p> <p>√</p> <p>√</p> <p>√</p>	<p>(1) That the Board approve the amendments to Trust Declarations, as set out in APPENDIX A and APPENDIX B of Report No. BF-D-1, Amendment to Trust Declarations for Scholarship and Trust Funds, dated June 6, 2012.</p> <p>(2) That the Board approve the name “Fred C. Cook Public School” as the name of the new Bradford replacement public school, as set out in Report No. BF-D-2, Naming of the New Bradford Replacement Public School, dated June 6, 2012.</p> <p>(3) That the Board approve the revisions to Policy No. 4320, Fundraising, as set out in APPENDIX C of Report No. BF-D-3, Revision to Policy No. 4320, Fundraising, dated June 6, 2012.</p> <p>(4) That the Board approve the use of up to \$400,000 from Appropriated Surplus – Annual Renewal for project costs in excess of the Ministry approved funding, as set out in APPENDIX A of Report No. BF-D-4, Bradford Replacement School: Project Costs, dated June 6, 2012.</p> <p>(5) That the Board approve the 2012-2013 Proposed Budget, including the transfers from accumulated surplus and deferred revenue, as set out in APPENDIX A of Report No. BF-D-5, 2012-2013 Proposed Budget, dated June 6, 2012.</p>

SIMCOE COUNTY DISTRICT SCHOOL BOARD
 RECOMMENDED ACTION - 4
 JUNE 20, 2012

D-4-c Program Meeting - June 13, 2012		√	(1) That the Board approve the revisions to Policy No. 4115, Extended French as a Second Language (EFSL) Program, as set out in Report No. PRO-D-1, Revisions to Policy No. 4115 - Extended French as a Second Language (EFSL) Program, APPENDIX C, dated June 13, 2012.
		√	(2) That the Board approve the revisions to Policy No. 4310, School Councils, as set out in APPENDIX C of Report No. PRO-D-2, Revisions to Policy No. 4310 – School Councils, dated June 13, 2012.
D-5-a Appointment of Student Trustee Mentor		√	That the Board appoint Trustee _____ to serve as the student trustee mentor from August 1, 2012 to July 31, 2013, as set out in Report No. D-5-a, Appointment of Student Trustee Mentor, dated June 20, 2012.
D-6-a First Nations Advisory Mtg – April 11, 2012	√		
D-6-b PIC Meeting – April 18, 2012	√		
D-6-c SEAC – May 14, 2012	√		
D-6-d Business & Facilities - May 22, 2012	√		
D-6-e Bus/Fac & SEAC Budget Meeting – May 22, 2012	√		
D-4-f Human Resources – June 13, 2012	√		
D-7-a Enrolment of First Nation Students on March 31, 2012	√		
E-1 Reports from Liaison Members			
E-2 Notices of Motion for Next Meeting			
E-3 Questions and Proposals from Trustees			
E-4 Professional Development Seminars Attendance			

SIMCOE COUNTY DISTRICT SCHOOL BOARD
RECOMMENDED ACTION - 5
JUNE 20, 2012

E-5 Reports/Update from Staff			
E-6 Correspondence			Nil
Future Business			
Adjournment		√	Motion to Adjourn

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: The Secretary

SUBJECT: **MINUTES OF THE REGULAR MEETING OF THE
BOARD HELD MAY 23, 2012**

The regular meeting of the Simcoe County District School Board was held on Wednesday, May 23, 2012 at the Education Centre.

A. (1) Roll Call

PRESENT:

Trustees Donna Armstrong, Peter Beacock (Vice-chairperson),
Nicole Black, Debra Edwards, Suzanne Ley, Jodi Lloyd,
Michele Locke, Krista Mayne, Robert North (Chairperson),
Caroline Smith, Christine Williams.

REGRETS:

Trustees: Amanda Monague.

PRESENT:

Student Trustees: Victoria Edwards, Matt Stergiou.

Recording Secretary Lena Robyn.

The Chairperson called the meeting to order at 6:00 p.m.

(2) Approval of Agenda

Moved by Nicole Black
Seconded by Caroline Smith

That the Agenda be approved as printed.

CARRIED

(3) Approval of Minutes

Minutes of the Special Meeting of the Board held April 17, 2012 (ARC 2011:02) (A-3-a)

Moved by Michele Locke
Seconded by Krista Mayne

That the Minutes of the Special Meeting of the Board held Monday, April 17, 2012 be approved as printed.

CARRIED

Minutes of the Regular Meeting of the Board held April 25, 2012 (A-3-b)

Moved by Christine Williams
Seconded by Krista Mayne

That the Minutes of the Regular Meeting of the Board held Wednesday, April 25, 2012 be approved as printed.

CARRIED

(4) Declaration of Conflicts of Interest – Nil

B. Committee of the Whole

Moved by Michele Locke
Seconded by Nicole Black

That the Board move into Committee of the Whole in Closed Session at this time.

CARRIED

The Public Session of the Board re-convened at 7:30 p.m.

C. (1) Report from the Student Trustees

Student Trustees Victoria Edwards and Matt Stergiou referenced the following on behalf of the Student Trustees:

- The Student Senate appreciated being consulted about protective equipment and provided excellent feedback.
- SCDSB students have conducted successful fundraising initiatives in support of the recent Relay for Life campaign in support of cancer research.
- Student trustees' participation in a recent executive meeting of the Ontario College of Teachers provided an excellent opportunity to speak about SCDSB initiatives.
- The participation of the SCDSB Environmental Coordinator Karli McCawley at an environmental event at Bradford District High School was very much appreciated.
- This coming month, the Student Trustees and Student Senate members will be celebrating the past year's accomplishments in supporting education initiatives on behalf of SCDSB students.
- Elementary and secondary students enjoyed an excellent leadership session in Orillia organized by Student Senate members to support the transition between elementary and secondary panels.

Delegations - Nil

(2) Trustee Tribute

Greenland International Architect – Provincial Environmental Recognition – Design and Construction Department\

Chairperson North presented a Trustee Tribute to recognize the SCDSB Design and Construction Department and Greenland International Consulting Engineering Firm for their outstanding collaborative efforts that culminated in provincial recognition for the design of Nottawasaga Pines Secondary School (NPSS). The Consulting Engineers of Ontario recently recognized NPSS as one of Ontario's best and most innovative consulting engineering projects of 2011 and presented the Award of Excellence to Greenland for their project submission "Building for the Stewards of Tomorrow." The SCDSB Trustee Tribute was presented to Jane Palmer of Greenland and Peter Tushingham of the SCDSB Facility Services department.

D. RECOMMENDATIONS FOR ACTION

(1) Report from the Closed Session of the Board in Committee of the Whole

Report from the Closed Session of the Board in Committee of the Whole from May 23, 2012:

That the Board ratify the following recommendation taken in the Closed Session meeting of the Committee of the Whole on Wednesday, May 23, 2012:

Moved by Michele Locke
Seconded by Jodi Lloyd

#BP-2012-05-23-52

That the Board approve the school administrator appointments as set out in Report No. CL-HR-D-1, School Administrator Appointments, dated May 9, 2012.

CARRIED

(2) Matters Arising from Previous Meeting:

Motion(s) for which notice was given at previous Board meeting - Nil

(3) Notice of Time Sensitive Motions from Statutory Committee - Nil

(4) Committee Minutes/Reports – Items for Decision

Report of the Program Standing Committee Meeting held May 9, 2012 (D-4-b)

A lengthy discussion took place regarding the video recording of the Special Education Advisory Committee meetings and the need to be open and transparent in allowing the community to view the video recording of the meetings.

(1)

Moved by Suzanne Ley
Seconded by Nicole Black

#PRO-2012-05-09-53

That the Board approve that the Special Education Advisory Committee (SEAC) meetings be video recorded commencing June 2012.

AMENDMENT

Moved by Peter Beacock
Seconded by Jodi Lloyd

#BP-2012-05-23-53A

That the Board approve that the Special Education Advisory Committee (SEAC) meetings be video recorded commencing September 2012.

AMENDMENT CARRIED

Trustee Smith requested a recorded vote at this time.

YEAS

NAYS

Donna Armstrong
Peter Beacock
Nicole Black
Suzanne Ley
Jodi Lloyd
Michele Locke
Krista Mayne
Robert North
Christine Williams

Debra Edwards
Caroline Smith

Non-binding vote

Student Trustee Victoria Edwards
Student Trustee Matthew Stergiou

AMENDED MOTION CARRIED

(2)

Moved by Suzanne Ley
Seconded by Christine Williams

#PRO-2012-05-09-54

That the Board approve revisions to Policy No. 4140, Selection and Approval of Learning Media, as set out in APPENDIX C of Report No. PRO-D-2, Revisions to Policy No. 4140, Selection and Approval of Learning Media, dated May 9, 2012.

CARRIED

(5) Staff Reports – Items for Decision

Appointment of Trustee to the Special Education Advisory Committee D-5-a)

Trustee Locke is unable to continue her role as trustee to this committee; therefore the appointment of another trustee to sit on the Special Education Advisory Committee is required.

Moved by Jodi Lloyd
Seconded by Suzanne Ley

#BP-2012-05-23-55

That the Board appoint Vice-chairperson Beacock to the Special Education Advisory Committee, as set out in Report No. D-5-a, Appointment of Trustee to the Special Education Advisory Committee, dated May 23, 2012.

Vice-chairperson Beacock indicated that he would stand.
There being no further nominations, Vice-chairperson Beacock was appointed to the Special Education Advisory Committee.

(6) Committee Minutes/Reports – Items for Information

Report of the Parent Involvement Committee Meeting held March 21, 2012 (D-6-a)

This report was provided as information.

Report of the Special Education Advisory Committee Meeting held April 16, 2012 (D-6-b)

This report was provided as information.

Student Trustee Stergiou left the meeting at this time.

Report of the By-law Committee Meeting held April 30, 2012 (D-6-c)

This report was provided as information.

Report of the Business and Facilities Standing Committee Meeting held May 2, 2012 (D-6-d)

This report was provided as information.

Report of the Human Resources Standing Committee meeting held May 9, 2012 (D-6-e)

Associate Director Janis Medysky provided a verbal update regarding the demutualization funds of the Insurance Trust.

This report was provided as information.

Report of the Budget Committee Meeting held May 16, 2012 (D-6-f)

Trustee Lloyd indicated that the Budget meeting which was tentatively scheduled for May 31, 2012 will not be required.

This report was provided as information.

(7) Staff Reports – Items for Information - Nil

E. OTHER MATTERS

(1) Reports from Liaison Members - Nil

(2) Notices of Motion for next meeting

Moved by Peter Beacock
Seconded by Christine Williams

That the Board approve the following revisions to the Board By-laws:

- Revise Item #1 of Article IV: Board of Trustees.

~~Members are entitled to attend standing committee meetings.~~ Members of the Board are encouraged to attend other committee meetings as detailed in the Board approved Selection Committee report but are non-voting members. A member of a board shall attend and participate in meetings of the board, including meetings of board committees of which he or she is a member.

- Include a section in the Board By-laws entitled Statutory/Advisory Committee Recommendations.

ARTICLE VI: STATUTORY/ADVISORY COMMITTEE RECOMMENDATIONS

1. Statutory/Advisory committees may make recommendations to the Board that are within their mandate and as governed by the Education Act. Should a statutory/advisory committee wish to speak to their recommendation, the Chairperson of the statutory /advisory committee or their designate will be called upon to provide a background to the statutory/advisory committee's recommendation. In the absence of the Chairperson of the statutory/advisory committee, he/she may call upon a trustee member to speak to any recommendation.
 2. When presenting a recommendation to the Board, the Chairperson of the statutory/advisory committee or designate shall be allowed up to ten minutes of time, inclusive of questions of clarification from trustees. Any extension of this time may be granted by the Chairperson of the standing committee or of the Board. Debate of any recommendations between trustees and/or the presenter shall be ruled out of order.
 3. Time sensitive motions will require a written report to the Board, one week prior to the Board or standing committee meeting at which the item will be considered. The responsibility for providing additional background information shall rest with the Chairperson of the statutory/advisory committee or designate and be submitted through the Superintendent assigned to that committee.
 4. When speaking to a recommendation, if a Chairperson or designate of the statutory/advisory committee wishes to speak, they will be permitted to come to the table.
 5. Only members of the Board, as defined by the Education Act and these by-laws may move, second and then speak to the recommendations before the Board.
- Replace the word *Ad-hoc* with *Special* under Item #31 of Committee Minutes and Reports.

Reports provide information in either a written, verbal and/or visual format. Reports, whether from a standing, statutory or special ~~Ad-hoc~~ committee, are generally kept as brief as possible and may contain recommendation(s).

(3) Questions and Proposals from Trustees

Trustee Ley requested that the availability of video recordings of committee meetings be posted in an appropriate place on the public website.

Trustee Smith praised a recent co-op event at Stayner Collegiate Institute and thanked school staff and local businesses for making the event informative and successful for students.

Chairperson North expressed his appreciation to Nottawasaga Pines Secondary School for hosting an excellent grand opening on May 15, 2012.

(4) Professional Development Seminars Attendance

Student Trustee Edwards declared her intention as well as Student Trustee Stergiou and incoming Student Trustees to attend the Annual General Meeting of the Ontario Student Trustees' Association (OSTA) on May 24-26, 2012.

(5) Reports/Update from Staff

Director Wallace stated how proud she is of students Maya Burkhanpurkar of Codrington Public School and Kyle Potts of Eastview Secondary School who helped

make Simcoe County history by collectively winning five major awards at the Canada-Wide Science Fair in Charlottetown, PEI (May 12 to 18, 2012).

(6) Correspondence – Nil

**F. FUTURE BUSINESS OF THE BOARD, STANDING COMMITTEES
AND ADVISORY COMMITTEES**

Audit Committee Meeting – June 4, 2012 at 6:00 p.m. – Couchiching Room
Special Education Advisory Committee Meeting – June 4, 2012 at 7:00 p.m. –
Georgian Room
Business and Facilities Standing Committee Meeting – June 6, 2012 at 6:00 p.m. –
Georgian Room
Human Resources Standing Committee Meeting – June 13, 2012 at 6:00 p.m. –
Georgian Room
Program Standing Committee Meeting – June 13, 2012 at 7:00 p.m. –
Georgian Room
Special Education Advisory Committee Meeting – June 18, 2012 at 7:00 p.m. –
Georgian Room (if required)
Regular Meeting of the Board – June 20, 2012 at 6:00 p.m., followed immediately by the
Committee of the Whole in Closed Session (Georgian Room), Public Session will
resume at 7:30 P.M (Roy Edwards Room)

MOTION TO ADJOURN

Moved by Michele Locke
Seconded by Suzanne Ley

That the meeting be adjourned at 8:50 p.m.

CARRIED

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: The Secretary

SUBJECT: **MINUTES OF THE SPECIAL MEETING OF THE
BOARD HELD MAY 24, 2012**

A Special meeting of the Simcoe County District School Board was held on Thursday, May 24, 2012 at the Education Centre.

A. (1) Roll Call

PRESENT:

Trustees

Donna Armstrong, Peter Beacock (Vice-chairperson),
Suzanne Ley, Jodi Lloyd, Michele Locke, Krista Mayne,
Robert North (Chairperson).

REGRETS:

Trustee

Nicole Black, Debra Edwards, Amanda Monague, Caroline Smith,
Christine Williams.

REGRETS:

Student Trustees

Victoria Edwards, Matt Stergiou.

Recording Secretary

Lena Robyn.

The Chairperson called the meeting to order at 6:00 p.m.

(2) Approval of Agenda

Moved by Jodi Lloyd

Seconded by Michele Locke

That the Agenda be approved as printed.

CARRIED

(3) Declaration of Conflicts of Interest – Nil

B. (1) Staff Report

Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School and Waubaushene Pines Elementary School (B-1-a)

Associate Director Janis Medysky reviewed the staff report regarding ARC 2011:01. She thanked the members of the ARC as well as community members who provided input at public meetings.

Moved by Jodi Lloyd
Seconded by Michele Locke

#SBP-2012-05-24-56

That the Board direct staff to pursue partnerships with viable financial commitments until September 30, 2013, in accordance with Board Policy 2345, Facility Partnerships, relating to the shared development/renewal and use of Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School and Waubaushene Pines Elementary School, as set out in Report No. B-1-a, Accommodation Review 2011:01, Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

(2)

Moved by Jodi Lloyd
Seconded by Krista Mayne

#SBP-2012-05-24-57

That the Board approve that, if viable partnerships are not secured by September 30, 2013 relating to Port McNicoll Public School that Port McNicoll Public School be closed effective June 30, 2015, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

(3)

Moved by Michele Locke
Seconded by Peter Beacock

#SBP-2012-05-24-58

That the Board approve that, if viable partnerships are not secured by September 30, 2013 relating to Waubaushene Elementary School and Waubaushene Pines Elementary School that Waubaushene elementary School and Waubaushene Pines Elementary School be closed effective June 30, 2015, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

MOTION

Moved by Jodi Lloyd
Seconded by Peter Beacock

#SBP-2012-05-24-59

That the Board approve that, if viable partnerships are not secured by September 30, 2013 relating to the shared development/renewal and use of Port McNicoll Public School that staff submit a capital priorities business case for a new replacement school for Victoria Harbour Elementary School to be located on a new suitable site for the purpose of accommodating students resulting from the closure of Port McNicoll Public School, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

MOTION

Moved by Jodi Lloyd
Seconded by Peter Beacock

#SBP-2012-05-24-60

That the Board approve that, if viable partnerships are not secured by September 30, 2013 relating to the shared development/renewal and use of Waubaushene Elementary School and Waubaushene Pines Elementary School, staff submit a capital priorities business case for a new replacement school for Victoria Harbour Elementary School to be located on a new suitable site for the purpose of accommodating students resulting from the Waubaushene Elementary School and Waubaushene Pines Elementary School closure, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

MOTION

Moved by Michele Locke
Seconded by Krista Mayne

That the Board recess at this time.

CARRIED

The Board re-convened at 7:20 p.m.

MOTION

Moved by Jodi Lloyd
Seconded by Peter Beacock

#SBP-2012-05-24-61

That the Board approve that if viable partnerships are not secured by September 30, 2013 relating to the shared development/renewal and use of Port McNicoll Public School and capital funding has not been secured for a new replacement school for Victoria Harbour Elementary School to be located on a new suitable site by September 30, 2013, staff submit a capital priorities business case for pupil places to be used at Victoria Harbour Elementary School for the purpose of accommodating students resulting from the closure of Port McNicoll Public School, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

MOTION

Moved by Jodi Lloyd
Seconded by Peter Beacock

#SBP-2012-05-24-62

That the Board approve that, if viable partnerships are not secured by September 30, 2013 relating to the shared development/renewal and use of Waubaushene Elementary School and Waubaushene Pines Elementary School and capital funding has not been secured for a new replacement school for Victoria Harbour Elementary School to be located on a new suitable site by September 30, 2013, staff submit a capital priorities business case for pupil places to be used at Victoria Harbour Elementary School for the purpose of accommodating students resulting from the closure of Waubausheene Elementary School and Waubaushene Pines Elementary School, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

Moved by Jodi Lloyd
Seconded by Peter Beacock

#SBP-2012-05-24-63

That the Board approve the commencement of an attendance area review of the three Township of Tay public elementary schools in October, 2014, as set out in Report No. B-1-a, Accommodation Review 2011:01 – Port McNicoll Public School, Victoria Harbour Elementary School, Waubaushene Elementary School, Waubaushene Pines Elementary School, dated May 24, 2012.

CARRIED

Trustee Lloyd thanked trustees for their efforts during this process and she thanked the audience for their attendance at tonight's meeting. Director Wallace also thanked staff for their extended efforts involved in this process.

C. FUTURE BUSINESS OF THE BOARD AND ADJOURNMENT

Special ARC Board Meeting (2011:02 – Coldwater Public School, Moonstone Elementary School, Warminster Elementary School) – May 30, 2012 at 6:00 p.m. – Roy Edwards Room

MOTION TO ADJOURN

Moved by Michele Locke
Seconded by Krista Mayne

That the meeting be adjourned at 7:30 p.m.

CARRIED

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: The Secretary

SUBJECT: **MINUTES OF THE SPECIAL MEETING OF THE
BOARD HELD MAY 30, 2012**

A Special meeting of the Simcoe County District School Board was held on Wednesday, May 30, 2012 at the Education Centre.

A. (1) Roll Call

PRESENT:

Trustees

Donna Armstrong, Peter Beacock (Vice-chairperson),
Nicole Black, Debra Edwards, Suzanne Ley, Jodi Lloyd,
Michele Locke, Krista Mayne, Amanda Monague, Robert North
(Chairperson), Christine Williams.

REGRETS:

Trustee

Caroline Smith.

ABSENT:

Student Trustees

Victoria Edwards, Matt Stergiou.

Recording Secretary

Lena Robyn.

The Chairperson called the meeting to order at 6:00 p.m.

(2) Approval of Agenda

Moved by Nicole Black
Seconded by Jodi Lloyd

That the Agenda be approved as printed.

CARRIED

(3) Declaration of Conflicts of Interest – Nil

B. (1) Staff Report

Accommodation Review 2011:02 – Coldwater Public School, Moonstone Elementary School, Warminster Elementary School - (B-1-a)

Associate Director Janis Medysky provided an overview of the report regarding ARC 2011:02. She expressed appreciation to members of the ARC for their extensive work during the review process and she thanked community members who provided input at the ARC public meetings.

(1,2)

Moved by Suzanne Ley

Seconded by Christine Williams

(1)

#SBP-2012-05-30-64

That the Board approve the transfer of grades four, five and six students from Moonstone Elementary School to Coldwater Public School in September 2016, as set out in Report No. B-1-a, Accommodation Review 2011:02 – Coldwater Public School, Moonstone Elementary School, Warminster Elementary School, dated May 30, 2012.

(2)

#SBP-2012-05-30-65

That the Board approve the twinning of Coldwater Public School and Moonstone Elementary School, effective September 2016, as set out in Report No. B-1-a, Accommodation Review 2011:02 – Coldwater Public School, Moonstone Elementary School, Warminster Elementary School, dated May 30, 2012.

CARRIED

Trustee Jodi Lloyd and Vice-Chairperson Peter Beacock thanked staff, ARC members and community members for working together and achieving recommendations which serve students well, recognize community needs and acknowledge the importance of fiscal responsibility. Chairperson North expressed his appreciation to everyone for their work throughout the process and thanked Trustee Lloyd and Vice-Chairperson Beacock for their participation in this ARC.

C. FUTURE BUSINESS OF THE BOARD AND ADJOURNMENT

Business and Facilities Standing Committee Meeting – June 6, 2012 at 6:00 p.m.

– Georgian Room

Human Resources Standing Committee Meeting – June 13, 2012 at 6:00 p.m.

– Georgian Room

Program Standing Committee Meeting – June 13, 2012 at 7:00 p.m. – Georgian Room

Special Education Advisory Committee Meeting – June 18, 2012 at 7:00 p.m.

- Georgian Room

Regular Meeting of the Board – June 20, 2012 at 6:00 p.m., followed immediately by the Committee of the Whole in Closed Session (Georgian Room), Public Session will resume at 7:30 P.M (Roy Edwards Room).

MOTION TO ADJOURN

Moved by Christine Williams
Seconded by Michele Locke

That the meeting be adjourned at 6:30 p.m.

CARRIED

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Director of Education

SUBJECT: **NOTICE OF MOTION FROM THE MAY 23, 2012 BOARD MEETING**

1. **Background**

In accordance with Article II: Item 8, of the board by-laws, Vice-chair Beacock gave NOTICE OF MOTION at the Board meeting of May 23, 2012, to introduce the following motion at the next Board meeting. Attached as APPENDIX A outlines the proposed revisions/additions to the by-laws. Also attached as APPENDIX B is a copy of the pages of the current Board By-laws where these revisions have been reflected in red font.

*Moved by Peter Beacock
Seconded by Christine Williams*

That the Board approve the following revisions to the Board By-laws:

- Revise Item #1 of Article IV: Board of Trustees.

~~Members are entitled to attend standing committee meetings.~~ **Members of the Board** are encouraged to attend other committee meetings as detailed in the Board approved Selection Committee report but are non-voting members. **A member of a board shall attend and participate in meetings of the board, including meetings of board committees of which he or she is a member.**

- Include a section in the Board By-laws entitled Statutory/Advisory Committee Recommendations.
 1. Statutory/Advisory committees may make recommendations to the Board that are within their mandate and as governed by the Education Act. Should a statutory/advisory committee wish to speak to their recommendation, the Chairperson of the statutory /advisory committee or their designate will be called upon to provide a background to the statutory/advisory committee's recommendation. In the absence of the Chairperson of the statutory/advisory committee, he/she may call upon a trustee member to speak to any recommendation.
 2. When presenting a recommendation to the Board, the Chairperson of the statutory/advisory committee or designate shall be allowed up to ten minutes of time, inclusive of questions of clarification from trustees. Any extension of this time may be granted by the Chairperson of the standing committee or of the Board. Debate of any recommendations between trustees and/or the presenter shall be ruled out of order.
 3. Time sensitive motions will require a written report to the Board, one week prior to the Board or standing committee meeting at which the item will be considered. The responsibility for providing additional background information shall rest with the Chairperson of the statutory/advisory committee or designate and be submitted through the Superintendent assigned to that committee.
 4. When speaking to a recommendation, if a Chairperson or designate of the statutory/advisory committee wishes to speak, they will be permitted to come to the table.

5. Only members of the Board, as defined by the Education Act and these by-laws may move, second and then speak to the recommendations before the Board.
- Replace the word Ad-hoc with Special under Item #31 of Committee Minutes and Reports.

Reports provide information in either a written, verbal and/or visual format. Reports, whether from a standing, statutory or **special** Ad-hoc committee, are generally kept as brief as possible and may contain recommendation(s).

2. Report Status

This report is provided for information.

Approved for submission by:

Kathryn Wallace
Director of Education

PROPOSED REVISIONS/ADDITIONS TO THE BY-LAWS

ARTICLE IV: BOARD OF TRUSTEES

- Revise Item #1 of Article IV: Board of Trustees.

~~Members are entitled to attend standing committee meetings.~~ Members of the Board are encouraged to attend other committee meetings as detailed in the Board approved Selection Committee report but are non-voting members. A member of a board shall attend and participate in meetings of the board, including meetings of board committees of which he or she is a member.

ARTICLE VI: STATUTORY/ADVISORY COMMITTEE RECOMMENDATIONS

- Include a section in the Board By-laws entitled Statutory/Advisory Committee Recommendations.
 1. Statutory/Advisory committees may make recommendations to the Board that are within their mandate and as governed by the Education Act. Should a statutory/advisory committee wish to speak to their recommendation, the Chairperson of the statutory /advisory committee or their designate will be called upon to provide a background to the statutory/advisory committee's recommendation. In the absence of the Chairperson of the statutory/advisory committee, he/she may call upon a trustee member to speak to any recommendation.
 2. When presenting a recommendation to the Board, the Chairperson of the statutory/advisory committee or designate shall be allowed up to ten minutes of time, inclusive of questions of clarification from trustees. Any extension of this time may be granted by the Chairperson of the standing committee or of the Board. Debate of any recommendations between trustees and/or the presenter shall be ruled out of order.
 3. Time sensitive motions will require a written report to the Board, one week prior to the Board or standing committee meeting at which the item will be considered. The responsibility for providing additional background information shall rest with the Chairperson of the statutory/advisory committee or designate and be submitted through the Superintendent assigned to that committee.
 4. When speaking to a recommendation, if a Chairperson or designate of the statutory/advisory committee wishes to speak, they will be permitted to come to the table.
 5. Only members of the Board, as defined by the Education Act and these by-laws may move, second and then speak to the recommendations before the Board.

ITEM #31 – COMMITTEE MINUTES AND REPORTS

- Replace the word Ad-hoc with Special under Item #31 of Committee Minutes and Reports. Reports provide information in either a written, verbal and/or visual format. Reports, whether from a standing, statutory or special Ad-hoc committee, are generally kept as brief as possible and may contain recommendation(s).

ARTICLE III: BOARD CHAIRPERSON AND BOARD VICE-CHAIRPERSON

1. No member of the Board will be elected to the office of Board Chairperson for more than two consecutive one-year terms unless a majority of members present and voting approves three or more consecutive terms.
2. If a vacancy occurs in the office of the Chairperson or Vice-Chairperson, the Board shall elect a new Chairperson or Vice-Chairperson at the first Board meeting following the vacancy in accordance with Appendix A.
3. The Chairperson shall preside at all regular and special meetings of the Board and ARC special Board meetings in accordance with the rules and procedures described in Appendix B. In the event the Chairperson is absent or declines to assume the chair, the Vice-Chairperson shall preside. In the event both of these officers are absent or decline to assume the chair, the members shall elect another member to preside pro tem, and may elect a further member to assist.
4. The official spokesperson for the Board on all matters within the jurisdiction of the Board is the Chairperson of the Board or designate.
5. The Vice-Chairperson will preside at the meetings of the Board when resolved into a committee of the whole Board in accordance with the rules and procedures described in Appendix B.
6. The Vice-Chairperson will Chair the By-law Committees.
7. The Chairperson shall be considered as ex-officio member of all committees except the Audit Committee.

ARTICLE IV: BOARD OF TRUSTEES

1. ~~Members are entitled to attend standing committee meetings.~~ Members of the Board are encouraged to attend other committee meetings as detailed in the Board approved Selection Committee report but are non-voting members. A member of a board shall attend and participate in meetings of the board, including meetings of board committees of which he or she is a member.
2. Reports of all standing committees and meetings of the Board will be printed with the names of members present, absent and regrets. In accordance with Ontario Regulation 463/97 Electronic Meetings, a member of the Board who participates through electronic means shall be deemed present.
3. Repeated absenteeism and/or vacancy by a member from meetings of the Board, and vacancies caused by the resignation, death, or incapacitation of a member before the end of a term, will be handled in accordance with Section 219 – Section 229, Part VII – Board Members – Qualifications, Resignations and Vacancies of the Education Act.

ARTICLE V: STANDING COMMITTEES OF THE BOARD

1. The standing committees of the Board are:
 1. Business and Facilities (first Wednesday of the month at 6:00 p.m.)
 2. Human Resources (second Wednesday of the month at 6:00 p.m.)
 2. Program Services (second Wednesday of the month at 7:00 p.m.)Standing Committee meetings will not take place in December during an election year.

2. The order of business for public standing committee meeting will be as follows:
 1. Approval of Agenda
 2. Declaration of Conflicts of Interest
 3. Presentations/Delegations
 4. Items for Decision
 5. Items for Information
 6. Correspondence
 7. Other Matters
 8. Notices of Motion for next meeting

3. The order of business for closed standing committee meetings will be as follows:
 1. Approval of Agenda
 2. Declaration of conflicts of Interest
 3. Presentations/Delegations
 4. Items for Decision
 5. Items for Information
 6. Correspondence
 7. Other Matters
 8. Notices of Motion for next meeting
 9. Rise and Report to Committee of the Whole Board

4. All members of the Board will be members of all standing committees of the Board. The quorum of a standing committee shall be six members of the committee.
 - 4.1 Should there be no quorum present 30 minutes after the time appointed for the meeting, the names of members present and absent will be recorded, and the meeting will not convene.
 - 4.2 Should any committee meeting be cancelled due to inclement weather or other circumstances, the meeting will be re-scheduled at the discretion of the Chairperson of the committee and provide a minimum of 48 hours notice.
 - 4.3 Additional standing committee meetings shall be called by the Committee Chairperson with a minimum of five business days in advance.
5. Additional business shall only be considered at a meeting under "other matters".
6. Items brought forward under "other matters" will be for discussion only.
7. In the event of a continuance meeting of a Standing Committee, the report of the first session will be presented at the next regular Board meeting.

ARTICLE VI: STATUTORY/ADVISORY COMMITTEE RECOMMENDATIONS

1. Statutory/Advisory committees may make recommendations to the Board that are within their mandate and as governed by the Education Act. Should a statutory/advisory committee wish to speak to their recommendation, the Chairperson of the statutory /advisory committee or their designate will be called upon to provide a background to the statutory/advisory committee's recommendation. In the absence of the Chairperson of the statutory/advisory committee, he/she may call upon a trustee member to speak to any recommendation.
2. When presenting a recommendation to the Board, the Chairperson of the statutory/advisory committee or designate shall be allowed up to ten minutes of time, inclusive of questions of clarification from trustees. Any extension of this time may be granted by the Chairperson of the standing committee or of the Board. Debate of any recommendations between trustees and/or the presenter shall be ruled out of order.

3. Time sensitive motions will require a written report to the Board, one week prior to the Board or standing committee meeting at which the item will be considered. The responsibility for providing additional background information shall rest with the Chairperson of the statutory/advisory committee or designate and be submitted through the Superintendent assigned to that committee.
4. When speaking to a recommendation, if a Chairperson or designate of the statutory/advisory committee wishes to speak, they will be permitted to come to the table.
5. Only members of the Board, as defined by the Education Act and these by-laws may move, second and then speak to the recommendations before the Board.

Committee of the Whole

When an assembly wants to take advantage of the less formal rules of a committee, but still wants to do the work itself, it refers the business or motion it is dealing with to a committee made up of all its members and carries out the discussion immediately by turning itself into a Committee of the Whole. Hence, a motion to move into a *Committee of the Whole* is only a special form of "refer to committee". As with any other committee, a Committee of the Whole must report back to the assembly that created it when it has determined its recommendations on the task it was given. In turn, the assembly, when it has received the recommendations from the Committee of the Whole, decides by motion what actions to take.

28. *Committee of the Whole* is chaired by the Vice-Chairperson of the Board, members can make resolutions or amendments in the form of recommendations, move to "rise and report", raise points of order and appeal, but other motions are not permitted. Members may speak more than twice to the same question at the discretion of the Chairperson. When the members have finished the task, a motion is made to "rise and report". The proceedings are not recorded; only their outcome as contained in the report to the assembly is recorded in the minutes.
When used for a closed session, the motions are "to go into Committee of the Whole in closed session" and "to rise and report in open session".
29. *Informal Consideration* does not involve the formation of a committee. The motion is to "consider the question informally", and this only relates to there being no limit on the number of speeches on the main question or its amendments. All votes are formal, and all other rules of order apply. Proceedings are recorded. There is no need to rise and report when the main question has been disposed of, because that action automatically causes the informal consideration to cease.

Committee Minutes and Reports

30. Minutes are a record of information and actions by the Board and committees. Committee minutes are primarily intended for giving information, and should summarize important work done by the committee. Such minutes may contain recommendations. Minutes provide a brief record of how each motion is disposed of by the Board rather than a verbatim recounting of the discussion.
31. Reports provide information in either a written, verbal and/or visual format. Reports, whether from a standing, statutory or **special** Ad-hoc committee, are generally kept as brief as possible and may contain recommendation(s).

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Superintendent of Education

SUBJECT: **SPECIAL EDUCATION ADVISORY COMMITTEE –TIME SENSITIVE MOTIONS,
JUNE 4, 2012**

1. Background

At the Special Education Advisory Committee (SEAC) meeting of June 4, 2012, SEAC members discussed the community consultation that SEAC facilitated on May 2, 2012 and the draft report regarding the consultation entitled “Blocker Shields, Special Education Advisory Committee, June 4, 2012.”

At the SEAC Meeting of June 4, 2012, SEAC Members approved the following time sensitive motion:

That the Report “Blocker Shields, Special Education Advisory Committee, June 4, 2012” be approved as amended, and be submitted and presented to the Board.

Discussion ensued regarding the recommendations in the report, attached as APPENDIX A and the following two Time Sensitive Motions were approved.

That the Special Education Advisory Committee Recommends that the Board cease use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion.

Whereas there is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and that community agencies and other experts indicate that such use is in fact detrimental to the student and that the use of such devices is contrary to the SCDSB Special Education Statement of Beliefs, that the Special Education Advisory Committee Recommends to the Board that the SCDSB accept offers received from the Geneva Centre for Autism, Autism Ontario and local community agencies to implement alternative approaches when delivering services to students.

2. Current Status

At the SEAC Meeting of June 4, 2012, SEAC Chairperson Bridekirk indicated that she wished to present the Report “Blocker Shields, Special Education Advisory Committee, June 4, 2012” at the June Board meeting, and Laura LaChance volunteered to attend with her.

SEAC Members approved the following motion:

That the Special Education Advisory Committee recommends that Laura LaChance be designated as a representative of SEAC at the June 20, 2012 Board Meeting.

RECOMMENDATIONS

1. That the Board approve that the Board cease use of all blocker shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion, as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motions, June 4, 2012, dated June 20, 2012.
2. That the Board approve that whereas there is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and that community agencies and other experts indicate that such use is in fact detrimental to the student and that the use of such devices is contrary to the SCDSB Special Education Statement of Beliefs, that the SCDSB accept offers received from the Geneva Centre for Autism, Autism Ontario and local community agencies to implement alternative approaches when delivering services to students, as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motions, June 4, 2012, dated June 20, 2012.

Respectfully submitted by:

Phyllis Hili
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

Blocker Shields

**Special Education Advisory Committee
Simcoe County District School Board**



June 4, 2012



Summary of Recommendations

SEAC Recommendation 1: All use of blocker shields (or similar devices) immediately cease. The implementation and use of all Personal Protective Equipment (PPE) must be brought into line with all established SCDSB policies and procedures.

SEAC Recommendation 2: There is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and agencies and other experts indicate that such use is in fact detrimental to the student. The use of such devices is contrary to the SCDSB Special Education Statement of Beliefs and should not be allowed. SEAC recommends that the SCDSB immediately cease the use of blocker shields (or similar devices) and accept some of the offers received from local service agencies and others across the province to implement alternative approaches.



Governance

Based on a review of the SCDSB's Special Education Report 2011-2012, Policies and Procedures, SEAC concludes that taken as a whole they reasonably reflect the governing legislation. Some areas for improvement have come to light and SEAC will provide comments separately with respect to those, however for the purpose of discussing the use of blocker shields (or similar devices) within the SCDSB, these documents are believed to adequately represent the legislative requirements, including as noted in APM7635, the primacy of the Human Rights Code of Ontario: *"The Human Rights Code of Ontario has primacy over provincial legislation and policies, as well as school board policies and procedures, such that the Education Act, regulations, Ministry of Education Program Policy Memoranda, and Board policies and procedures are subject to, and shall be interpreted and applied in accordance with the Human Rights Code of Ontario."* The Occupational Health and Safety Act (OHSA), which has been used by way of explanation for the introduction and use of blocker shields (or similar devices), was never intended to describe the relationship between students and teachers or support staff as the Education Act (and its supporting legislation) is intended to do.

Mission, Beliefs and Special Education Model

The SCDSB Special Education Report includes:

- Simcoe County District School Board Mission Statement
- SCDSB Special Education Advisory Committee Mission Statement
- SCDSB Special Education Statement of Beliefs
- SCDSB Model for Special Education

These four elements comprise the lens through which legislation must be viewed; provide guidance in developing policies and procedures for all situations in which any legislation leaves room for interpretation; and govern the manner in which SCDSB staff are to approach the delivery of Special Education Services within the Board.

Analysis and Recommendations

SEAC does not believe that the implementation and use of blocker shields (or similar devices) within the SCDSB has been/is consistent with these governing elements, nor with the published policies and procedures of the Board.

- 1. SCDSB documents outline the requirement for collaboration, including the involvement of parents in the development and delivery of education services, including the development of IEPs and**

Safety Plans. These documents also make clear that the use of equipment such as blocker shields (or similar devices) must be included in a Safety Plan.

From the SCDSB Special Education Statement of Beliefs:

Education services are delivered using a collaborative and flexible process centred on the strengths and needs of the students, inclusive of family, school, and community, and based on the best learning outcomes for the student. The student's "voice" is key to all decisions made on behalf of and with the student.

Excerpts from documents provided by SCDSB staff as being relevant to the issue of the use of blocker shields (or similar devices) in the SCDSB:

- From APM A1440 – Physical Containment: Guidelines for Responding to Injurious and Self-Injurious Student Behaviour

2.7 If any form of physical containment is required then a debriefing and an individual student safety Plan must be developed or reviewed in consultation with the student, parent, and staff (may include a registered psychologist, psychological associate, partner agencies, BMS trainers, etc.) If the safety of any one is compromised then the involvement of outside support including police or other agencies may be necessary.

3.5 Containment as a Component of a Safety Plan

3.5.1 Safety Plan

The potential to use physical containment may be a necessary component of a Safety plan for a student with special education needs. In this case, physical containment would be the last resort in a series of least intrusive to most intrusive behavior management strategies used with that student. The Safety Plan should clearly outline the purpose of the containment and the conditions of its use and be developed in consultation with the parent/guardian

4. Parent/Guardian involvement

When physical containment is used, the parents or guardians of students under 18 are to be made aware of the incident as soon as possible.

6.1 Whenever a physical containment is used the parent must be contacted that same day before the student is sent home from school.

- From APM A1435 – Management Process for Student Behaviours Causing a Risk-of-Injury

5.2 Parental/Guardian/Caregiver Involvement and Consultation

5.2.1 Parental/guardian/caregiver involvement is always important when developing appropriate programming for students with special needs. When developing the IEP, consultation with parents/guardians/caregivers is mandatory under Regulation 181/98. Early consultation is essential and absolutely critical in program planning for students whose exceptional needs include behaviours that present serious safety issues.

5.7 Safety Plan

5.7.1 Principals are responsible for ensuring that Safety Plans are developed collaboratively by school staff members, and that consultation with central board staff, parent(s)/legal guardian(s)/caregivers and outside agencies are included in the process where appropriate.

5.7.2 The Safety Plan (APPENDIX D) (FORM 2) is a component in the ongoing Management Process for Risk-of-Injury. This is an emergency response plan developed for students whose behaviour presents a risk-of-injury to self, students and/or staff. All students with a Safety Plan must have an IEP that identifies the ongoing risk-of-injury behaviours and daily intervention strategies as part of the behaviour plan. While Safety Plans are unique for each student, they generally include the following information:

5.7.2.1 a description of the observable behaviour concern(s);

5.7.2.2 triggers or antecedents;

5.7.2.3 prevention and intervention strategies;

5.7.2.4 management of behaviour/staff safety responses;

5.7.2.5 necessary personal protective equipment

5.7.2.6 photographs, as necessary.

5.7.3 Safety Plans must be reviewed a minimum of twice per year or as needed after an incident. All staff members who work on an ongoing basis with a student whose behaviour presents a serious risk-of-injury should be involved in the development of the Safety Plan. Staff and others who participate in the development of the Safety Plan should be recorded on FORM 3. Board services (such as Special Education, and Health and Safety Department) will provide significant support in the development and revision of the Safety Plan as well as the IEP. Input and advice should be sought from a parent/guardian/caregiver, Board Special Education staff and any community agency professionals currently working with the student and/or the student's family.

15. Planned physical intervention with a student

15.1 *The details involved in the use of planned physical intervention with a student are identified in the student's Safety Plan. A Safety Plan that includes planned physical intervention will outline the following details/procedures:*

15.1.1 *indicators that the student's behaviour presents an imminent safety risk and that physical intervention is required;*

15.1.2 *who will assist in containing the student;*

15.1.3 *a contingency plan for staff absences;*

15.1.4 *containment techniques to be used;*

15.1.5 *safety/protective equipment needed;*

15.1.6 *how the student's condition will be monitored;*

15.1.7 *how it will be determined when to discontinue the physical intervention;*

15.1.8 *communication with school administration.*

Note: If the intervention strategies detailed in the IEP do not result in a decrease of the behaviours requiring physical intervention, the entire IEP must be re-evaluated. The use of physical intervention as a component of the IEP is not appropriate if there is no reasonable expectation that the need for physical intervention will decrease and eventually not be needed.

- From Health and Safety Procedures Manual Procedure HS 05-29 – Workplace Violence Prevention

8. Special Education

The Simcoe County District School Board supports a safe working and learning environment for all staff including those who work with students with special needs. It is recognized that enhanced measures for employees, students and visitors may be required to prevent and address potential safety concerns. The Instructional Services Department provides assistance to principals and employees when a student has demonstrated behaviour that represents a safety risk to themselves or others. A program is put in place that develops, supports and communicates procedures and practices for the safety of employees and the students.

8.1. This program may incorporate the following:

8.1.1. Functional Behaviour Assessment

8.1.2. Individual Educational Plan

8.1.3. Behaviour Log

8.1.4. Safety Plan

- 8.1.5. Classroom Design/Layout
- 8.1.6. Personal Protective Equipment
- 8.1.7. Communication Systems
- 8.1.8. Physical Intervention
- 8.1.9. Behaviour Intervention
- 8.1.10. Regular Program Review/Assessment
- 8.1.11. Post Incident Strategies
- 8.1.12. Special Training

The program shall be developed in consultation with the Principal, employees and parents. It shall also be communicated to all employees working with the student. Specific employees will also receive training regarding behavior management strategies including preventative, instructional and physical intervention.

Despite the clear and consistent requirement throughout SCDSB policies and procedures to do so, blocker shields (or similar devices) were introduced into the SCDSB in the fall of 2010 without prior consultation with parents and even without parental knowledge. Blocker shields (or similar devices) continue to be employed to this date without any consistent requirement that they be reflected in Safety Plans and be discussed with parents, in continued violation of SCDSB policies and procedures.

2. SCDSB documents outline the requirement for training associated with use of equipment such as blocker shields (or similar devices).

- From APM A1435 – Management Process for Student Behaviours Causing a Risk-of-Injury

10. Safety and/or Personal Protective Equipment (PPE)

10.1 The Safety Plan may determine the use of safety and/or personal protective equipment (PPE) that must be worn to protect staff from injury or the student from self-injury. It is mandatory to use PPE identified in the Safety Plan. Determinations about the purchase and implementation of PPE may be part of the ongoing Management of Risk-of-Injury Process. The principal shall consult with the Principal of Special Education whether protective safety equipment is necessary when working with a student and to obtain proper training for the use of the equipment.

SEAC requested copies of “any instructions prepared or issued by SCDSB staff regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: guidelines; training materials; etc.” but none were provided. SEAC further requested:

- what instructions accompanied the blocking shields sent to schools
- what training was provided to administrators, teachers and EAs in the use of blocking shields at the schools where they were sent
- what percentage of staff using blocking shields had training – prior to using the blocking shields and to date

to which the response was: “Individual consultation took place.” It seems clear to SEAC that contrary to procedure “proper training for the use of the equipment” was neither prepared nor delivered to all affected staff.

3. SCDSB documents outline the requirement for equity and inclusive education.

- From SCDSB Policy 3130 – Equity and Inclusive Education

The Simcoe County District School Board is committed to excellence in education and equitable educational outcomes for all students and to the elimination of discrimination as outlined in Ontario’s Equity and Inclusive Education Strategy and Ontario Ministry of Education Policy / Program Memorandum No. 119, “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools”. The board upholds the principles of respect for human rights and fundamental freedoms outlined in the Canadian Charter of Rights and Freedoms, the Constitution Act, 1982 and the Ontario Human Rights Code.

- From PPM 119 – Equity and Inclusive Education

- *...boards will embed the principles of equity and inclusive education in all their other policies, programs, guidelines, and practices, so that an equity and inclusive education focus is an integral part of every board’s operations and permeates everything that happens in its schools.*
- *The strategy is designed to promote fundamental human rights as described in the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms, with which school boards are already required to comply*
- *The three goals of the equity and inclusive education strategy are as follows:*
 - *shared and committed leadership by the ministry, boards, and schools to eliminate discrimination through the identification and removal of biases and barriers*

- *equity and inclusive education policies and practices to support positive learning environments that are respectful and welcoming to all*
 - *accountability and transparency with ongoing progress demonstrated and communicated to the ministry and the community*
- *A positive and inclusive school climate is one where all members of the school community feel safe, welcomed, and accepted*
- *Active and engaged citizens are aware of their rights, but more importantly, they accept responsibility for protecting their rights and the rights of others.*
- *Boards will also put procedures in place that will enable students and staff to report incidents of discrimination and harassment safely, and that will enable boards to respond in a timely manner.*
- *The action plan contained in the document focuses on respecting diversity, promoting inclusive education, and identifying and eliminating discriminatory biases, systemic barriers, and power dynamics that limit students' learning, growth, and contribution to society. These barriers and biases, whether overt or subtle, intentional or unintentional, need to be identified and addressed.*

The use of blocker shields (or similar devices) is inconsistent with the intent of PPM 119 – rather than be welcoming it shuns; rather than being inclusive it separates these students from everyone else; rather than promoting acceptance it rejects and isolates; rather than making the student feel safe it threatens; et cetera. Blocker shields have even been carried on a regular basis in public, broadcasting a message of “danger, keep away”, also potentially violating the student’s rights to privacy. The use of blocker shields (or similar devices) are not equity and inclusive education.

SEAC Recommendation 1: All use of blocker shields (or similar devices) immediately cease. The implementation and use of all Personal Protective Equipment (PPE) must be brought into line with all established SCDSB policies and procedures.

From the SCDSB Special Education Statement of Beliefs:

Based on best practices and research the SCDSB will adopt proactive, innovative practices to promote individual student capacities and gifts while addressing their special education needs.

- From APM A1440 – Physical Containment: Guidelines for Responding to Injurious and Self-Injurious Student Behaviour

2.4 *Physical containment shall only be employed as a last resort when all other less restrictive measures have been exhausted and there is an imminent and acute risk of injury to self or others*

2.5 *Any physical containment will be used to manage a student's behavior only until that student no longer creates//poses an imminent risk or serious bodily injury to self or others.*

2.6 *The physical containment used will be the least invasive level of the specific containment technique.*

SEAC asked several questions of SCDSB staff with respect to any research or communication that might indicate that there was any evidence to support the introduction and continued use of blocker shields (or similar devices) as “best practice”:

Correspondence Issued by Board

- Please provide any correspondence that does not reference a specific student, issued by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.

Correspondence Received by Board

- Please provide any correspondence that does not reference a specific student, received by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.

Research

- Please provide any research obtained by the SCDSB relevant to the use of blocking shields (or similar devices) with special education students, such as but not limited to: published articles; use at other boards (including conditions of use, training, etc.); evidence of best practices; etc.

None of the responses received indicated that any effort had been made to establish whether or not the use of blocker shields (or similar devices) were best practice or even if they were in use anywhere. SEAC has been unable to find any information indicating that the use of blocker shields (or similar devices) could be construed as best practice, or in fact that such use could be considered acceptable practice. SEAC was unable to identify any research regarding the use of blocker shields (or similar devices) and was unable to uncover a single school board or service agency that considered the use of blocker shields (or similar devices) to be acceptable practice, let alone best practice. Attached are communications from the Toronto District School Board, various agencies, and others, all of which denounce the use of blocker shields (or similar devices) and recommend alternative measures be employed.

On May 2, 2012 SEAC sponsored a facilitated working session attended by approximately 50 people, entitled “Inclusion AND Safety: It’s not an either/or”. In attendance were SCDSB Board staff; SCDSB

SEAC members; Simcoe Muskoka Catholic District School Board SEAC members; agency representatives; parents and others. The following questions were posed to working groups for their consideration:

1. In what circumstances would you consider the use of blocker shields evidence-based best practice in instruction when interacting with students demonstrating unsafe behaviours?
2. In what circumstances would you consider blocker shields evidence-based best practice in prevention, intervention, reaction strategies when interacting with students demonstrating unsafe behaviours?
3. What alternative measures might be considered when balancing the individual needs and rights of students with safety needs of staff and students?

The overwhelming position was that the use of blocker shields is not evidenced-based best practice - feedback ranged from:

"Everything" else has been exhausted - Environment, instructional, sensory, social, etc. ; to

There are NO circumstances that would support use of BS as an "evidence-based practice" to achieve success with intervention, prevention, reaction, - NOT an evidence-based practice.

Notes from the working session groups are attached.

SEAC Recommendation 2: There is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and agencies and other experts indicate that such use is in fact detrimental to the student. The use of such devices is contrary to the SCDSB Special Education Statement of Beliefs and should not be allowed. SEAC recommends that the SCDSB immediately cease the use of blocker shields (or similar devices) and accept some of the offers received from local service agencies and others across the province to implement alternative approaches.

SEAC is cognizant of the concern SCDSB staff and their union have for their safety – in fact SEAC shares their concern and urges the Board to work with local agencies and other partners to implement evidence- based best practices that meet the needs of students and staff - Inclusion AND Safety: It's not an either/or.

Excerpt from:
Simcoe County District School Board
Special Education Report
2010-2011

Simcoe County District School Board Mission Statement

The mission of the Simcoe County District School Board (SCDSB), serving diverse, growing urban and rural communities in the Huronia and Georgian Bay region, is to ensure students reach their full potential to become responsible and contributing members of an ever-changing global society through quality programs which develop the skills of lifelong learning in a safe, caring environment enhanced by community support.

Source: S.C.D.S.B. Strategic Plan,
June 1997

SCDSB Special Education Advisory Committee Mission Statement

To make recommendations on special education matters to the SCDSB that enable all students to feel valued and achieve their full potential and to advocate for students with special needs.

Source: SEAC,
March 21, 2005

SCDSB Special Education Statement of Beliefs

Based on our belief in **respect, leadership, integrity, collaboration, compassion, student driven services and the right of all students to be included**, we advocate that:

- All students have equitable opportunities to learn and participate in inclusive school communities. They are supported in developing and maintaining relationships, and participating in freely chosen activities and groups that result in a sense of belonging.
- Students' unique learning styles are recognized and planned for in a caring and sensitive manner, enabling them to learn and participate with dignity and respect.
- Students' strengths and special education needs are identified and responded to early, as this is paramount to their growth and development. Based on best practices and research the SCDSB will adopt proactive, innovative practices to promote individual student capacities and gifts while addressing their special education needs.
- Education services are delivered using a collaborative and flexible process centred on the strengths and needs of the students, inclusive of family, school, and community, and based on the best learning outcomes for the student. The student's "voice" is key to all decisions made on behalf of and with the student.

The SCDSB Character Education attributes be incorporated in all aspects of the school community to provide a solid foundation for positive school and workplace cultures in Simcoe County.

<p>Integrity We act justly and honourably in all that we do.</p>	<p>Responsibility We are accountable for our actions and we follow through on our commitments.</p>
<p>Cooperation We work together towards shared goals and purposes.</p>	<p>Empathy We strive to understand and appreciate the feelings and actions of others.</p>
<p>Optimism We maintain a positive attitude and have hope for the future.</p>	<p>Respect We treat ourselves, others and the environment with consideration and dignity.</p>
<p>Honesty We behave in a sincere, trustworthy and truthful manner.</p>	<p>Caring We show kindness towards each other.</p>
<p>Inclusiveness We include everyone in what we do and value their unique contributions.</p>	<p>Courage We do the right thing even when it's difficult.</p>

Commit to Character

The SCDSB's program *Commit to Character* focuses on high academic achievement in relation to personal, interpersonal and citizenship development. An inclusive school culture that rests upon the principals of *Commit to Character* provides learning environments that are emotionally safe, encouraging, and respectful of diversity and difference. It builds community, inclusivity, and a sense of interconnectedness and interdependence that are critical to the educational experiences of all students.

Fostering attributes such as caring, courage, integrity and respect build resiliency and capacity. It is about the development of relationships that promote the enhancement of individual strengths and differences. Living out these values in practice requires intentional planning and implementation. It requires the commitment of all school community members. We must look at the culture of our schools and classrooms to see how we construct communities of learners where all children are respected, have leadership opportunities, and are honoured for being who they are.

(Given, 2002, p. 58).

*In all cases where the word "students" or "pupils" is mentioned, "students" or "pupils" includes those students attending Board schools under a tuition agreement with First Nations.

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MODEL FOR SPECIAL EDUCATION

The Simcoe County District School Board's (SCDSB's) Special Education Report outlines the Board's philosophy of special education and describes the special education programs and services available. It has been designed in accordance with the *Canadian Charter of Rights and Freedoms*, the *Ontario Human Rights Code*, the *Education Act* and regulations made under the Act.

The SCDSB is committed to providing the most appropriate educational opportunities for all students in an environment that enables all students to reach their goals, some of which are self defined.

Students' unique learning styles are recognized and planned for in a caring and sensitive manner, enabling them to learn and participate with dignity and respect (SEAC's Mission and Belief Statements, p. 4). To accomplish this a range of services are offered, where possible, in neighbourhood schools.

Educational services are delivered using a collaborative and flexible process centered on the strengths and needs of the students, inclusive of family, school, and community, and based on the best learning outcomes for the students. The student's "voice" is key to all decisions made on behalf of and with the student. (SEAC's Mission and Belief Statements, p. 4).

Special education services are defined in the *Education Act* as the facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

Services are driven by the student's strengths and needs and might include, but are not limited to:

- Specialized staff
- Continuous cycle of assessment
- Referral to a Strengths and Needs Committee (SNC) (refer to Early/Ongoing Identification and Intervention Procedures, page 64)
- The consultation, development, implementation, and revision of an Individual Education Plan (IEP) (refer to Individual Education Plans, page 20)
- Referral to an Identification, Placement and Review Committee (IPRC) (refer to The Identification Placement and Review Committee (IPRC), page 8)
- Assistive technology
- Accessible facilities
- Specialized equipment

Inclusive School Communities

- Ensure that "All students have equitable opportunities to learn and participate in inclusive school communities" (SEAC's Mission and Belief Statements, p. 4)
- Ensure that "...they (students) are supported in developing and maintaining relationships, and participating in freely chosen activities and groups that result in a sense of belonging" (SEAC's Mission and Belief Statements, p. 4)
- Foster learning communities where each member is treated with respect and dignity
- Recognize and value each student's unique contributions (SCDSB Commit to Character)
- Provide appropriate accommodations and modifications
- Collaborate amongst teachers, students, parents and community partners.

Ontario Curriculum

Programs and services for all Ontario students, including those who are exceptional, are provided in accordance with the requirements of the *Education Act* and related regulations, and with principles articulated in Ministry of Education policy documents and resource guides (refer to page 105).

The *Ontario Curriculum* is intended to guide programming for all students, including students with exceptionalities. Students who have been identified as exceptional by an Identification, Placement and Review Committee (IPRC) may require accommodations and/or modifications, which will be outlined in their Individual Education Plan (IEP). Recognizing the strengths and needs of exceptional students, and providing appropriate programs and services for them are critical to student success.

Accessibility for students with disabilities is an inherent component in all aspects of the SCDSB's Special Education Mission and Beliefs. It is governed by the accessibility for *Ontarians with Disabilities Act* and guided by documents from the Ontario Human Rights Commission.

The *Ontarians with Disabilities Act* requires all publicly funded organizations to examine themselves annually to ensure that they are progressing in their efforts to become more accessible to persons with disabilities. Under the Act, school boards are required to file annual accessibility plans that "... address the identification, removal, and prevention of barriers to persons with disabilities in the bylaws and in its policies, programs, practices and services." The SCDSB ODA team welcomes on-going input into the development and implementation of activities that will promote accessibility for all our stakeholders and remove identified barriers (see SCDSB ODA Report - APPENDIX B).

In November 2004, the Ontario Human Rights Commission released *Guidelines on Accessible Education*. These Guidelines express the Commission's expectations regarding the duty to accommodate students with disabilities. The Guidelines are a companion to the Commission's October 2003 Consultation Report: *The Opportunity to Succeed: Achieving Barrier-free Education for Students with Disabilities*. The complete Guidelines are available on the Human Rights Commission's website at: www.ohrc.on.ca

The principles of accommodation which involve respect for dignity, individualization, and inclusion are expressed in the Guidelines. School staff is reminded of the importance of making every effort to discuss disability issues with students and model respectful attitudes and behaviours.

As set out in the Education Act and Regulations, the Commission specifies that each student's needs are unique and must be considered individually and with confidentiality. Consistent with Regulation 181/98; Identification and Placement of Pupils, the Commission specifies the need to first consider placement in the regular education classroom before considering placing a student in a special education class.

It is the Commission's position that the duty to accommodate requires that the most appropriate accommodation be determined and then undertaken, short of undue hardship. An accommodation is considered appropriate when it results in equal opportunity to attain the same level of performance, or to enjoy the same level of benefits and privileges enjoyed by others, or if it is proposed or adopted for the purpose of achieving equal opportunity, and meets the student's disability-related needs (*Ontario Human Rights Commission: Guidelines on Accessible Education, 2004*).

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Blocker Shield Discussion Time-Line

Blocker Shield Discussion Time-Line

March 19, 2012 SEAC meeting

- Blocker shields discussed for the first time
- SEAC passed a time sensitive motion: "That the Board approve that the Board cease use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion."

March 29, 2012 Board of Trustees Meeting

- Director Wallace clarified that the blocker shields have been in use at the SCDSB since the fall of 2010
- SEAC's motion referred to senior staff; "That the Board refer the issue identified by the SEAC motion as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motion – March 19, 2012, to senior staff to review the concerns raised regarding the use of blocker shields with students, to consult with SEAC, parents, staff, and the Joint Health and Safety Committee, and to seek input from community partners and to prepare a report updating the Program Standing Committee in June 2012."

April 1, 2012

- Vice Chair of SEAC emailed Superintendent Hili a list of questions regarding the use of blocker shields (or similar devices) in the SCDSB.

April 27, 2012

- SEAC received responses to some of its questions.

May 2, 2012

- SEAC sponsored a facilitated working session attended by approximately 50 people, entitled "Inclusion AND Safety: It's not an either/or", and facilitated by:
 - Brendon Pooran, LLB. provided contextual background including Disability Law, Human Rights Law and Special Education Law

- Dr. Lindy Zaretsky, Ph.D. provided contextual background on the Guiding Questions for the Consultation

May 7, 2012

- Vice Chair of SEAC requested clarification of responses received and requested additional information.

May 14, 2012

- SEAC received further responses to some of its questions.

Simcoe County District School Board
Special Education Advisory Committee (SEAC)
Delegation to the SCDSB Board of Trustees
March 28th, 2012

Background:

“Education Act

ONTARIO REGULATION 464/97

SPECIAL EDUCATION ADVISORY COMMITTEES

11. (1) A special education advisory committee of a board may make recommendations to the board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board.

(2) Before making a decision on a recommendation of the committee, the board shall provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred. O. Reg. 464/97, s. 11”

Delegation to Board March 28 2012:

Recently it came to the attention of SEAC that large, red blocker shields are being used with students in some of our special education classrooms, throughout some school buildings during the school day and when school staff is accompanying students out in the community.

SEAC was not consulted about this use of Blocker Shields either as a behavioural intervention or as regular daily work wear for staff who teach students who have difficulty with self-regulation. SEAC is very concerned with the indiscriminate, en masse use of these blocker shields within our Board as we believe they severely impact on the dignity and human rights of students with special education needs as well as promote fear and exclusion of these students. Using Blocker Shields is both dehumanizing and discriminatory.

Worldwide, there are documents which speak to Human Rights. The purpose of the United Nations Convention on the Rights of Persons with Disabilities, which Canada ratified in 2010, is “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent human dignity.” Section 6 affirms the right of persons with disabilities to services which will “hasten the processes of their social integration or reintegration”. *Convention on the Rights of the Child*, Article 23, recognizes the rights of children with disabilities to “enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child’s active participation in the community”. SEAC is concerned that the indiscriminate use of blocker shields negatively impacts the dignity and human rights of vulnerable students.

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

SEAC is concerned that the use of blocker shields discriminates based on mental disability.

The Ontario Human Rights Commission's (OHRC) *Disability Policy* emphasizes human dignity, respect and the right to equality. The Policy states:

“Human dignity encompasses individual self-respect and self-worth. It is concerned with physical and psychological integrity and empowerment. It is harmed when individuals are marginalized, stigmatized, ignored or devalued. As a caring society, we have an obligation to ensure that all vulnerable members of our society are guaranteed access to services, supports and accommodations to help them overcome the negative impacts of their vulnerability.”

One of the main barriers to education for students with disabilities is negative attitudes and stereotypes. Students with disabilities continue to face negative attitudes and stereotypes in the education system. The OHRC further states that each student's needs are unique and must be considered individually and with confidentiality.

Lack of knowledge about and sensitivity to disability discrimination issues on the part of school personnel and fellow students can make it difficult for students with disabilities to feel welcome and be a part of the school community. Schools must work to remove barriers to give meaning to the right to equality and freedom from discrimination which is guaranteed to persons with disabilities under the *Code*.

SEAC noted that this use of Blocker Shields does not protect the privacy of the student. This en masse practice publically announces that these students have a disability both to the community and within schools.

The Ontario Human Rights Commission published a document “*The Opportunity to Succeed: Achieving Barrier-free Education for Students with Disabilities*” and “*Guidelines on Accessible Education*.” The Guidelines state the Commission's expectations regarding the duty to accommodate students with disabilities.

Principles of accommodation

Accommodation is a means of preventing and removing barriers that impede students with disabilities from participating fully in the educational environment in a way that is responsive to their own unique

circumstances. The principle of accommodation involves three factors: dignity, individualization and inclusion.

Respect for dignity

Students with disabilities have the right to receive educational services in a manner that is respectful of their dignity. Human dignity encompasses individual self-respect and self-worth. It is concerned with physical and psychological integrity and empowerment. It is harmed when individuals are marginalized, stigmatized, ignored or devalued. Educators must create accommodation solutions in a way that respects the dignity of students with disabilities. Accommodations that do not take into account a student's right to respectful and dignified treatment will not be appropriate.

Furthermore, respect for dignity also includes taking into account how an accommodation is provided and the student's (and/or their parent(s)' or guardian(s)') own participation in the process.

SEAC was notified that the families of students did not know about or consent to the use of Blocker Shields

With respect to individualization...Protecting disability-related information

It is important that an education provider take steps to ensure that students feel safe disclosing a disability. To avoid labeling or stereotyping, it is essential that education-providers take precautions to safeguard the disability-related information of students. This is especially important for individuals with disabilities that continue to carry a strong social stigma, such as mental illness and HIV/AIDS. Maintaining confidentiality for students with disabilities is an important procedural component of the duty to accommodate.

SEAC wonders why there is such disregard for confidentiality.

And Inclusion.....Educators have a duty to maintain a positive school environment for all persons they serve. The **OHRC found that the attitudes of educators towards disability issues play a major role in influencing how other students treat and relate to students with disabilities.** Teachers should make efforts to sensitize students about disability issues and to model respectful attitudes and behaviour towards students with disabilities. Education providers need to address any behaviour that may be injurious to the dignity of students with disabilities.

SEAC believes the indiscriminate use of Blocker Shields is injurious to the dignity of students with disabilities.

Some students with special education needs have a safety plan attached to their individual education plan (IEP). This outlines the crisis protocol to be used when a student exhibits escalating behaviour i.e. observable signs of increased anxiety or agitation. Interventional behaviour strategies would be listed. If the situation escalates there is also strategy in place how to respond to the crisis, which crisis response adults to call, would outline how to handle a crisis itself and the supported self-control, how to soothe and redirect and how to cope. Typically the parents are involved in joint-development of safety plans with the school personnel and necessary medical personal.

SEAC was notified that such use of Blocker Shields is not included in the Safety Plans of some students.

Furthermore, using Blocker Shields does not align with legislated social inclusion for persons with disabilities Ontario regulation 299/10 (including: Promotion of social inclusion, individual choice, independence and rights of persons with developmental disabilities who are receiving services and supports based on respect for, and the dignity of, the individual)

Using Blocker Shields does not align with legislated laws governing confidentiality (*Personal Health Information Protection Act, 2004 (PHIPA)* – a provincial law governing the collection, use and disclosure of personal health information)

The Canadian Association of Community Living provides national leadership for the issue of inclusion, advocating for the rights of people with intellectual disabilities and their families, and helping Canadians and communities build an inclusive country calls for benchmarks outlining the provision of policies and practices for restraint-free and non-violent supports and interventions to be in place in services accessed by people with disabilities.

Posted on the SCDSB Website:

“The Simcoe County District School Board is committed to excellence in education and equitable educational outcomes for all students, and to the elimination of discrimination as outlined in Ontario’s Equity and Inclusive Education Strategy and Ontario Ministry of

Education Policy / Program Memorandum No. 119, Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools. The board upholds the principles of respect for human rights and fundamental freedoms outlined in the Canadian Charter of Rights and Freedoms, the Constitution Act, 1982 and the Ontario Human Rights Code.”

(SCDSB) Commit to Character

The SCDSB’s program *Commit to Character* focuses on high academic achievement in relation to personal, interpersonal and citizenship development. An inclusive school culture that rests upon the principals of *Commit to Character* provides learning environments that are emotionally safe, encouraging, and respectful of diversity and difference. It builds community, inclusivity, and a sense of interconnectedness and interdependence that are critical to the educational experiences of all students.

SEAC wonders how does the use of blocker shields align with the Commit to Character Program. Where do the attributes of compassion, respect and empathy align with this practice?

The Simcoe Path, the cornerstone of the Board’s operational strategies promises **Inclusive, equitable and safe learning and working environments** by

- Integrate “Commit to Character” attributes in teaching, learning and leading;
- Promote and sustain safe, healthy, respectful and welcoming learning and working environments;
- Include the voices of our diverse communities; and
- Understand, identify and remove the barriers in order to achieve student sense of belonging and future prospects
- Lead in global, environmental and socially responsible citizenship
- Promote shared leadership with school and community partners

According to Bill 168, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) employers must put in place policies that prescribe safe workplaces for their employees. SEAC knows that there are local, regional, national resources available to help the Board align the workplace safety demands of Bill 168

without the public use of blocker shields as that practice violates human rights, results in loss of dignity, privacy and promotes fear and exclusion, the ultimate in isolation

In summary, SEAC concerns regarding indiscriminate en masse use of blocker shields include

- No Parental knowledge/involvement/consent
- No SEAC knowledge/involvement/advice
- This use of blocker shields is not in individual safety plans
- Not “prescribed” by medical practitioner
- No guidelines/rules/policies governing this widespread use
- No justification, not an evidence-based best practice

And given that indiscriminate use of blocker shields could be in violation of *Ontario Human Rights Code, Freedom of Information and Protection of Privacy Act and Ontarian’s with Disabilities legislation*, as well as being inconsistent with literature and evidence-based practice on behaviour management. SEAC recommends consultation and collaboration between families, School Board personal and behaviour experts to develop behavioural management plans which support the growth and development of vulnerable students with dignity.

SEAC approved the following time-sensitive motion to be presented at the Board Meeting of March 28 2012

Be it resolved that:

“the Special Education Advisory Committee recommends that the Board ceases use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion.”

Simcoe County District School Board
Special Education Advisory Committee (SEAC)
Community Activity
May 2nd, 2012



You are invited to a facilitated working session:

“Inclusion AND Safety: It’s not an either/or”

The Simcoe County District School Board Special Education Advisory Committee wishes to provide advice to the Board on evidence-based best practices for inclusion and safety. Following a keynote address, attendees will participate in a facilitated working session which will investigate marrying the individual rights of students with worker safety through sound instructional intervention practices geared at enhancing behavioural self-management.

When: Wednesday May 2nd 2012, Registration 6:00pm. Workshop 6:30-8:30pm

Where: Simcoe Community Services, 39 Fraser Court, Barrie

Keynote: Brendon D. Pooran LL.B. B. Comm

Facilitator: Lindy Zaretsky Ph.D. Executive Director, Geneva Centre for Autism

We look forward to receiving confirmation of your attendance at this important event.
Kindly RSVP to consult020512@gmail.com by April 20th

Committee Activity:

In order to assist the staff with the required consultation, SEAC arranged a Community Consultation on Wednesday May 2 2012. The attendance record shows 50 persons in attendance, including representatives of the following groups: Parents, VOICE, SCDSB SEAC members, Autism Ontario, Community Living Ontario, IAI, Catulpa, Ontario Autism Coalition, Simcoe Community Services, Children's Treatment Network, On Solid Ground Behavioural Services, Inclusion Consultant, SMCDSB SEAC members, SCDSB staff, MPP, Parliamentary Assistants, Media, as well as those who did not identify an affiliation.

Brendon Pooran LLB. B. Comm provided contextual background including Disability Law, Human Rights Law and Special Education Law

Dr. Lindy Zaretsky Ph.D. provided contextual background on the Guiding Questions for the Consultation

1. In what circumstances would you consider the use of blocker shields evidence-based best practice in instruction when interacting with students demonstrating unsafe behaviours?
2. In what circumstances would you consider blocker shields evidence-based best practice in prevention, intervention, reaction strategies when interacting with students demonstrating unsafe behaviours?
3. What alternative measures might be considered when balancing the individual needs and rights of students with safety needs of staff and students?

Round-table consultation ensued

Remarks were documented and collated (attached)

Summary:

There was overwhelming response that there are no circumstances when the use of blocker shields is evidence-based best practice in instruction when interacting with students demonstrating unsafe behaviours.

There are no circumstances that would support use of blocker shields as an evidence-based best practice to achieve success with intervention, prevention, reaction. The use of blocker shields is not an evidence-based practice.

Participants provided comments with regard to alternative measures which could be considered when balancing the individual needs and rights of students with the safety needs of staff and students. There are recommendations for further consultation with families and behavioural experts, development of Safety Plans with all stakeholders, examination of existing practices where blocker shields are not used, documentation, ongoing third party involvement, detailed assessment, training, and examination of the practice of grouping students who have special needs.

Verbatim Summary from Consultation May 2 2012

(Transcription of group note taking)

Group A

1. We cannot accept that BS could be considered as evidence-based practice in any circumstances. In fact, we believe it could escalate behaviour.
2. There are NO circumstances that would support use of BS as an “evidence-based practice” to achieve success with intervention, prevention, reaction, -NOT an evidence-based practice.
3. ALTERNATIVE MEASURES

- People will always use the simplest tool for any job. Blockers are a simple too that will always supersede all other tools.
- For the students who are at-risk for aggressive behaviour-why can't we define specific training requirements ongoing for those support workers/teachers to work with these children.
BMI-strategy training, communication training, disability awareness, they need in-depth training on functional assessment, sensory training.
- Bring in on-site training...compare to Simcoe Community Services

COMMUNICATION

services/training/implementation, needs-high attention, augmentative communication training, implementation for students

Better documentation

for safety plans and use of equipment, clinical oversight for equipment, look at how this informed use of BS

INCLUSION

Please look at the road to inclusion from all-day learning on Board!! Ask yourselves the questions. How are we putting best efforts, best practices to move forwards.

A priority of inclusion overall

Investing resources with this goal in mind may not have lead us to this point (augmentative, communication, ASD resources, peer buddying, inclusive classrooms, inclusive teachers, inclusive EAs, inclusive school staff, work with SEAC to take input/feedback more closely on training/ policy development/ equipment use etc.

Group B

1. "Everything" else has been exhausted

-Environment, instructional, sensory, social, etc.

- Parents key source of info
- Revisit & retry, -monitor
- Could require training for staff

2. similar to #1, but more focus on staff actions

Training specific to use of shields...when and how (consult martial arts)

3. Talk about elements in #1 to

- Parents
- Former teachers
- SERT
- Etc.

After exhausting alternatives, more specific and less obvious devices/equipment

- Flexibility
- Individualization
- Model successful staff

OTHER

Communication key

Discuss/focus on successes

Scaffolding-start small and build, keep success going

Educators listen to experts who live it each day.
BS don't support principles of equality, inclusion, dignity

Group C

1. No
2. None
3. Functional Behavioural Assessment

Safety Plan developed with all Stakeholders * family

Proper Training for Staff

Individualized Programming with "real" preferred activities

Focus on Positive Peer Modeling as a Preventative Measure (authentic inclusion)

Group D

1. Wouldn't use
Communicates the wrong message to others in the public
2. Certainly wouldn't use on a group because of their disability
3. Believe that behavioural challenges can be addressed by other means...need an analysis done
Don't write these kids off!

Group E

1. None
2. None
 - Not targeted to the behaviour/disability
 - Messages children with Autism are dangerous
 - Transition Plan

3.NVCI, Communication, team with family, working with family and outside service providers to establish a plan to best support the child, what may be possible triggers to behaviour, doctor info i.e. assessments New Path, Catulpa, Kerry's Place, SCS, E3, Kinark

- Informed teachers re: disability
- Everyone interacting with students to be well versed in their IEP and Safety Plan

Group F

“Evidence-based...”?? Is there any evidence of need?

1. For instructional purposes...” there wouldn't be any, would there?

- We are not aware of any “evidence-based” practice for instruction
- Reactive, aggressive vs. preventative strategies can further escalate the situation
- “offense” not defense...is “active”
- Has visual impact... can arouse the student
- Can create “associations” of shield us with physical aggression...can perhaps become a “trigger” itself, triggers fear, uncertainty

2. For prevention, etc...

- Is it even safe and does it even make students “unsafe”
- Perception created within community that things may be unsafe
- The visual impact...why are so many staff carrying these shields? What does this say about safety?
- Is this even an “individual” intervention, or are staff carrying these shields “en masse” just because the kids are grouped together.
- The shields are seen by staff as a consequence to behaviour that hopefully will make them feel safer...but in reality, could they be acting as an “antecedent”...as a trigger
- There is a problem with the way the issue being framed as “staff safety” And, are they even really “safe?” The use of this intervention is not addressing the real issue.

Our thoughts:

What does the environment look like and how might it be contributing to the problem. What is the class like? What are the concerns with grouping students in this way in a segregated setting and what is the physical environment like? The use of blockers may be preventing the successful inclusion of the students in the community. How is a “classfull” of behaviours helpful to anyone, on any way?? Where are the role models?

3. Alternative measures:

- Use of ABC Antecedent Control.....need to properly understand what this means!
- Training (for above)
- Change the environment
- Leadership is required for staff adherence to abolition of these measures that violate student dignity...must not be allowed

Replace with:

- Involve interaction with other students...peers are the best motivators
- Consult with and involve families...gather data
- Ask EA/staff who know student “what works?” and build from there
- Work on an individualized basis
- Revisit “alternative measures” that have worked in the past. They are evidence-based; there are such practices being used every day in other boards/environments across the province.

Group G

1. Question regarding “evidence-based”

- What research is there on the use of protective equipment for intervention/instruction?
- KEY WORD...instruction
- Need a full assessment when dealing with aggressive behaviour

- What replacement skills are being identified or taught to children as a preventative “teaching environment”
- Need to assess all aspects of what child may need to learn
- Comprehensive program for students needs to be developed but that is a disconnect between identified goals and application of strategies (evidence-based strategies)
- Work around the students’ needs...instructional needs, adapted day

2.

- use of protective equipment used in an assessment of severe behaviour issue to determine function...then develop comprehensive plan to treat and teach new skills (replacement)
- Needs to be a plan to remove equipment as students learn replacement skills
- Are students who are demonstrating severe enough behaviours that warrant BS actually “safe” in the environment?

3.

- How can EA ,behaviours/environment be assessed
- Who is involved in treatment team to assess variables?
- Allow 3rd parties to be involved (?) in assessment and planning
- Make it Policy...that every student has access to full FBA prior to any treatment goals being put in place.
- Develop model similar to Kinark Day Tx programs in schools
- Partnership between home and school

Allowing/ permitting sharing of info, working together, allowing 3rd party involvement

**SEAC Questions
and
Staff Responses**

SEAC Questions, Board Staff Responses, SEAC Follow-up and Final Responses

LEGEND:

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Governing Documents

- SEAC has received a copy of APM A1435, issued October, 2011 “Management Process for Student Behaviours Causing a Risk-of-Injury”. Please provide any other APM that is relevant to the use of blocking shields (or similar devices).
- Please provide any other SCDSB governing document that should be considered as part of a review of the use of blocking shields (or similar devices) by the SCDSB.
- R. Discussed in the Consultation Package under “Safety in the Workplace: Legislative Compliance”
- F. Copies of some of the listed policies are located on the SCDSB website at <http://scdsb.on.ca/board-highlights/policies/>, please indicate if these copies are up to date and provide a link to, or an electronic copy of, any more recent versions. Copies of some of the listed procedures are located on the SCDSB website at <http://scdsb.on.ca/board-highlights/procedures/>, please indicate if these copies are up to date and provide a link to, or electronic copy of, any more recent versions.

Some of the documents listed in the consultation package do not appear to be available on the SCDSB website – please provide a link to, or an electronic copy of, the most recent versions of the following:

- APMA1440
 - APMA7100
 - Procedure HS 02-01
 - Procedure HS 02-03
 - Procedure HS 05-29
 - Procedure HS 05-31
 - Procedure HS 05-33
- R. The above APMs and procedures are attached with the exception of APM A7100, which is “Under Review” therefore not included.

Correspondence Issued by Board

- Please provide any correspondence that does not reference a specific student, issued by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.
- R. Use of pads is discussed in the Consultation Package under “Strategies to Protect Student and Staff – sections – Appropriate Interventions / Use of foam pads in our schools / Regular evaluation and monitoring strategies”.
- F. The section “Strategies to Protect Students and Staff” appears to a policy and procedure summary created for the public consultation package – if this has been issued as correspondence, other than as part of the public consultation package, please clarify when and to whom this was issued. Please also provide the policies, procedures or other documents from which these are summarized.

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There was no other correspondence provided – no board staff communication; no instructions to schools/staff; no communication with outside organizations; etc. Please indicate if this means that no such correspondence has been issued by Board staff (central or school based) regarding the use of blocking shields (or similar devices) and provide the correspondence that has been issued.

- R. Information was created for the consultation package. The majority of the information came from APM 1435, APM 1440 and Behavior Management Systems. Communication with schools related to the use of foam pads was consultative pertaining to specific students.

Correspondence Received by Board

- Please provide any correspondence that does not reference a specific student, received by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.
- R. Autism Ontario / Geneva Centre for Autism / Education Committee Community Living Ontario / Option Family Service Toronto (attached).
- F. In addition to the letters provided from agencies, there have been various other letters SEAC has that it understands were also addressed to the Board. While SEAC recognizes that this package was assembled at a particular point in time and therefore may necessarily lack correspondence received after that time, SEAC would appreciate continuing to correspondence on this issues that is received by Board staff.

There was no other correspondence provided – no communication/feedback from schools or parents; no communication with outside organizations; etc. Please indicate if this means that no such correspondence has been received by Board staff (central or school based) regarding the use of blocking shields (or similar devices) and provide the correspondence that has been received.

- Simcoe Community Services
- Family Service Toronto
- Any correspondence sent by an individual would constitute 3rd party information and as such we would require their consent to release.

Research

- Please provide any research obtained by the SCDSB relevant to the use of blocking shields (or similar devices) with special education students, such as but not limited to: published articles; use at other boards (including conditions of use, training, etc.); evidence of best practices; etc.
- R. Information provided by Behavior Management Systems in the Consultation Package provides a provincial perspective. Background information on The Behavior Management Systems Training program as well as the acknowledgement information on the many educators and experts throughout the province involved in program development program piloting and Curriculum Services Canada – Web-Site Materials, is attached.
- F. Please clarify the source(s) of information from each subsection under “BMS Use of Personal Protective Equipment (PPE) by staff when working with students with special needs who present an ongoing risk of injury to self or others.” This section does not appear to be research, but a summary created for the public consultation. For instance, under the subsection “Personal Protective Equipment” there is a specific reference to shields, but at a SEAC meeting SEAC was advised that BMS does not deal with shields (or similar devices) and that the use of such devices was beyond

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BMS. It therefore appears that this section is not an excerpt from a BMS documents, but is something else.

As noted above, SEAC was advised that Behaviour Management Systems Training does not deal with the use blocker pads (or similar) devices. Unless the inclusion of the excerpt from the "Background" on BMS training and the list of many educators and experts throughout the province involved in BMS training, which emphasizes prevention and non-physical interventions, is meant to be research concluding against the use of blocker shields and similar devices, please explain the relevance of these materials.

Please indicate if the SCDSB has no other research relevant to the use of blocking shields (or similar devices) with special education students and provide any such research it does have.

- R. "BMS Use of Personal Protective Equipment (PPE) by staff when working with students with special needs who present an ongoing risk of injury to self or others" is the official statement from BMS and is watermarked. Paul Addie, Project Director for BMS provided this for our use and he is the facilitator for our Public Consultation. The statement regarding BMS at SEAC was made by Chair Bridekirk. BMS supports the use of protective equipment and does not differentiate between the different types. Behavior Management Systems is the staff training and support program provided by the Ontario Education Service Corporation (established by all School Boards Associations of Ontario) developed in co-operation with the Ministry of Education. It incorporates the latest information on Child development and behavior as well as information on current relevant educational procedures and legislative materials.

Instructions

- Please provide any instructions prepared or issued by SCDSB staff regarding the use of blocking shields (or similar devices) with SCDSB students, such as but no limited to: guidelines; training materials; etc.

R. Discussed in the Consultation Package under "Strategies to Protect Students and Staff – sections – Appropriate Interventions / Use of foam pads in our schools / Regular evaluation and monitoring strategies" as well as in the information provided by Behaviour Management Systems. In addition, individual consultation with central board staff takes place as required.

F. The material provided appears to be limited to that prepared for the public consultation on this subject. Please clarify if this is the only such material prepared and provide any other instructions (such as, but not limited to, those issued at the time of deployment) prepared or issued by SCDSB staff regarding the use of blocking shields (or similar devices) with SCDSB students.

R. Communication with schools related to the use of the foam pads was consultative pertaining to specific students and specific needs.

Usage

- Director Wallace has clarified that blocking shields have been in use in the SCDSB since the fall of 2010. Please provide details with respect to that usage within the SCDSB, such as but not limited to:
 - which schools were the blocking shields sent to
 - R. The foam pads are required to support situations from time to time involving one or a few students in six schools. In order to protect individual student privacy, it is not appropriate to identify these schools.

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SEAC understands from responses that the blocker shields (or similar devices) are currently being used in six schools. This question was with respect to all the schools that have received such devices, not the schools currently employing them. How many schools have received blocker shields (or similar devices)?

SCDSB schools have hundreds to thousands of students attending them. SEAC does not believe that listing the schools where blocker shields (or similar devices) were sent violate individual student personal privacy and as such requests that the schools be identified.

R. It is our understanding that over the past 3 school years, 16 schools have received them. At this time, they are being used in 6 schools.

o **what criteria was used to determine which schools received blocking shields**

R. The foam pads are required to support situations from time to time involving one or a few students in six schools.

F. Please provide specifics with respect to the criteria used to determine which schools received blocking shields (or similar devices).

R. The process used is outlined in the section entitled "Strategies to Protect Students and Staff". The utilization of this equipment as with all interventions is related to individual student need.

o **what instructions accompanied the blocking shields sent to schools**

R. responded to above [from above: Discussed in the Consultation Package under "Strategies to Protect Students and Staff – sections – Appropriate Interventions / Use of foam pads in our schools / Regular evaluation and monitoring strategies" as well as in the information provided by Behaviour Management Systems. In addition, individual consultation with central board staff takes place as required.]

F. The material provided does not appear to be instructions that accompanied the blocking shields (or similar devices) when they were sent to schools and does not indicate when blocking shields (or similar devices) should be used nor how to properly use them. Please indicate if no instructions accompanied the blocking shields (or similar devices) when they were sent to schools and provide any instructions that did accompany the blocking shields (or similar devices) when they were sent to schools.

R. Individual consultation with staff took place.

o **what training was provided to administrators, teachers and EAs in the use of blocking shields at the schools where they were sent**

R. Discussed in the Consultation Package under "Strategies to Protect Students and Staff" including: Functional Behaviour Analysis (FBA) / Behaviour Management Systems / collecting and analyzing data through behavior logs, FBA's, programming and interventions, site based training, visits to collaboration sites as well as individual consultations with central board staff and in some cases external behavior supports based on specific student need.

F. None of the material referred to deals with training related to the use of blocker shields (or similar devices), such as when the use of such devices would be appropriate and the correct method of use. Please indicate if there was no training specific to the use of blocker shields

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- (or similar devices) and provide information on any specific training that did take place to each staff group.
- R. Individual consultation took place.
- **what percentage of staff using blocking shields had training – prior to using the blocking shields and to date**
 - R. Discussed in the Consultation Package under “Strategies to Protect Students and Staff” including: Functional Behaviour Analysis (FBA) / Behaviour Management Systems / collecting and analyzing data through behavior logs, FBA’s, programming and interventions, site based training, visits to collaboration sites as well as individual consultations with central board staff and in some cases external behavior supports based on specific student need.
 - F. None of the material referred to deals with training specific to the use of blocker shields (or similar devices), such as when the use of such devices would be appropriate and the correct method of use. Please indicate if no staff have received training specific to the use of blocker shields (or similar devices) and provide information on what percentage of staff using blocking shields (or similar devices) did receive training – prior to using the blocking shields (or similar devices) and to date, if any training specific to the use of blocker shields (or similar devices) did take place.
 - R. Individual consultation took place.
 - **how many blocking shields were sent to schools**
 - R. Over the past 2 years, 44 pads were sent to schools.
 - F. SEAC understands that blocking shields (or similar devices) placed in side of some form of cover, such as canvas/sports bags, have in some cases been substituted for the foam pads previously in use. Please indicate if the 44 pads noted includes the deployment of all such devices and provide any additional information regarding the total number of blocking shields or similar devices that have been deployed.
 - R. Covers were used with existing foam pads already in use. An additional 4 foam pads returned, or not in use, have just come to my attention.
 - **how many students were the blocking shields used with**
 - R. Number of students pads were used with - 2010/2011 – approximately 18 students were supported based on needs.
 - F. The question was not limited to the 2010/2011 school year - please provide information regarding how many students the blocking shields (or similar devices) have been used with, up to the current time.
 - R. Usage is defined by student need and the effectiveness of the intervention which changes over time. It is our best estimate that from the spring of 2010 – Present approximately 26 students were supported based on needs. This number includes the 14 students who are currently being supported.
 - **how many blocking shields were returned by schools**
 - R. Number of pads returned / not is use – approximately 23
 - F.

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- **what reasons were given by schools for returning the blocking shields**
 - R. Reasons for return / not in use – student(s) moved / not an effective strategy with the specific risk of injury / no longer required due to change in student behavior.
 - F.

- **how many blocking shields are still in use**
 - R. Number of pads still in use – approximately 21 to support students based on needs.
 - F. SEAC understands that blocking shields (or similar devices) placed in side of some form of cover, such as canvas/sports bags, have in some cases been substituted for the foam pads previously in use. Please indicate if the 21 pads noted includes all such devices currently in use and provide any additional information regarding the total number of blocking shields or similar devices that are currently in use.
 - R. Yes – includes all foam pads.

- **how many students are the blocking shields used with currently**
 - R. Number of students that pads are currently used with – approximately 14 students are supported based on need.
 - F. SEAC understands that blocking shields (or similar devices) placed in side of some form of cover, such as canvas/sports bags, have in some cases been substituted for the foam pads previously in use. Please indicate if the 14 students noted includes all students with whom such devices are currently in use and provide any additional information regarding the total number of students with whom blocking shields or similar devices are currently in use.
 - R. Yes.

- **how many students are there in the in the classes in which blocking shields were used**
 - R. This would vary depending on the time.
 - F. Please provide a reasonable estimate as to the total number of students who have been present in a class where a blocker shield (or similar device) has been deployed and explain the basis of that estimate. One such estimate could be the numbers of students sharing the same placements as students with whom the blocker shields (or similar devices) could be utilized.
 - R. The majority of students who have been supported by foam pads are in a county class placement. The maximum number in any placement is 10. Some of the students have required an alternative learning environment and were therefore not integrated into a class placement.

- **how many students are there in the classes where blocking shields are currently being used**
 - R. This would vary depending on the time.
 - F. Please provide a reasonable estimate as to the total number of students who could be present in a class where a blocker shield (or similar device) has been deployed and explain the basis of that estimate. One such estimate could be the numbers of students sharing the same placements as students with whom the blocker shields (or similar devices) could be utilized.
 - R. Same answer as above.

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- **how many of the safety plans of the students with whom blocking shields were used deal with the use of blocking shields**
 - R. Safety Plans – in some cases, equipment worn by staff, such as Kevlar sleeves, is listed as part of the student’s safety plan. When equipment is part of the general classroom environment or for general travel purposes, it is not always itemized and listed.
 - F. Please indicate if this means that the use of blocker shields (or similar devices) has not been reflected in any safety plans or in how many safety plans of the students with whom blocking shields (or similar devices) were used that such use has been reflected.
 - R. As noted above. In addition, safety plans fall under OSR information.

- **how many of the safety plans of the students with whom blocking shields are currently used deal with the use of blocking shields**
 - R. Safety Plans – in some cases, equipment worn by staff, such as Kevlar sleeves, is listed as part of the student’s safety plan. When equipment is part of the general classroom environment or for general travel purposes, it is not always itemized and listed.
 - F. Please indicate if this means that the use of blocker shields (or similar devices) has not been reflected in any safety plans or in how many safety plans of the students with whom blocking shields (or similar devices) are currently in use that such use has been reflected.
 - R. Same answer as above.

- **have the parents of all the students in a class where blocking shields have been used been apprised of their use in their son’s/daughter’s class**
 - R. No
 - F. Please explain the rationale for not advising parents of the use of blocker shields in their child’s class to date and explain if they will be, how they will be and when?
 - R. We would not share intervention strategies pertaining to specific students with the parents of other students.

- **where are the blocking shields being used: in the class?; in the school?; on school property?; off school property? – please elaborate**
 - R. Where / When are pads used? Potentially where students with complex needs present with behaviors that cause a safety concern towards themselves or others.
 - F. Please indicate if this means that the blocker shields (or similar devices) could be used anywhere that the student might be. In which of these or other locations (please specify) have the blocker shields (or similar devices) been utilized.
 - R. Potentially yes – generally they have been used in the class. In a couple of schools they have been used in the halls and outside of the school.

- **when are the blocking shields being used: when there is an incident? (what kind of incident?); at all times?; in some other manner? – please elaborate**
 - R. Where / When are pads used? Potentially where students with complex needs present with behaviors that cause a safety concern towards themselves or others.
 - F. Please indicate the circumstances under which blocker shields (or similar devices) have been used, such as: only when there is an incident requiring their use; carried at all times; etc. Please elaborate as necessary to provide a full understanding of the circumstances surrounding the use of blocker shields (or similar devices).

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- R. They have been used when there is an incident that presents a risk to safety. They may be carried by staff in circumstances where it is felt that there is a potential risk to safety. i.e. unpredictable behavior. They are not carried at all times.
- **what kind of reporting is in place with respect to the use of the blocking shields**
 - R. Reporting / Feedback / Review – discussed in the Consultation Package under “Regular evaluation and monitoring of strategies”.
 - F. Some interventions, such as the use of restraints, are required to be reported each and every time they occur. Please clarify if the response means that no such reporting is required for each use of blocking shields (or similar devices) and provide the circumstances under which such use would be required to be reported. Please clarify whether or not the use of blocking shields (or similar devices) is considered a form of restraint.
 - R. They are not considered a form of restraint.
- **what feedback/review mechanisms are in place regarding the use of the blocking shields**
 - R. Reporting / Feedback / Review – discussed in the Consultation Package under “Regular evaluation and monitoring of strategies”.
 - F. Safety plans are required to be reviewed following the filing of any incident report related to the contents of the safety plan. Please clarify if the response means that no such review of each use of blocking shields (or similar devices) is required and provide the circumstances under which such a review would be required.
 - R. Safety plans are reviewed twice a year and after an aggressive incident. This review includes the use of protective equipment.

Supplementary:

- Please describe the funding process for the blocking shields (and similar devices):
 - Which budget line(s)
 - Which budget year(s)
 - Amount(s)
 - When were they ordered
 - What are the unit costs
 - Et cetera
 - Can be discussed during budget consultation.
- What other devices besides blocker shields, such as PPE, are in use in the SCDSB that have been excluded from IEPs/safety plans?
 - R. As noted above, IEPs/safety plans fall under OSR information. There could be situations where PPE is in one student’s IEP/safety plan therefore in use in the classroom but wouldn’t be in other students’ IEP/safety plans because it doesn’t apply i.e. safety goggles.

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**Public Consultation Package Provided to SEAC
as Part of Staff Responses**



Public Consultation
Use of Protective Equipment to Ensure Safety
for Students and Staff

Information Package
May 10, 2012

BMS Use of Personal Protective Equipment (PPE) by staff when working with students with special needs who present an ongoing risk of injury to self or others.

The Need

- The vast majority of students with special needs, including those with autism, accept responsibility for a safe learning environment and take accountability for their actions
- However, a very small number of these students have uncontrollable behaviours that are directly related to their diagnosed medical, neurological or developmental condition and, in some cases, these behaviours may present an ongoing safety risk including a risk of injury to themselves or others

Legislative Requirement

- The *OHSA* requires that employers (school boards) and supervisors (school principals) assess these safety risks on an ongoing basis and provide workers (school staff) with the measures and procedures to control the identified risks
- The *OHSA* also requires that, where these safety risks can be eliminated or reduced through the use or wearing of personal protective equipment, this equipment must be provided and used by staff

Personal Protective Equipment

- PPE used in schools includes equipment, devices or clothing to protect a staff member or student from injury during the course of daily activities. PPE is specific to individual student behaviour and staff need for protection. Examples include, but are not limited to, the following: lifting equipment for students with mobility issues, safety harness for bus transportation, helmet for student head protection, special sleeves and shin guards for protection against pinching, biting and kicking, padded vest or shields for protection against punches, eye/face protection for bodily fluids, padded mats to protect the student from self-injury against walls, hair nets for protection against grabs and pulls, etc.
- The use of PPE allows the student to attend and benefit from a school program

How the need for PPE is determined

- The safety needs of students, including the use of PPE, are often identified at the Identification, Placement and Review Committee (IPRC) meeting along with academic and social needs and recommendations to meet these needs are made to the principal
- The principal ensures that an Individual Education Plan (IEP) detailing interventions and PPE, and where necessary an emergency Safety Plan, is developed and implemented by staff to meet these needs
- Parents are involved in the IPRC process and the development of the IEP
- If the IPRC has not identified any or a specific PPE and the need subsequently becomes apparent, the principal, in consultation with the parents and appropriate professionals (e.g., occupational therapists, psychologists) has a duty to provide the equipment

Safety in the Workplace: Legislative Compliance

The following excerpts from the Occupational Health and Safety Act outline the responsibility of the employer to ensuring a safe working environment:

Occupational Health and Safety Act, R.S.O.

Duties of Supervisor Section 27

A supervisor shall ensure that a worker,

- a) Works in the manner and with the protective devices, measures and procedures required by this Act and regulations; and,
- b) Uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn

Without limiting the duty imposed by subsection (1), a supervisor shall,

- a) Advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;
- b) Where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of the worker; and
- c) Take every precaution reasonable in the circumstances for the protection of a worker.

Duties of Workers Section 28

A worker shall,

- a) Work in compliance with the provisions of this Act and the regulations;
- b) Use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
- c) Report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
- d) Report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.

No worker shall,

- a) Remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately

Violence and Harassment

Section 1. Definitions

“Workplace violence” means

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- b) An attempt to exercise physical force against a worker, in a workplace that could cause physical injury to the worker,
- c) A statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace that could cause physical injury to the worker

Part III.0.1 Section 32

An employer shall develop and maintain a program to implement the policy with respect to workplace violence

Without limiting the generality of subsection (1), the program shall,

- a) Include measures and procedures to control the risks identified in the assessment required under subsection 32.0.3 (1) as likely to expose a worker to physical injury;
- b) Include measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;
- c) Include measures and procedures for workers to report incidents of workplace violence to the employer or supervisor;
- d) Set out how the employer will investigate and deal with incidents or complaints of workplace violence; and
- e) Include any prescribed elements

An employer’s duty to provide information to a worker under clause 25 (2) (a) and a supervisor’s duty to advise a worker under clause 27 (2) (a) include the duty to provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behavior if,

- a) The worker can be expected to encounter that person in the course of his or her work; and
- b) The risk of workplace violence is likely to expose the worker to physical injury.

Right to Refuse or to Stop Work Where Health or Safety in Danger

Section 43

A worker may refuse to work or do particular work where he or she has reason to believe that,

- a) Any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;
- b) The physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself; or
- c) Any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself or another worker.

R.R.O. 1990 Regulation 857

Teachers

Part V (Right to Refuse or to Stop Work where Health or Safety in Danger) does not apply to a teacher where the circumstances are such that the life, health or safety of a pupil is in imminent jeopardy.

Relevant SCDSB Policies and APMs

Policy 3045 Workplace Violence

Policy 3140 Health and Safety

APMA4003 Health and Safety Procedures Manual

APMA4071 Aggressive Incident Reporting

APMA4002 Reporting of Workplace Injury/Illness

APMA7630 Code of Conduct

APMA7635 Student Discipline Procedures

APMA1435 Management Process for Student Behaviours Causing a Risk-of-Injury

APMA1440 Physical Containment: Guidelines for Responding to Injurious
And Self-Injurious Student Behaviour

APMA7100 Violent Incidents – Response Procedures

Procedure HS 02-01: Health and Safety Concerns

Procedure HS 02-03: Health and Safety Work Refusals

Procedure HS 05-29: Workplace Violence Prevention

Procedure HS 05-31: Identifying a Person with a History of Violent Behaviour

Procedure HS 05-33: Workplace Violence Risk Assessment

Strategies to Protect Students and Staff

The need to protect students and others

When students with complex needs present with behaviours that cause a safety concern towards themselves or others, school staff implement two sets of strategies and interventions. The first is to attempt to understand the function of the behaviour and the other is to manage the behaviour in a way that maximizes safety.

Understanding behaviour and planning for success

Proactive strategies will include tracking of behaviour using a Functional Behaviour Analysis (FBA) approach. This attempts to highlight the triggers or antecedents and the consequences of a particular behaviour. When the purpose of the behaviour can be identified, the environment and the program may be adjusted to reduce the incidence of the behaviour. For example, a Functional Behaviour Analysis approach often demonstrates that a student responds well to a routine and predictable schedule and therefore transitions within the school day are carefully planned to reduce student anxiety and agitation. In some circumstances it is very difficult to either identify the conditions that may lead to a particular behaviour or to change the environment in such a way that the behaviour is eliminated.

When there is a risk of injury

If a student demonstrates escalated behaviour that can cause a risk of injury, the first staff response should be to provide the student with space and allow time to deescalate. This strategy is successful in many situations. With a small number of students this strategy is not always successful, and we have situations when students demonstrate potentially injurious behaviour towards themselves and others.

Appropriate Interventions

In the Simcoe County District School Board, we train staff using the Behaviour Management Systems protocol for the management of student behaviour. This protocol trains staff to attempt to avoid or block punches or kicks and other behaviours using their bodies. This protocol also includes the use of physical restraints as an option when this form of avoidance will not work or where the student behaviour is presenting other risks. The use of protective equipment is also included in this protocol, which includes items such as special gloves and sleeves, shin pads and safety goggles.

Use of foam pads in our schools

While these interventions are usually successful in managing the behavior to ensure safety, some students do not respond to this approach for a variety of reasons. Attempting a physical restraint can further escalate the behavior of some students and make such a restraint difficult and potentially unsafe. Our protocol emphasizes using physical restraints (only as a last resort) for a short period and then releasing. In some cases, this process needs to be continued for a long period of time which presents the risk of injury to the student and to the staff members performing the restraint. In addition, we have some students whose size and strength means that physical restraints are neither effective nor possible. With a small number of students, foam pads have been effective as an alternative to physical restraint, by allowing the student to de-escalate while preventing self-injurious behavior. For example, some students with complex needs may hit their head on the wall or floor. The pads are sometimes used to cushion this. In other circumstances, foam pads are used to keep staff and others relatively protected when the student is escalated. As with other forms of intervention, the use of foam pads is discontinued when injurious behaviours are eliminated or minimized.

Regular evaluation and monitoring of strategies

For all students who have presented with these types of behaviours there has been a high level of involvement by school special education staff, central board staff and in some cases from external behavior supports. There is always a focus on understanding the function of the behavior so that the program and the environment can be adjusted to reduce or replace the behaviours of concern. The process of collecting and analyzing data through Behaviour Logs and FBAs, adjusting programs, and working with parents and others to stabilize behavior is ongoing and all interventions are reviewed and monitored regularly. When an intervention is no longer required, it is discontinued as part of the process of review of Individual Education Plans and Safety Plans.

Effectiveness of Interventions

We have several students who have, at one time, presented with very challenging behaviours that presented a risk of injury to themselves and others. With these students, a range of strategies and interventions have been used to reduce and to manage these behaviours, based upon the individual student need. We have experienced considerable success with our approach with some students who are now meeting with greater academic and social success in the most inclusive environment possible.

**Summary of Relevant SCDSB
Policies, Procedures and APMs**

Summary of SCDSB Policies, Procedures and APMs

Policy	Title	Description	Summary Details
2510	Communications	<p>It is the policy of the Simcoe County District School Board, at system, departmental and school levels, to develop, facilitate and support effective two-way communications, public awareness and community engagement strategies to:</p> <ul style="list-style-type: none"> 2.1 promote student achievement and well-being; 2.2 inform stakeholders and communities about SCDSB schools, programs and initiatives; and, 2.3 increase understanding and positive connections relating to public education in Simcoe County. 	<p>Communicating effectively is a system-wide responsibility. Along with annually providing funds to staff and resource corporate communications efforts, the Board expects trustees, staff, schools and departments, in accordance with related legislation (i.e. the Education Act, MFIPPA, etc.), to:</p> <ul style="list-style-type: none"> 3.1 promote awareness and understanding of SCDSB education achievements, initiatives and progress; 3.2 communicate openly, honestly and with integrity; 3.3 communicate accurate, understandable and timely information; and, 3.4 increase positive connections and good will relating to public education.
3045	Workplace Violence	<p>It is the policy of the Simcoe County District School Board to promote a violence free workplace in which all individuals respect one another to achieve common goals. Violent behaviour and behaviour which increases the risk of violence in the workplace are unacceptable and will not be tolerated.</p>	<ul style="list-style-type: none"> 4.3 Every employee must work in compliance with this policy and the workplace violence prevention procedures. Employees are encouraged to raise concerns about workplace violence and report any violent incidents or threats, in accordance with the procedures. 4.4 In compliance with the Occupational Health and Safety Act, employees have an obligation to report any unsafe activities, and those individuals engaging in unsafe activities will be held accountable for their actions. This, together with Safe Schools legislation means that violent and potentially violent activity by any person in the workplace will be investigated by the board and will be acted upon in a manner that protects employees in the workplace. Violations of this policy may be prosecuted under Canada's Criminal Code.

Summary of SCDSB Policies, Procedures and APMs

Policy Title		Description	Summary Details
3130	Equity and Inclusive Education	The Simcoe County District School Board is committed to an equitable education system that upholds and reflects the principles of fair and inclusive education which permeates policies, programs, practices and operations. The board recognizes that equity of opportunity and equity of access to the full range of programs, the delivery of services and resources are critical to the achievement of successful educational and social outcomes for those served by our school system as well as for those who serve our system.	<p>3.1 Equity is a condition or state of fair, inclusive and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.</p> <p>3.2 Inclusive Education is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings and the broader environment, in which diversity is honoured and all individuals are respected.</p> <p>3.3 Diversity is the presence of a wide range of human qualities and attributes within a group, organization or society. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender, gender identity, race, religion, sex, sexual orientation and socio-economic status.</p>
3140	Health and Safety	It is the policy of the Simcoe County District School Board to adhere to the responsibilities placed upon it by the Occupational Health and Safety Act and to take every reasonable precaution to prevent personal injury, and to provide and maintain a safe, healthy and secure working environment for all of its employees.	<p>3.1 The development of a safe working environment is dependent upon the joint efforts of workers and management and, to this end, the Board will encourage and support the implementation and maintenance of a joint health and safety committee.</p> <p>3.2 All principals, managers and supervisors must accept responsibility for ensuring the implementation of all health and safety legislation and for ensuring practices that promote compliance with board safety policies and procedures are in place.</p> <p>3.3 Employees must perform their jobs in accordance with established safety procedures and must actively participate in the protection of fellow employees.</p> <p>3.4 Employees must report all unsafe conditions and are encouraged to make suggestions for the improvement of the health and safety conditions in the workplace.</p>

Summary of SCDSB Policies, Procedures and APMs

Procedure Title Description Summary Details

HS 02-01	Health and Safety Concerns	Outlines reporting procedures for life-threatening and non-life threatening concerns.	Discusses employee and principal/management obligations - includes flow chart and reporting form.
HS 02-03	Health and Safety Work Refusals	Under the Occupational Health and Safety Act, employees have the right to refuse to work or to perform particular work where he or she has reason to believe that any equipment, device, thing or physical condition of the workplace is likely to endanger themselves or another employee. The employee and the Principal/Manager shall attempt to resolve health and safety concerns using Health and Safety Procedure HS 02-01 "Health and Safety Concerns" prior to initiating a work refusal.	Outlines the steps to be taken if the concern cannot be resolved using the process outlined in procedure HS 02-01.
HS 05-29	Workplace Violence Prevention	This Workplace Violence Prevention procedure is designed to provide direction regarding the measures and processes as well as informative assistance including designation of duties, prevention strategies, assessment, reporting and providing information and instruction regarding workplace violence prevention.	Outlines roles and responsibilities of employers; supervisors; and employees. Deals with incident reporting; prevention strategies/measures; risk assessment; emergency response; special education; information and instruction.

Summary of SCDSB Policies, Procedures and APMs

Procedure Title **Description** **Summary Details**

<p>HS 05-31</p>	<p>Identifying a Person with a History of Violent Behaviour</p>	<p>The disclosure of information is necessary to assist in preventing incidents of violence which may cause physical injury to employees. This procedure is designed to provide guidance and direction regarding the identification of a person with a history of violent behaviour, in accordance with the Occupational Health and Safety Act, Board Policy 2197 - Management of Personal Information and the Municipal Freedom of Information and Protection of Privacy Act.</p>	<p>Discusses roles and responsibilities; identifying a person with a history of violent behaviour and disclosure of information.</p>
<p>HS 05-33</p>	<p>Workplace Violence Risk Assessment</p>	<p>This Workplace Violence Risk Assessment procedure is designed to proactively assess the risks of workplace violence to employees that may arise from the nature of the workplace, type of work or conditions of work and identify strategies and measures which can be implemented to reduce the risk of workplace violence.</p>	<p>Discusses roles and responsibilities; risk assessment ranking system and risk assessment review. Provides a risk assessment form.</p>

Summary of SCDSB Policies, Procedures and APMs

APM Title Description Summary Details

APM	Title	Description	Summary Details
A4002	Reporting of Workplace Injury/ Illness	This Administrative Procedures Memorandum (APM) provides guidance to employees of the Simcoe County District School Board (Board) for reporting work related injury and illness.	Outlines details of Obligation to Report workplace illness/injury.
A4003	Health and Safety Procedures Manual	Table of Contents of Health and Safety Procedures Manual.	Relevant procedures cited - provided under Procedures section below.
A4071	Aggressive Incident Reporting	This Administrative Procedures Memorandum (APM) provides guidance to employees of the Simcoe County District School Board for reporting aggressive incidents that are not covered under the Workplace Safety and Insurance Act and ensures that the appropriate individuals are aware of the aggressive incident.	<p>3.1 Under the Occupational Health and Safety Act, section 25(2)(h), employers are responsible to take every precaution reasonable in the circumstances for the protection of the worker and shall advise workers of the existence of any potential or actual danger to the health and safety of the worker of which the employer is aware.</p> <p>3.2 Every worker has the responsibility to report to his/her supervisor any health and safety issue that endangers his/her safety and security.</p> <p>3.3 In situations where the police are involved pursuant to APM A7100, the Aggressive Incident Report Form (FORM A4071-1) is completed in addition to the Violent Incident Form (FORM A7100-1 or FORM A7635-3).</p> <p>3.4 In situations where there is an aggressive incident and a student is restrained, the Aggressive Incident Report Form (FORM A4071-1) is completed in addition to the Physical Containment Incident Report (FORM A1440-1).</p> <p>3.5 If the employee is injured and requires medical attention or is off work due to the injury, APM A4002 - Reporting of Workplace Injury/Illness must be followed, and FORM A4002-1 must also be completed.</p>
A7630	Code of Conduct	Roles and responsibilities for Board; Principal; Teachers and school staff; Students	Also includes prevention strategies and standards of behaviour.

APM Title Description Summary Details

<p>A7635</p>	<p>Student Discipline Procedures</p>	<p>The procedure outlines the expectations for the process to be used by the Board when imposing appropriate consequences for pupils. The process set out in these procedures shall be informed by and implemented in accordance with the principles of equity and inclusion articulated in PPM 119 (equity and inclusive education). The Human Rights Code of Ontario has primacy over provincial legislation and policies, as well as school board policies and procedures, such that the Education Act, regulations, Ministry of Education Program Policy Memoranda, and Board policies and procedures are subject to, and shall be interpreted and applied in accordance with the Human Rights Code of Ontario.</p>	<p>3. Progressive Discipline 3.1 Progressive discipline is a non-punitive, whole-school approach that uses a continuum of corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices. 3.2 Prevention and early intervention are important for assisting pupils to achieve their potential and for maintaining a positive school environment. A positive school environment is effected through programs and activities that focus on building healthy relationships, character development, and civic responsibility which encourage positive participation of the school community in the life of the school. 3.3 Progressive discipline is most effective when dialogue between the school and home regarding pupil achievement, behaviour and expectations is open, courteous and focused on pupil success. It is an expectation of the Board that principals, vice-principals and teachers-in-charge consult with parents prior to imposing any pupil specific progressive discipline preventative measures, positive behaviour management strategies or progressive discipline consequences. 3.4 Each school is required to develop and implement a school-wide progressive discipline policy, consistent with the Board's Student Discipline Policy, and Student Discipline Procedures and the Human Rights Code. 3.5 In addition, teaching strategies should include a focus on developing healthy relationships by including bullying prevention throughout the curriculum, preventing homophobia, gender based violence, sexual harassment, inappropriate sexual behaviour, as well as promoting critical media literacy and safe internet use strategies, all of which is to be implemented in a manner consistent with the principles of equity and inclusion. The teacher, principal or designate should select the most appropriate response to address the pupil's behaviour. Where a pupil has special education and/or disability related needs, the interventions, supports and consequences must be consistent with the expectations for the pupil, including those in the pupil's Individual Education Plan, Behaviour Management Plan and or Safety Plan. Progressive discipline includes the use of early and ongoing prevention, intervention strategies and strategies to address inappropriate behaviour. Parent(s)/guardian(s) should be actively engaged in the progressive discipline approach. 3.6 Prevention Strategies; 3.7 Positive Practices; 3.8 Early and Ongoing Intervention Strategies - Progressive Discipline Consequences 3.9 Addressing Inappropriate Behaviour; 3.10 Factors to Consider Before Deciding to Utilize a Progressive Discipline Consequence to Address Inappropriate Behaviour. 3.11 Mitigating Factors; 3.12 Other Factors to be Considered; 3.13 Record 4. Responding to Incidents</p>
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APM Title Description Summary Details

A1435	Management Process for Student Behaviours Causing a Risk-of-Injury	This document outlines a process that is initiated (and continues on an ongoing basis) when a student presents a "risk-of-injury" (existing or probable) to staff or others. The guidelines and procedures in this document assist principals with meeting the safety and behavioural needs of all students, while ensuring the safety of staff and students. Meeting these needs involves awareness, consultation, and planning in collaboration with parents/guardians/caregivers, school staff, school services staff, and professional agencies.	<p>Significant discussion of IEPs, Safety Plans and responsibilities.</p> <p>4. Responsibilities</p> <p>4.1 The principal is ultimately responsible for the safety of staff and students at the school. The principal is required to conduct an investigation into all potential and reported incidents of unsafe conditions and establish a school plan to alleviate the safety concern. In addition, the principal is responsible for establishing and communicating clear processes for the development, review and communication of safety plans and:</p> <p>4.1.1 ensures that preventative programming and instructional interventions are implemented to respond to unsafe student behaviours;</p> <p>4.1.2 ensures that staff, permanent and occasional, are provided with the required information and instruction related to a Safety Plan to work with students with a potential of unsafe behaviour;</p> <p>4.1.3 may arrange for teaching staff, particularly SERTS, to provide the necessary instruction to occasional staff regarding safety plans;</p> <p>4.1.4 ensures the personal protective equipment (PPE) if required is provided, monitored and used properly;</p> <p>4.1.5 promotes staff awareness and acceptance of BMS principles;</p> <p>4.1.6 encourages all staff to approach behaviour improvement the same way we approach improvement in academic skills – gather information, plan, implement, review progress, modify plans, establish long term goals;</p> <p>4.1.7 refer to the Principal's Action Plan (APPENDIX A).</p> <p>4.2 It is the responsibility of all staff to follow safety procedures in the school and as outlined in the Individual Education Plans and Safety Plans for exceptional and other students. All staff are also required to bring safety concerns to the attention of the principal.</p> <p>4.2.1 the Teacher is responsible for leaving copies of Safety Plans and Individual Education Plans as part of the daybook for occasional teachers;</p> <p>4.2.2 the Occasional Teacher is responsible for ensuring that Safety Plans and Individual Education Plans are read, understood and followed as part of the instructional program. Occasional staff must sign the Occasional Staff Safety Plan Record to indicate that safety plans and the necessary instruction has been provided;</p> <p>4.2.3 the Educational Assistant or Child and Youth Worker is responsible for leaving a binder that contains a clear schedule and instructions, including safety plans, where appropriate, for use by other staff during absences;</p>
A1440	Physical Containment: Guidelines for Responding to Injurious and Self-Injurious Student Behaviour	This guideline for Physical Containment Techniques provides a consistent response to injurious and self-injurious student behaviour. This guideline recognizes that when safety is an issue there may be situations where physical containment (a a last resort) may be necessary to ensure safety for all.	Deals with physical containment principles; training, safety plans, parent/guardian involvement; etc.
A7100		Not provided or on SCDSB website.	

Simcoe County District School Board
Special Education Advisory Committee (SEAC)
**Letters received by SEAC from Individuals,
Families, Community Partners, and Associations**

My thoughts on blockers.

Hello. I am a fourteen year old whose parents are deeply involved in this issue. Now I believe people may be saying "I'm just a child who doesn't know what he is talking about." That's where they are completely wrong. I may be 14, however, I have Asperger's and I have a sister with Down syndrome. So when it comes to issues involving people with developmental disabilities, it really hits home with me.

Now as a person with Asperger's who is voicing their opinion, I would like my voice to be heard. My opinion on these blockers is that I believe that (for me) anyone who is using force to get me to do something I won't like. If it gets to a point of MY safety being threatened I will defend myself. That is the main reason I believe that the blockers that are supposedly "keeping EA's (Education Assistants) safe" is more of a case of bigotry.

I am well aware of the things that are going on. If the EA's need to use these blockers for safety they are nothing more than people who think that the students are causing their lives to be miserable. I believe that the EA's, if their going through some bad times should not be projecting their frustration and anger on these children. I say children, despite the fact that some of the students who are affected are older than me, because it makes my point better recognized than saying "these teenagers". Teenagers don't have the best reputation and aren't viewed with the compassion children are. Many of these people are basically big kids, not teens and please remember teenagers are still minors.

Any EA's who says they need blockers to be safe are foolish and are not educated in how to properly handle these situations. There are classes, programs and booklets that teach people how deal with individuals who have developmental disabilities who may become not be able to control their emotions. I hear all about what has been going on in this situation for some time now. My initial response was outrage and what I was outraged at (and what I still think is correct)

is that if anyone followed me around with these blockers, I would feel that they would be compromising my safety not theirs. They would be safer not having them because they would provoke me to become violent in order to defend myself.

In conclusion, I believe that the use of these blockers is uncalled for and unnecessary. They cause more harm than they do good, they are singling out children like screaming "hey look here I have a disability and need people to watch my every step". Not all people with autism look like they have autism or act violently. I have had the same reaction every time people find out that I have Asperger's and that is that you couldn't tell, but if the special education teacher walked around with a blocker then everyone would know. The use of blockers are not only a bad idea, but an idea that if the use of them remains, it will cause physical and emotional harm to the students that are affected by this. If they remain, they will eventually cause even more outrage on the subject and cause a label to be given to whoever supports this. So instead of saying there have been no major problems yet, I say remove it before there are.

Sincerely,

Jacob Bryan

Advocates Voice of Power, Toronto:

Dear media, educational assistants and union, teachers, principals, superintendents, board members, students, parents, agency staff and community members.

We are terribly worried to see in the newspaper that you are treating students with autism in such discriminatory ways. We are a group of Self-Advocates in Toronto. We are adults between the age of 21 and 45 and we do not agree with this. We have all been bullied and teased in schools. We have faced the negativity of teachers and fellow students. You should walk in our shoes and see what it's like for us.

The reasons people get aggressive need to be understood with more compassion and creativity. Autism is an experience of movement and communication challenges. You are acting like this is about "aggressive behaviour", but you don't seem to understand. Maybe they can't help it. Maybe you should show some respect and support them to have ways of communicating so they can feel better and tell you what is going on for them. Maybe other kids in the class are making noises or doing things that are really hard for the autistic students to deal with. Have you thought of this? Why aren't you trying harder to help them? You are already separating out kids who are so unique and important to our communities. We want them to be safe and supported in school and to be able to make friends so that all kids learn from and support each other. Now you have separated them apart even more and they are not going to be able to make friends.

This makes us sad. It is barbaric. We all have things to work on but we do not need to be fixed. Stop trying to control us and treat us like we are broken, we are born different and born unique. Why are you taking this away from us? How can we grow as individuals if you treat us like animals!

We are asking the directors and teachers and e.a.s how would you feel if it was you being treated like you are dangerous to be around? We want you to stop this, right now, and apologize to all of the students that you have hurt by using these blockers. All students who have witnessed this in the school are hurt by what you have done.

If you do not, you need to know how much you are hurting the future. When we have to put up with this kind of harsh treatment, our hatred grows. When people treat us different like this, we learn to despise the people who have done things like this to us. We learn that nobody believes in us and we can't trust anyone. We try so hard to stay positive even though so many hard things have happened in our lives.

You should be trying harder too. Just because some people have autism doesn't mean we deserve this kind of disrespect. Stop bullying people with autism: it's not right. WE deserve so much more. Don't just look and see what someone can't do. Look at us as human beings with potential and feelings and needs, and help us become the best people we can be.

Advocates Voice of Power, Toronto: Maria, Ryan, Bryce, Nadia, Kelly, Tony, Maya, Laurie.

Contact: Leah, Community Network Facilitator at Options Family Service Toronto.

leahdo@familyservicetoronto.org. (416) 971-6326



March 6, 2012

Dear Ms. Kathi Wallace, Director of Education, SCDSB,

This letter is being written in response to the use of 'red foam blocking shields' by Board staff who has involvement with children diagnosed with special needs and behavioural issues.

Children with autism often have anxiety over social situations, breaks in routine and may exhibit sensitivity to loud noise, lighting (bright or dim), textures and touch. Such children may respond unacceptably because of an anxious situation or a sensory issue. It is crucial to identify the child's needs and sensitivities and communicate with them through non-violent methods. It appears that parents were not consulted about the policy, management or training on the practice of employing 'blocking shields' in the handling of their children. It is felt that authorizing educators to utilize 'red foam blockers' in their supervision of students with ASD could potentially lead to a number of negative outcomes.

The presence of highly conspicuous blocking shields cannot help but draw the scrutiny of other students to the children with ASD. The likelihood of ridicule, derisive comments and outright mockery of the ASD children by their student peers should be readily evident. It is fully recognized that staff safety and protection is paramount. However, it is respectfully requested that involved Board personnel develop strategies and procedures of a less intrusive nature than the red blocking shields currently being employed. PPM-140 was implemented to provide direction to school boards to support their use of applied behaviour analysis (ABA) as an effective instructional approach in the education of many students with autism spectrum disorders (ASD). This memorandum establishes a policy framework to support incorporation of ABA methods into school boards' practices... This memorandum is intended to strengthen collaborative working relationships between parents, schools, and the community. This collaboration is *essential* for supporting positive learning for students with ASD.*

Autism Ontario's mission is to ensure that each individual with ASD is provided the means to achieve quality of life as a respected member of society. Alienating a child because they may have a negative outburst is demeaning. Our organization is very concerned about the depiction of children with ASD in the school system and community at large and asks that the Simcoe County District School Board removes the use of 'red foam blockers' by Board personnel as a protective shield.

Yours Respectfully,

Erin Nightingale

President

Autism Ontario – Simcoe County Chapter

cc: Marg Spoelstra, Executive Director – Autism Ontario

cc: Susan Clough – SEAC Representative – Autism Ontario Simcoe County

cc: The Special Education Advisory Committee

*Citing <http://www.edu.gov.on.ca/extra/eng/ppm/140.html>

March 21, 2012

Ms. Kathi Wallace
Director of Education
Simcoe County District School Board
1170 Hwy 26
Midhurst, ON L0L 1X0

Dear Ms. Wallace:

I am writing to you on behalf of the board of directors and members of Integration Action for Inclusion in Education & Community (Ontario). Integration Action for Inclusion is a non-profit charitable organization dedicated to educational inclusion and community living for people who need support for their disabilities. We believe that all children have the right to quality education that will prepare them for a full and productive life in their community. It is our belief that the best way to prepare children with disabilities for community life is to educate them alongside their peers in the regular classroom. This can be achieved through differentiated programming and support that respects the dignity of all children.

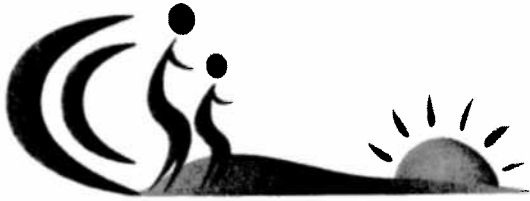
It has come to our attention that the Simcoe County District School Board has implemented the practice of school staff using "Blocker Shields" to protect themselves from students whose behaviour is sometimes threatening to the personal safety of the staff who support their program. It is our belief that such strategies do not respect the dignity of the students and result in increased incidents and severity of abusive behaviour. They are never effective for changing the way children behave.

The use of shields and other force sends a clear message to the students with disabilities about how their contribution to the school community is valued and respected. But even more dangerously it sets an example for their peers about how we as adults value the contribution of students with disabilities to the school community. It is this example of a lack of respect for the dignity of these students from school administration that leads to bullying.

The board of directors of Integration Action for Inclusion in Education & Community (Ontario) ask that the Simcoe County District School Board reconsider the use of Blocker Shields and look to alternative strategies that respects the dignity of both the students and staff and sets an example of respect for the inclusion of all students.

Sincerely,

Clayton Eaton
President
Integration Action for Inclusion
113 Second Concession Road
Princeton, Ontario
N0J 1V0



Catulpa Community Support Services

165 Ferris Lane, Barrie, Ontario, L4M 2Y1
Telephone: (705) 733-3227 Fax: (705) 735-6826
Website: www.catulpa.on.ca

March 21, 2012

Ms. Kathi Wallace
Director of Education
Simcoe County District School Board
1170 Hwy 26
Midhurst, ON L0L 1X0

Dear Ms. Wallace:

I am writing to you in my capacity as the Executive Director of Catulpa Community Support Services. Catulpa has provided support services to families with children and adults with special needs since 1973. Our principles are very much based on inclusiveness, respect and dignity for the person.

As an agency which must also comply with the Ministry of Labour legislation, we understand the difficulties we all have in ensuring our staff are provided with a safe working environment while we maintain our principles of respect and dignity for all.

It has come to our attention that the Simcoe County District School Board has implemented the practice of staff using "Blocker Shields" to protect themselves from students whose behaviour is at times threatening to their personal safety. Members of our Board, our staff and those we serve are very upset about this practice. It singles out our special needs children and denies them their right to respect and dignity.

We are asking you to reconsider this practice and work with us to find an alternative way to meet legislation while at the same time protecting the rights of our special needs children.

Sincerely,

Margaret Gallow
Executive Director

cc. Robert North, Chairperson, Board of Trustees, SCDSB
Angie Bridekirk, Chair, Special Education Advisory Committee



SIMCOE COMMUNITY SERVICES

Preschool Services Simcoe



Community Living Simcoe

March 23, 2012

Simcoe County District School Board
Education Centre
1170 Highway 26
Midhurst, Ontario
L0L 1X0

Attention: Mr. Peter Gumbrell, Principal of Special Education

Dear Mr. Gumbrell:

I am writing this letter as an expression of concern about the practice of utilizing "blocker shields" in the Special Education Program at Barrie North. I recently became aware of this practice and find it to be a most unacceptable intervention when working with students who have self management issues.

We are an organization that supports individuals of all ages and abilities and we believe in community inclusion and valuing the people we support as equal citizens in our community. We understand that there are some individuals who require therapeutic interventions to assist them in managing their behaviors, but this is done through training our staff members in the most effective way to react and respond to situations. We utilize non-violent crisis intervention training; it meets with an inclusive model and is most respectful towards the person supported. We understand the need to ensure safety for staff members and also understand the concerns that employers have with Ministry of Labor standards, but there are other ways to meet this need.

The intervention the school is utilizing, and apparently approved by the School Board, is in my opinion, completely unacceptable and degrading for the students who are being subjected to this method of treatment. The use of "blocker shields" suggests that if the professional, trained staff members who are supporting the students do not feel safe enough to be in their company, one can only imagine that a community member would feel frightened of the students as well. We have come so far in educating community members about the right to belong and the importance of community inclusion and respect for people of all abilities, and an act like this one has the potential to take us back to a time when people with special needs were feared and locked away in institutions.

39 Fraser Court
Barrie, Ontario, L4N 5J5

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fax: (705) 726 6875
www.simcoecommunityservices.ca



The students I saw in the photos were high school aged. In a few short years, they will leave the school system, and as a service provider to adults, Simcoe Community Services will become active in assisting in their transition to adult services in the community. This is a significant concern to our organization as we would never condone a form of behavior intervention which involves the use of the "blockers" and find this practice to be discriminating, and even abusive.

I have attempted to contact you by email and left two telephone messages last week in an effort to discuss this with you. In the absence of a response, I am writing to request that you discontinue this practice immediately and issue an apology to the students who endured this practice.

Sincerely,



Marion Peck
Chief Executive Officer

MP/jma

c.c. Kathi Wallace, Director of Education, SCDSB
Robert North, Chairperson, SCDSB Board of Trustees

March 25, 2012

Ms. Kathi Wallace and Mr. Robert North
Simcoe County District School Board
1170 Hwy 26
Midhurst, ON L0L 1X0

Dear Director Wallace and Chair North,

I am writing this letter to you in my role as Executive Director of Geneva Centre for Autism in Toronto.

It has come to our attention that large red blocker shields are being used as protective equipment for staff when working with students with ASD. It is of great concern to GCA that these blocker shields are being used throughout the day with several students.

Geneva Centre for Autism (GCA) understands the need to balance the instructional needs of children and youth with ASD and worker safety. Bill 168 legislation impacts many sectors including our developmental services sector. However, introduction of new prevention/intervention strategies must be discussed with parents as part of the consultation process on Individual Education Plans, Behaviour Intervention Plans, and Safety Plans. In order to develop individualized planning, including prevention and intervention strategies, ongoing data gathering through Functional Behaviour Assessments and other assessments is necessary. Proper training, protocols and procedures must be developed in consultation with SEAC prior to any implementation process.

GCA's position is that the dignity of each individual must be preserved when balancing health and safety concerns. Introduction of blocker shields only serves to promote fear of students who are already at great risk of marginalization and social exclusion. The indiscriminate use of the red blocker shields as protective gear throughout the school day may in fact trigger more "aggressive acts" from students with ASD.

GCA invites you to collaborate with us to explore alternatives to the red blocker shields that would respect the human rights of individuals, collective health and safety issues and legislation, and promote authentic inclusion in your schools.

Respectfully,



Lindy Zaretsky, Ph.D.
Executive Director, Geneva Centre for Autism

c.c. Angie Bridekirk, SEAC Chair
Jim Hall, SEAC Vice Chair

March 26, 2012

Ms. Kathi Wallace

Director of Education

Simcoe County District School Board

1170 Hwy 26

Midhurst, ON L0L 1X0

Dear Ms. Wallace:

I am writing to you on behalf of the Education Committee of Community Living Ontario, an association whose goal is "That all persons live in a state of dignity, share in all elements of living in the community, and have the opportunity to participate effectively." We believe in inclusiveness, respect and dignity for persons with intellectual and developmental disabilities. We hold that everyone has a right to belong and to contribute to the community.

It has come to our attention that the Simcoe County District School Board has implemented the practice of staff using "Blocker Shields" to protect themselves from students whose behaviour may sometimes threaten their personal safety.

While we appreciate the importance of safety in schools, we believe that there is an overriding need to adhere to the principles of respect and dignity for all students without singling out any particular group of them. Such a practice is a blatant form of discrimination toward children with special needs, and denies them their right to respect and dignity.

To understand our reaction at seeing photographs of instructors proceeding to class with shields for protection from students, one need only imagine public reaction if all teachers went to classes carrying shields as part of the "Safe Schools Policy". Since we all know that violent incidents in schools are not limited to special needs classes, we would surely see public outrage if teachers routinely dealt with aggressive behaviour in this manner.

We ask you to reconsider this practice, and invite you to work with our Association to seek better ways of addressing safety concerns.

Sincerely,

Salvatore Amenta, PhD

Co-Chair, Education Committee

Community Living Ontario



Ontario
LEGISLATIVE ASSEMBLY

COPY

SYLVIA JONES, M.P.P.
Dufferin-Caledon

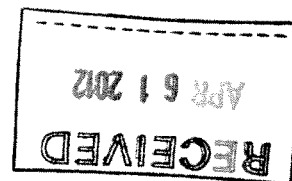
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1-800-265-1603
E-mail: sylvia.jonesco@pc.ola.org

April 12, 2012

Hon. Laurel Broten
Ministry of Education
22nd Floor, Mowat Block
900 Bay Street
Toronto, ON M7A 1L2



Minister Broten,

After reading and watching a CTV news article about the situation that is currently taking place at Barrie North Collegiate, where teachers of special needs children are issued pad blockers when escorting students with special needs, I was appalled that this is happening in Ontario in 2012.

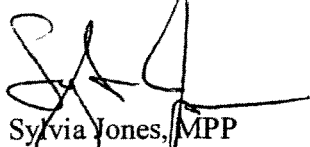
I was proud to support the move to finally close the last three institutions that once housed individuals with a developmental disability. I am proud to support the inclusion of students with special needs in our schools and workplaces. The practice that is happening at Barrie North Collegiate goes against every statement of inclusion and participation that politicians from all three political parties espouse.

Why would students feel safe approaching a student with special needs in their classroom after seeing this appalling activity? Why would an employer hire a student with special needs after watching these students 'escorted' in such a way?

When we made your office aware of what was happening, your response was dismissive and quite frankly disappointing. To tell me it is the decision of the school board is abdicating your responsibilities as the Minister of Education for *all* Ontario students.

I urge you to show the leadership that is necessary to ensure this practice is stopped immediately. You have the power to direct school boards with Policy/ Program Memoranda (PPM) that would prevent this situation from continuing.

Please use it.


Sylvia Jones, MPP
Dufferin-Caledon

cc Minister Eric Hoskins, Minister of Children and Youth Services
cc Minister John Milloy, Minister of Community and Social Services
cc Alan McWhorter, Interim Executive Director, Community Living Ontario
cc Kory Earle, President, People First Ontario



April 21, 2012

Mr. Garfield Dunlop
MPP Simcoe-North
482 Elizabeth St., Midland

I write this in hopes of gaining your support in the efforts to have the use of blocker shields removed from the Simcoe County District School Board schools. By now I'm sure you've heard much about this issue and I intend to share some insight into how our group feels about this. My name is Mary Madaleno, I live at Orr Lake and I belong to the group "Integration Action for Inclusion" (IAI). Back in April 2005, you were kind enough to come and welcome people to the conference we held at Horseshoe Valley Resort. Our group believes inclusion is not a privilege but a right for all no matter what their disability is.

When the image surfaced of students being escorted around the school and community by education staff holding red blocker shields, we were shocked. We strive to promote respect and dignity. These shields were presenting a negative threatening image to school peers and the community, creating the impression that these exceptional students were a threat. Even more shocking was the fact that the parents of these students had not been informed nor had the issue of using blocker shields been discussed with the Special Education Advisory Committee (SEAC). SEAC is a mandated committee that advises the School Board on Special Education programs, services and the Special Education budget. The safety of the staff and students is not at issue here. We understand the necessity to keep everyone safe but using blockers shields is not the answer. In fact the blockers may be escalating the behavior. Students with disabilities have difficulty processing sensory information. They become confused which makes them feel insecure and unsafe, which brings on the behaviour. Blocker shields won't make the students feel any safer. In fact it will make them feel more threatened which leads to more behaviour. The answer is for schools to develop appropriate educational programs for these students. In fact this is the commitment that has been made by the Ministry of Education (PPM 140).

To summarize, the issues and our concerns are as follows;

Lack of respect and dignity for the exceptional students.

Our Character education teaches all students integrity, responsibility, cooperation, caring, respect, optimism, honesty, empathy, courage, inclusiveness. When we use large red blocker shields towards students with disabilities, we are not being respectful of our own character education. Using blocker shields send an irresponsible and disrespectful social message about individuals living with disabilities; that most cannot manage their behaviour and are prone to violent outbreaks. This is the consequence of using the blocker shields. It makes everyone with autism into a dangerous offender that the public needs to be protected from. It incites fear and leads to discrimination and the isolation of people with disabilities from the community. We are now hearing stories of families worried about the safety of their non-disabled children. Another story about a very pleasant young man with autism who was doing a co-op placement where he was required to interact with elderly people. He had been doing this co-op for some time and was

receiving positive responses from everyone he was involved with but now they are afraid of him and he isn't wanted there anymore.

Parents not informed that the blockers were being used.

The use of blocker shields was not included in the students IEP (Individual Education Plan) nor in a Safety Plan. This goes against the SCDSB's APM A1435 Management Process for Student Behaviors which states;

Safety Plan (SP) – A pre-determined plan of action developed by staff, in consultation with parents. A Safety Plan must be written for students whose behaviour poses a risk-of-injury to themselves and/or others. The Safety Plan documents emergency, non-physical prevention and intervention strategies, and the physical intervention required to prevent or minimize injury, if and when appropriate and necessary. A current copy of the Safety Plan must be kept in the OSR.

SEAC was not consulted when blocker shields were being considered and are not getting answers to their questions from the board.

On March 19th at a SEAC meeting the following motion was put forth;

“SEAC recommends that the Board ceases use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion.”

On March 28th SEAC's motion went to a board meeting and following their delegation, the board came pre-prepared with their own motion as follows:

Trustees APPROVED the following motion:

That the Board refer the issue identified by the SEAC motion as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motion – March 19, 2012, to senior staff to review the concerns raised regarding the use of blocker shields with students, to consult with SEAC, parents, staff, and the Joint Health and Safety Committee, and to seek input from community partners and to prepare a report updating the Program Standing Committee in June 2012.

Following the March 19th meeting, SEAC submitted 25 questions to board senior administration. To date, not one question has been answered.

At SEAC's meeting on April 16th, board staff and trustees took the position that students living with disabilities are highly aggressive and a threat to students without disabilities. The board staff are determined to continue with the blocker shields. SEAC could not get a proper answer without having to pry it from administration. When a SEAC member asked 'how many schools are the shields in', the answer was "RED blocker shields are in two schools". The SEAC member picked up on the word 'red' and asked "how about other colours" and the answer was "black ones are in four more school". It is evident that the board is not willing to work with SEAC on this matter. In fact, the Principal of Special Education lectured SEAC for their cooperation with the media. Obviously this board doesn't want the public to know what's been going on in their schools.

So SEAC, with support of several community associations and IAI is hosting a community consultation. SEAC's hope is to deliver a report to the school board, incorporating the results of consultation and feedback from community partners. We hope to show the Board there are alternative approaches to be used that address safety concerns and respects the dignity of the students. I have attached an invitation for you to attend SEAC's facilitated working session regarding the use of blocker shields within the Simcoe County District School Board. It will be held on Wednesday May 2nd at Simcoe Community Services, 39 Fraser Court, Barrie. Registration begins at 6:00 pm, workshop 6:30 to 8:30 pm

We were encouraged to see support from Premier McGuinty when he spoke about the blocker shields and his message confirmed what SEAC has been saying.
As quoted from an article in the Barrie Advance (by Laurie Watt) April 17, 2012

He added Ontario values the integration of students – regardless of their disabilities, and a photo of Barrie North educational assistants carrying riot-style blockers in an excursion with students with Autism has raised concerns not only across Ontario, but also across Canada. "I'm pleased the (school) board has instructed staff to rethink this and explore all alternatives. Our schools are more than just a place for learning," McGuinty said. "As a parent, you like to think the school is an extension of home. You want your kids to be accepted, respected and treated fairly."

And also by Rod Jackson in his letter of April 13, 2012 to Hon. Laurel Broten urging her to '*do the right thing and intervene with immediate action*'.

Integration Action for Inclusion members, families and advocates strive to create inclusive opportunities for all individuals living with disabilities. Demonstrating and using blocker shields prevents inclusion in school and community and sets us back with disregard to the work of supporters and advocates and all others who have worked so hard to promote the diversity of community.

We would very much appreciate your support.

Respectively yours

Mary Madaleno
Integration Action for Inclusion, Simcoe County Chapter
1911 Moonstone Rd. W.
Elmvale, 705 322-1648

April 25, 2012

SENT ON BEHALF OF KAREN FORBES - Message from Karen Forbes, Senior Superintendent - Special Education & Section Programs

Although I was unable to attend the April SEAC meeting, I am aware that the issue of Blocker Shields was discussed at the meeting. I also understand that System Superintendent Cindy Burley committed to look into the issue and report back at the May SEAC. Since then, at least one of the membership is receiving numerous questions and concerns from parents that she would like to address. We were not able to address the concerns in the minutes because they must reflect the actual meeting and a fulsome response was not available at that time. I do understand, however, the need to address parents' concerns sooner rather than later. As a result, attached is the information that we are able to provide at this time and that you can share with parents.

RE: Follow up to April SEAC Meeting - Blocker Shields
Minutes from the April Special Education Advisory Committee (SEAC) meeting have been posted and you will see staff's commitment to look into whether or not blocker shields are being used in TDSB schools and to report back to SEAC in May.

That commitment remains. However, I know that parents are coming to you now with questions so I can give you a brief update which you can share about the matter. Schools have been surveyed by central staff to discover if blocker shields are being used.

The following has been found:

1. Blocker shields are not being used in the TDSB.
2. There was an incident last year where a blocker shield was used with a student without the parent's knowledge, but central staff informed the principal that the blocker shield could not be used and its use was terminated immediately.
3. Equipment that is being used to protect staff and/or students from risk of injury must be itemized on the safety plan.
4. Parents and, where appropriate, students are expected to be participants in the development of the safety plan and their names recorded.
5. Parents must sign the safety plan indicating awareness of its contents.
6. Staff are trained in the use of any equipment and/or strategies listed in the safety plan.

We have prepared and distributed a message to be communicated to all staff regarding the TDSB stance on blocker shields to ensure system understanding. I trust this will assist you in answering questions in the short term. We will provide any further updates at the next meeting.



SIMCOE COMMUNITY SERVICES

Preschool Services Simcoe



Community Living Simcoe

May 7, 2012

Simcoe County District School Board
Education Centre
1170 Highway 26
Midhurst, Ontario
L0L 1X0

Attention: Ms. Janice Medysky, Associate Director of Education

Dear Ms. Medysky:

On March 23, I wrote Mr. Peter Gumbrell expressing my concern over the use of "blocker shields" in the Special Education Program at Barrie North Collegiate. I now understand that other schools may be using these shields as well.

We are an organization that supports individuals of all ages and abilities. We believe in community inclusion and valuing the people we support as equal citizens in our community. We are also a member of SEAC and are represented on that Committee by Susan Downing. We are in support of the SEAC recommendation that: "that the Board ceases use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion."

We also share SEAC's concerns:

- That there was no parental knowledge/involvement or consent
- That there was no SEAC knowledge/involvement/advice sought
- That this use of blocker shields is not in individual education plans or safety plans
- That this use is not "prescribed" by health care practitioners
- That there are no guidelines/rules/policies governing this type of widespread daily, all-day use

39 Fraser Court
Barrie, Ontario, L4N 5J5

tel: (705) 726 9082
fax: (705) 726 6875
www.simcoecommunityservices.ca



We share SEAC's concern that this type of intervention is unacceptable and degrading for the students. We are also concerned about the message this gives to other students and the community at large. The use of "blocker shields" suggests that if the professional, trained staff members who are supporting the students do not feel safe enough to be in their company, a community member would feel frightened of the students as well. We have come so far in educating community members about the right to belong and the importance of community inclusion and respect for people of all abilities; however an act like this one has the potential to take us back to a time when people with special needs were feared and locked away in institutions.

We understand that there are some individuals who require therapeutic interventions to assist them in managing their behaviours, but this is done through training our staff members in the most effective way to react and respond to situations. We utilize non-violent crisis intervention training; it meets with an inclusive model and is most respectful towards the person supported. While we understand the need to ensure safety for staff members and students alike, and also understand the concerns that employers have with Ministry of Labor standards, we believe that there are other ways to meet this need. We have developed protocols that must be used if any form of intrusive measure is put in place, and would be glad to share these with you.

As a current and potential future service provider for several of these youth, this issue is a significant concern to our organization as we would never condone a form of behavior intervention which involves the use of the "blockers", and find this practice to be discriminating, and even abusive. And while we acknowledge that some of their behaviour can be challenging, we have found other less intrusive measures to support these individuals.

We strongly encourage you to work with SEAC and your community partners to develop alternative measures to both support the students and provide a safe environment for the staff, so that staff do not need to rely on blockers and other intrusive measures. We are prepared to be a part of that process and look forward to working with you to provide an environment that is welcoming and inclusive of all students.

Yours truly,



Marion Peck
Chief Executive Officer

MP/jma

c.c. Angie Bridekirk, SEAC Chairperson



May 10, 2012

Janice Medysky, Associate Director
Simcoe County District School Board (SCDSB)
1170 Highway 26
Midhurst, ON L0L 1X0

Re: Public Consultation on the Use of Protective Equipment to Ensure the Safety of Students and Staff

Dear Janice and colleagues,

On behalf of Autism Ontario's provincial members, staff and Board of Directors, I would like to thank you for providing an opportunity for public consultation on the use of blocker shields and other protective equipment in the SCDSB. The implications of this matter affect the local SCDSB community, other Boards of Education in Ontario and Ontario students of all abilities; however, for the purposes of this response, Autism Ontario will focus its attention on the educational needs of students with Autism Spectrum Disorders (ASD).

As a trained Special Education Teacher and as a professional who has worked in various institutional settings, school boards and in community program and advocacy settings in the United States and Canada with children and adults with disabilities for over 35 years, seeing the photos of the blocker shields in the community with staff and students with disabilities definitely had an immediate emotional impact on me and on hundreds of people who also saw the photos. It felt as if we'd gone back in time as a society before the human rights motivated U.S. Public Law 94-182 and Ontario's Bill 82 regarding the education of all children was implemented.

Together with Autism Ontario, I was also dismayed to think with all the positive steps that have taken place to improve the educational environment for students with ASD, such as the Joint Ministers' Reference Group on Students with ASD, the "From Evidence to Action" report", PPM-140, the Connections Program, the School Support Program for Students with ASD, and many other relevant resources and training that has been provided to schools in Ontario, that we had moved well beyond the circumstances that led to the use of the blocker shields.

Although the blocker shields are what the media, parents, staff and the general public are focusing their attention on, in reality the shields are a symptom of a more serious issue, which is about the effective education for students with ASD and the quality of educational supports in a safe environment for all concerned. As such, our response to this situation requires us to move beyond an initial emotional response to one of understanding that leads to positive change.

The question that stays with me is "how did a decision to implement the use of blocker shields occur in the first place?" The behaviour of people – educators, families and students – never occurs in a vacuum, but in response to conditions present or absent in a particular environment and context. Educational professionals who work with students with learning exceptionalities choose this field because they wish to work with our most vulnerable children and to make a positive difference in the lives of those particular students by giving them the learning tools that will enable them to be as independent as possible now and as they become contributing adult citizens in local communities.

The current Ontario Education policies and practices require key decision making processes to be in place for determining the development and implementation of IPRCs, IEPs, Behaviour and Communication and Student Safety Plans in collaboration with parents and professionals. As well, programs for students with ASD must be driven by evidence-based assessment and data that informs those choices that are least intrusive and most effective in an educational setting. It would be hard to imagine that the use of blocker shields emerged as an appropriate response when these systems and communications are in place.

Certainly difficult behaviours may be exhibited by students with ASD. When students with ASD present with challenging behaviour, the first thing that needs to occur is a Functional Behaviour Assessment and Analysis by trained professionals under the supervision of other trained professionals in Applied Behaviour Analysis and ASD. This information would be integrated with the IEP goals in full communication with parents and any educational staff who have contact with the individual student. The goal of all this information is to prevent unfortunate situations while maximizing the student's learning outcomes.

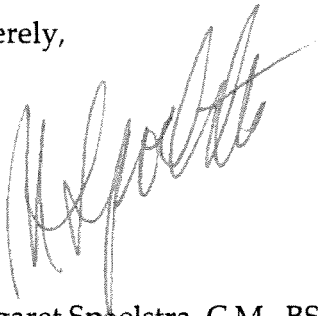
In Ontario's school boards, educational assistants with the least amount of professional training and support staff are often placed in a position to provide the most direct support for the most demanding students. It is vital that explicit training for EAs and direct supervision by staff with strong behaviour credentials (ideally staff with Board Certified Behaviour Analyst credentials) be readily available in conjunction with assessments and supports by trained Teachers, Speech Language Pathologists, Psychologists, Occupational Therapists and other community supports such as Psychiatrists and other health professionals as needed.

In addition to the above observations and recommendations, Autism Ontario is deeply concerned about the stigma placed on students with ASD and their families by association with blocker shields in the community. There are less intrusive and less stigmatizing options that would allow for a safe educational environment. It is also possible that the very presence of such shields could become the very prompt to a student to exhibit the challenging behaviour that staff may be trying to avoid. We are confident that this would never be the desired outcome for their use, but in the absence of data to the contrary, it is entirely possible. Furthermore, the shields themselves could unintentionally cause additional harm to students and staff when none was intended. Our province already has documented cases of harm to individuals with exceptionality when inappropriate use of restraint or blocking is used.

It is our hope that this public consultation plus a careful analysis of the circumstances that led to the use of the blocker shields, a review of the educational and scientific literature on the use of such practices along with the encouraging research on the use of Positive Behaviour Supports in school settings (see research by Dr. Robert Horner and others) will result in the discontinuation of their use and improvements to the SCDSB's capacity to safely educate students with ASD in their school community.

Autism Ontario would welcome the opportunity to participate in further dialogue, support for training opportunities with the SVDSB and with other Boards across Ontario.

Sincerely,



Margaret Spoelstra, C.M., BSc. Special Education
Executive Director
marg@autismontario.com
416-246-9592 x 222

Copy:

Leah Miltchin, Board President, Autism Ontario
Tanya Stephenson, President, Autism Ontario – Simcoe Chapter
Susan Clough, SCDSB SEAC Representative, Autism Ontario – Simcoe Chapter

SCDSB Public Consultation: The Use of Protective Equipment to Ensure Safety for Staff and Students

Submission by: Glen Newby, CEO
New Path Youth and Family Services

I would first off like to thank the Simcoe County District School Board for engaging its stakeholders in a public consultation regarding the safety of students and staff through the use of protective equipment.

I have been at New Path in Simcoe County for twenty years now and have seen my fair share of significantly challenging behaviors of children, youth, and young adults experiencing serious mental health and developmental issues, especially in our Residential programs. I am also very cognizant of the moral and legal obligations to ensure safety for those we serve and for those we employ to provide that service.

It is my belief that it takes an entire community to raise a child, and that a student's community includes much more than his/her school. It must necessarily include parents and guardians, school staff, and the various community based agencies that are most likely also involved with most of the students identified with special needs. We know from years of experience in the mental health field that there are very effective approaches to assist in de-escalating potential safety issues, and most often, these strategies need to be individualized for special needs students. The individualization is based upon a number of factors including the strengths, limitations, and constitutional attributes of the particular student. I believe that we, the community, must all share responsibility for the safety of students and school staff. I would suggest a County wide process to share our collective knowledge about de-escalation strategies, and the emerging evidence base of effective, least intrusive approaches to ensuring safety of student and staff. The Simcoe County Coalition of Child Youth and Family Services, which the SCDSB is very active and also a founding member, would be a vehicle to facilitate such ongoing professional development for staff, not only for the School boards but also the community based agencies. This way, effective approaches can be used consistently across a range of services.

The use of protective equipment to ensure student and staff safety is only one of many, many strategies and options that should, or perhaps should not, be available. It is, without exception, always less traumatic and more effective to utilize the least intrusive measures to ensure a safe learning environment for students, and a safe working environment for staff. However, there will always be those times when some form of a physical intervention is necessary. The question is really what type or form should that intervention take? Unfortunately, a significantly noticeable type of intervention, such as a blocker shield (size, color, how it is worn, etc), may actually serve as an unintentional "cue" for staff and students to default to that particular intervention rather than implementing other less intrusive methods to ensure safety.

I would like to emphasize that all of us involved with special needs children and youth here in Simcoe County have advocated very hard in ensuring their inclusion in the community, and specifically in our school settings. In previous times, and in some other school boards currently in the province, special needs students are often excluded from their schools, peers, and communities, and are removed. This is stigmatizing, often discriminatory, and generally fails at any successful re-integration. This is not what we want in our Simcoe County communities and it is my opinion that the SCDSB is well ahead of the pack in furthering the concept of inclusion. Both professionally and personally, I know that teachers and school administrators have worked tirelessly to meet increasing multiple, and sometimes contradictory, demands from various stakeholders and legislative requirements. There have been, and will continue to be certain challenges regarding the contradictions of both the practice of inclusion and the assurance of student and staff safety, and I do not believe that it is related to the single issue of the use of a blocker shield. Rather, it is working together towards the identification and integration of a range of strategies and options to reduce those times when any kind of physical intervention is required to ensure student and staff safety. New Path is committed to collaboratively working towards this end.

PAaC

Provincial Parent Associations Advisory Committee
on SEAC
Special Education Advisory Committees

Hon. Laurel Broten
Minister of Education
22nd Floor, Mowat Block
900 Bay Street
Toronto, ON
M7A 1L2

May 11, 2012

Dear Minister:

We are writing on behalf of the Provincial Parent Association Advisory Committee on Special Education Advisory Committees (PAAC on SEAC) to request clarification about the role of Special Education Advisory Committees specifically as it applies to the “Right to be heard” and their role in the development of policies and procedures related to students and staff rights and safety.

PAAC is the only group in Ontario that brings together provincial parent associations to communicate and co-operate on issues pertaining to Special Education Advisory Committees. By involving more provincial association members, PAAC has been strengthening its extensive communication network. Through our member associations, PAAC can quickly and efficiently reach SEAC reps in a majority of the province’s school boards. Our provincial parent associations are valuable resources not only to each other and to SEACs but also to the Ministry of Education, school board officials, service providers, parents and the community at large.

Under Regulation 464/97 Section 11, “*A special education advisory committee of a board may make recommendations to the board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board.*” It is to be expected that SEAC recommendations will sometimes call for change or present challenges. We have recently heard about resistance to SEAC participation from the Simcoe County District School Board, and are concerned lest misunderstandings about the issues undermine such work across Ontario. The Simcoe County SEAC events have revealed questions concerning rights and responsibilities, and policies, procedures and processes.

Association for Bright Children • Community Living Ontario • Down Syndrome Association of Ontario • Easter Seal Society • Fetal Alcohol Syndrome Disorder Ontario Network of Expertise • Integration Action for Inclusion in Education and Community • Learning Disabilities Association of Ontario • Ontario Association for Families of Children with Communication Disorders • Ontario Brain Injury Association • Ontario Federation for Cerebral Palsy • Parents for Children’s Mental Health • Spina Bifida and Hydrocephalus Association of Ontario • Tourette Syndrome Foundation of Canada • VIEWS Supports and Advocates for Children Who are Blind or Have Low Vision • VOICE for Hearing Impaired Children

PAaC

Provincial Parent Associations Advisory Committee
on SEAC
Special Education Advisory Committees

We ask for clarification regarding the following issues:

1. According to Regulation 464/97 Section 11(2), SEAC members have the right to be heard before the board and before any committee of the board to which a SEAC recommendation is referred. This section of the Regulation reads as follows:
“Before making a decision on a recommendation of the committee, the board shall provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred.”
 - Is SEAC required to apply to speak to the Trustees regarding a SEAC motion?
 - Must a standing committee of a school board follow the board’s process to speak as a “delegation”?
 - Can a school board refuse to let SEAC speak to trustees about a SEAC motion?
2. At <http://www.edu.gov.on.ca/extra/eng/ppm/145.html> the Ministry states that SEACs must be involved concerning “Progressive Discipline and Promoting Positive Student Behavior”:
Policy Development - *“Boards should draw upon evidence-based practices that promote positive student behaviour. In revising their policies, boards must consult with school councils. They should also consult with parents, principals, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants), as well as students, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and other appropriate community groups.”*
Communication - *“For a progressive discipline approach to be effective, it is important that all members of the school community, including teachers, students, and parents, understand and support the progressive discipline approach. Boards must actively communicate policies and procedures to all students, parents, staff members, their Special Education Advisory Committee, and school council members.”*
Evaluation – *“Boards must continue to monitor, review, and evaluate the effectiveness of board policies and procedures through indicators that were established in consultation with teachers, non-teaching staff, students, parents, school councils, their Special Education Advisory Committee, their Parent Involvement Committee, and service providers in the community. Boards will also conduct a cyclical review of their policies and procedures in a timely manner.”*

Association for Bright Children • Community Living Ontario • Down Syndrome Association of Ontario • Easter Seal Society • Fetal Alcohol Syndrome Disorder Ontario Network of Expertise • Integration Action for Inclusion in Education and Community • Learning Disabilities Association of Ontario • Ontario Association for Families of Children with Communication Disorders • Ontario Brain Injury Association • Ontario Federation for Cerebral Palsy • Parents for Children’s Mental Health • Spina Bifida and Hydrocephalus Association of Ontario • Tourette Syndrome Foundation of Canada • VIEWS Supports and Advocates for Children Who are Blind or Have Low Vision • VOICE for Hearing Impaired Children

PAaC

Provincial Parent Associations Advisory Committee

on SEAC

Special Education Advisory Committees

- Are there any consequences or enforcement mechanisms if SEACs are not consulted in the development, communication or evaluation of such school board policies and practices.
 - What can SEAC members do to make sure their input and advice is considered?
3. Are there Ministry policies or guidelines regarding school staff use of personal safety equipment with a student with special education needs?
- Should that use be documented in Individual Education Plans and student Safety Plans?
4. Could you please clarify whether parents and older students must be informed and involved in decisions about use of personal safety equipment?
- According to Regulation 181 Sections 6 and 7, schools must “consult with” parents and older students in the development of Individual Education Plans.
 - In “Caring and Safe Schools in Ontario”, the Ministry defined a Safety Plan as: *“a plan developed for a student whose behaviour is known to pose an ongoing risk to him or herself, other students, staff, or other people in general. It can serve as a crisis-response plan that outlines the roles and responsibilities of the staff in dealing with specific problem behaviours. The development of a safety plan involves all staff who work on an ongoing and daily basis with a student, as well as parents and the representatives from any community agencies working with the student/family.”*

Since 1983, PAAC member groups have worked together to promote better education for Ontario's students with special education needs by improving SEAC effectiveness and communication. Since 2005, Ontario's Parent Engagement Policy, outlined at <http://www.cpco.on.ca/ResourceLibrary/Ministry/ParentEng.pdf>, has promoted the roles parents can play to improve education, including participation on SEACs. Your clarification of these issues can encourage that contribution and help PAAC on SEAC, and its provincial parent association members, continue to encourage valuable partnerships among trustees, educators, voluntary organizations and parents.

Thank you.

Yours sincerely,

Association for Bright Children • Community Living Ontario • Down Syndrome Association of Ontario • Easter Seal Society • Fetal Alcohol Syndrome Disorder Ontario Network of Expertise • Integration Action for Inclusion in Education and Community • Learning Disabilities Association of Ontario • Ontario Association for Families of Children with Communication Disorders • Ontario Brain Injury Association • Ontario Federation for Cerebral Palsy • Parents for Children's Mental Health • Spina Bifida and Hydrocephalus Association of Ontario • Tourette Syndrome Foundation of Canada • VIEWS Supports and Advocates for Children Who are Blind or Have Low Vision • VOICE for Hearing Impaired Children

PAaC

Provincial Parent Associations Advisory Committee

on SEAC

Special Education Advisory Committees

Alison Morse
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cc.

George Zegarac, Deputy Minister

Barry Finlay, Director, Special Education Policy and Programs Branch

Paul Grogan, Education Officer, Special Education Policy and Programs Branch

Association for Bright Children • Community Living Ontario • Down Syndrome Association of Ontario •
Easter Seal Society • Fetal Alcohol Syndrome Disorder Ontario Network of Expertise • Integration Action
for Inclusion in Education and Community • Learning Disabilities Association of Ontario • Ontario
Association for Families of Children with Communication Disorders • Ontario Brain Injury Association •
Ontario Federation for Cerebral Palsy • Parents for Children's Mental Health • Spina Bifida and
Hydrocephalus Association of Ontario • Tourette Syndrome Foundation of Canada • VIEWS Supports
and Advocates for Children Who are Blind or Have Low Vision • VOICE for Hearing Impaired Children



ldasc • Learning Disabilities Association of Simcoe County

76 Mulcaster Street, 2nd Fl., Barrie ON L4M 3M4
Phone: (705) 726-5553 FAX: (705)730-1416
Email: info@ldasc.com

May 16, 2012

To Whom it Concerns,

In response to the request for information about what position LDASC takes on the use of blocker shields within school settings, the board of LDASC would like to make the following statement.

LDASC does not maintain a position on the use of blocker shields. However, LDASC expects that the school board will follow regulations governing SEAC processes when considering changes to board policies, procedures or staff-delivered strategies that affect the delivery of Special Education. This includes providing clear outlines of any new programs or policies and meaningful consultation that addresses any concerns that SEAC members may put forth on behalf of students with special needs. To our knowledge this process was not followed in regard to introduction of use of blocker shields in Simcoe County schools.

LDASC supports a collaborative and transparent process to determine best practice for children with disabilities within the school system.

Sincerely,

Anita Pal, M. Sc., RMFT
President, Learning Disabilities Association of Simcoe County

May 17, 2012

Janis Medysky, Associate Director, Simcoe County District School Board

Dear Ms. Medysky,

Further to my comments at the Public Consultation meeting on May 10, 2012 I wish to provide the following as my formal input into the consultation process.

I object to any Simcoe County District School Board measures that call for the use of blocker shields for any students deemed to constitute a physical threat to staff, themselves or other students without a full consideration of:

- the range of behavioural interventions available;
- and the legislative requirements of not only the Occupational Health and Safety Act, but the Education Act, the Ontario Human Rights Code, the Privacy Act and ultimately the Charter of Rights and Freedoms; and,
- Unique circumstances involving the staff and student involved.

The educational attainment and well-being of students and the safety concerns of staff and students need to be balanced. A well thought out process using evidence based research and appropriate documentation is necessary. I would hope that where a blocker shield is being considered, it is only as a last resort and that no other course of action is available. As indicated by the Board, IPRC meetings and the IEP process are to be used to determine accommodations and safety plans for students with exceptionalities. My question to the Board then is as follows – was the use of blocker shields discussed with parents and staff at IPRC meetings? Are there any IEPs or safety plans with provisions concerning blocker shields? Or has the Board chosen a simplistic ‘all encompassing’ solution, developed without adequate consideration to the rights of all involved, to deal with potential non-compliance with the OHSA. Under what circumstances did the Board deem this to be a wise course of action? Why was this kind of information not conveyed at the public consultation?

It is unconscionable that the Board has chosen to frame the blocker shield matter as an Occupational Health and Safety Act issue which then pits the rights of Educational Assistants, and other staff, to be safe from personal injury, against parents and students with exceptionalities. The Board’s biased presentation came off as a mere defense for a poorly chosen course of action. I find it disappointing that the Board would chose to define the interaction between Education Assistants and children in the terms of the OHSA as if they were workers dealing with tools, machinery, hazardous substances or environmental issues such as heat stress. It is interesting that the section in the OHSA that deals with workplace violence does not mention personal protective equipment. Surely the Board doesn’t define all potentially negative interactions between students and teachers in a limited way. What about the Safe Schools Act? What about the Code of Conduct? What about Character Education? Are these not

to be the governing documents for interactions between people in the Education System? Are these documents being applied to all students?

The Board owes it to all students, Education Assistants and other staff placed in this awkward situation to do better. A good first step would be to apologize to all involved for the lack of transparency and thoughtfulness. A good second step would be to assess the risks associated with teaching the children who have been singled out for this demeaning approach and determine the range of interventions possible. Staff could then be informed and trained in state of the art responses that give them reasonable protection while not undermining the self-esteem, educational attainment and well-being of students. Maybe there are some situations in which the demands being placed on EAs are excessive and unrealistic. Perhaps specialists or partnerships with relevant community agencies need to be considered. At any rate – the Board can do better.

Yours truly,

Mark Bryan

Mark Bryan (Mark.Bryan@044@gmail.com)

Concerned parent with children in the SCDSB system

May 18, 2012

To whom it may concern,

It is with a great concern that I write this letter to express my disappointment with how the issue of the use of blockers is being dealt with by the Simcoe County Board of Education. This is absolutely NOT about the safety of the staff since all staff AND students have the right to be safe in their schools. This is about HOW to make it safe while being respectful of the rights, dignity and privacy of all individuals in the situation. It is about of ALL legislation including the Education Act, the Ontario Human Rights Code, the Privacy Act and ultimately the Charter of Rights and Freedoms. It is about the duty of the Board to consult with and get consent from parents while developing safety plans, individual education plans, and strategies for behaviour management.

As a parent, I thought we were part of the same team working toward the same goals. The so called "consultation" being led by the board, evaluated by the board, and written by the board was biased in its presentation to school councils and at a public meeting. There is no question that staff and students need to be safe, but I have taken courses on crisis prevention intervention and the use of blockers is contraindicated. Having anything but an open stance with empty hands may be interpreted as a threat and heighten someone in an agitated state. It will aggravate the situation and increase the likelihood of a physical, reactionary response.

They are NOT being used on an individual basis, but as a general, first defense measure. This was illustrated in the photo with 7 adults accompanying 3 students out in the community. They are being used without consult to external community agencies that specialize in behaviour management of people with disabilities and exceptionalities, without consult to the families who know these children well, without medical consult to rule out biological, physical reasons for the behaviour. It would be like prescribing antipsychotic medication to all Alzheimer's patients who might become violent as their dementia increases. You cannot have one solution for all situations. You cannot act in isolation of all people responsible for that child's health and well-being. You cannot centre out children who are Autistic by carrying weapons without sending the message to the community that these kids are animals who need to be herded like cattle with an electric prong.

An alternative solution MUST be explored. Further training for board staff by agencies that have experts who can increase safety for all by educating staff on appropriate responses and measures to be taken in certain situations. I work in Long term care where personal support workers are at risk as well, but best practice is to determine the cause for behaviour, consult with family, the doctor, and finally consultants who are called in for extreme cases. There is no such thing as an unprovoked behaviour. At a medical conference I was at yesterday, I asked the doctor who specializes in people with developmental delays and disabilities if it is possible for

behaviour to come "out of the blue". The answer was very clear: NO! Behaviours are a form of communication and it is up to those around the individual to determine WHY they are occurring. Four areas were given: medical, social, environmental, and psychological.

There ARE guidelines for dealing with behaviours for people with development disabilities. Using a blocker shield just in case they get mad is not one of them. I am not surprised this is the only school board in the province to employ this strategy. There is a REASON they aren't used elsewhere and it involves more effective strategies which our Board is obviously not exploring because it is too busy defending a bad decision. It is time to move forward and part of that would be for an EXTERNAL consultative process and review. It would include partnerships with community agencies with the expertise so desperately needed in the schools. This whole issue has left me distrustful of the Board, special education, and has created the atmosphere of "us" vs "them" being staff vs families. This is counterproductive to all involved and disregards the boards own policies and promotion of charter education. It is a step backward in how we view and treat people who are different. It is about declining humanity and it's sad and disheartening. I sincerely hope you take the letters, emails, and statements from these "consultations" and share them with your principals and frontline staff to provide them with insight as they begin further training and professional development which will allow them to be partners in education-multidisciplinary teams whose goals are to problem-solve for children who cannot communicate their distress.

Sincerely

A handwritten signature in cursive script that reads "Kim Bryan". The signature is written in black ink and is positioned below the word "Sincerely".

Kim Bryan, B.A.Sc. RD



Catulpa Community Support Services

165 Ferris Lane, Barrie, Ontario, L4M 2Y1
Telephone: (705) 733-3227 Fax: (705) 735-6826
Website: www.catulpa.on.ca

May 31, 2012

Janis Medysky
Simcoe County District School Board

Dear Ms. Medysky:

I am writing on behalf of the Board, staff and families we serve to ask the Simcoe County District School Board to re-consider the use of Blocker Shields for our special needs children.

We certainly understand the Board's position as it attempts to meet legislation that ensures a safe workplace for the school's employees. However we can not support interventions that demonstrate lack of respect for our special needs students. Those of us who have supported their right to inclusion are very concerned that this type of intervention can only lead to "Bullying" and to segregation. As the former Administrator of the Huronia Regional Centre and a passionate advocate for inclusion, the use of Blocker Shields is for me personally a reminder of the past. Our lack of knowledge and overcrowding in large facilities led us to similar intrusive initiatives. Progress has made them a thing of the past.

We would like to work with you to find more respectful ways to deal with the issues you are facing, to share our knowledge and experiences and those of the families we serve in finding a respectful solution that creates a safe environment for both teachers and students.

Respectfully submitted,

Margaret Gallow
Executive Director

cc. Phyllis Hill

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Audit Committee

SUBJECT: **REPORT OF THE PUBLIC SESSION OF THE AUDIT COMMITTEE
MEETING HELD MONDAY, JUNE 4, 2012**

The Audit Committee met in Public Session on Monday, June 4, 2012, at the Education Centre.

PRESENT:

Committee Members Suzanne Ley (Chairperson), Jodi Lloyd, Christine Williams.

Electronic Participation: Robert Mauro (Vice-Chairperson).

Administration Brian Jeffs, Kathryn Wallace.

Staff Mark Connors, Corry Van Nispen.

Recording Secretary Tina Bazuk.

Chairperson Ley called the meeting to order at 6:00 p.m.

Approval of the Agenda

MOTION

Moved by Christine Williams
Seconded by Suzanne Ley

That the agenda be approved as printed.

CARRIED

Declaration of Conflicts of Interest - Nil

Presentation/Delegations - Nil

Items for Decision

1. **2012-2013 Internal Audit Plan (AUD-D-1)**

Mark Connors, Regional Internal Audit Manager provided an overview of the Internal Audit Plan for 2012-2013. The Audit Plan is as a result of the principal's workshop along with the updated residual risk heat maps.

Manager Connors, Brian Jeffs, Superintendent of Business Services and Kathryn Wallace, Director of Education, responded to questions from committee members at this time.

(1)

Moved by Jodi Lloyd
Seconded by Christine Williams

#AUD-2012-06-04-04

That the Audit Committee recommend that the Board approve the 2012-2013 Internal Audit Plan, as set out in Report No. AUD-D-1, 2012-2013 Internal Audit Plan dated, June 4, 2012.

CARRIED

Items for Information

1. 2011-2012 External Audit Plan (AUD-I-1)

Superintendent Jeffs provided a brief overview of the letter from BDO which outlines the Audit of the Consolidated Financial Statements of the Simcoe County District School Board for the Year ended August 31, 2011.

Superintendent Jeffs introduced Andrea Nauss, Chartered Accountants from BDO Canada LLP, who responded to questions from the committee members at this time.

Ms. Nauss identified the following higher risk financial statement areas: Revenue, School Generated Funds, Transportation Consortium, Accounts Receivable – Debt Support, Employee Future Benefits, Tangible Capital Assets and Deferred capital contributions.

Superintendent Jeffs, Director Wallace, Manager Connors, Controller Van Nispen and Ms. Naus responded to questions from committee members at this time.

Materiality last year was set at 1.67%. This year the level was set at 1.70% resulting in a materiality level of \$9,000,000. This determines how much testing is required and as a measure for any adjustments that are required for the financial statements.

Audit fees have increased slightly over last year. The fees include out of pocket expenses but do not include HST as per RFP.

The fee grid from BDO's RFP proposal will be forwarded to the committee members as requested.

Superintendent Jeffs, Director Wallace, Manager Connors, Controller Van Nispen and Ms. Naus responded to questions from committee members at this time.

This report was provided for information.

2. Internal Audit Update (BF-I-2)

Manager Connors provided an overview of the report which outlines work undertaken by the Regional Internal Audit Team (RIAT) since February 6, 2012. This work includes: RIAT's region - wide progress, SCDSB current Internal Audit Plan to-date and the Recommended Tracking.

Superintendent Jeffs and Manager Connors responded to questions from committee members at this time.

This report was provided for information.

3. Future Meetings and Closed Sessions (VERBAL)

Superintendent Jeffs and Manager Connors requested clarification on Audit Committee meetings and Closed Sessions. In June 2011 the Board defeated the following recommendation brought forward by the Audit Committee on May 9, 2011: That the Audit Committee recommend that the Board approve that all items relating to the External Audit Plan, External Auditor Management letter, and financial statements be brought to open session of the Audit Committee. All matters relating to the internal audit be brought to the closed session of the Audit Committee as set out in Subsection (207)(2) of the Education Act.

The committee clarified that the Audit Committee will follow the protocols of the board in establishing open and closed matters for the agenda.

Correspondence - Nil

Other Matters

Superintendent Jeffs provided an update on our pursuit to secure a new External Member for the Audit Committee. Two candidates have expressed interest in the position and interviews will be scheduled shortly. The selected candidate will commence their role in the 2012-2013 school year.

Notices of Motion for Next Meeting - Nil

MOTION

Moved by Christine Williams
Seconded by Jodi Lloyd

That the meeting be adjourned at 6:55 p.m.

CARRIED

RECOMMENDATION

That the Board approve the 2012-2013 Internal Audit Plan, as set out in Report No. AUD-D-1, 2012-2013 Internal Audit Plan dated, June 4, 2012.

Respectfully submitted by:

Brian Jeffs
Superintendent of Business Services

Approved for submission by:

Kathryn Wallace
Director of Education

June 20, 2012

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Business and Facilities Standing Committee

SUBJECT: **REPORT OF THE PUBLIC SESSION OF THE BUSINESS AND
FACILITIES STANDING COMMITTEE MEETING HELD
WEDNESDAY, JUNE 6, 2012**

The Business and Facilities Standing Committee met in Public Session on Wednesday, June 6, 2012, at the Education Centre.

PRESENT:

Committee Members

Donna Armstrong (fulfilling the role of Vice-Chairperson), Peter Beacock, Jodi Lloyd (Chairperson), Michele Locke, Krista Mayne, Amanda Monague, Robert North, Caroline Smith.

Administration

Kathy Bailey, Steve Blake, John Dance, Phyllis Hili, Brian Jeffs, Janis Medysky, Paula Murphy, Paul Sloan, Kathryn Wallace.

Staff

Karen Côté, Steve Parker, Corry Van Nispen.

REGRETS:

Committee Members

Nicole Black, Debra Edwards, Suzanne Ley, Christine Williams.

Student Trustees

Victoria Edwards.

ABSENT:

Student Trustees

Matt Stergiou.

Recording Secretary

Tina Bazuk.

Chairperson Lloyd called the meeting to order at 6:00 p.m.

Approval of the Agenda

MOTION

Moved by Michele Locke
Seconded by Robert North

That the agenda be approved as printed.

CARRIED

Declaration of Conflicts of Interest – Nil

Presentations/Delegations - Nil

Election of Vice-Chairperson

In the absence of Vice-Chairperson Black, Chairperson Lloyd called for nominations for the position of Vice-Chairperson of the Business and Facilities Standing Committee for the evening.

Moved by Peter Beacock
Seconded by Robert North

That Trustee Armstrong be nominated for election as Vice-Chairperson of the Business and Facilities Standing Committee for the evening.

Trustee Armstrong indicated that she would stand.

Chairperson Lloyd called for further nominations for the position of Vice-Chairperson of the Business and Facilities Standing Committee.

There being no further nominations, Trustee Armstrong was acclaimed as Vice-Chairperson of the Business and Facilities Standing Committee for the evening.

CARRIED

Trustee Armstrong assumed the position of Vice-Chairperson at this time.

MOTION

Moved by Robert North
Seconded by Michele Locke

That the Business and Facilities Standing Committee move into closed session.

CARRIED

The Business and Facilities Standing Committee reconvened in public session at 6:15 p.m.

Items for Decision

1. Amendments to Trust Declarations for Scholarship and Trust Funds (BF-D-1)

Brian Jeffs, Superintendent of Business Services, provided an overview of the report which outlined that the provisions of the Trust Declarations indicate that only the interest from the principal settlement may be used to provide student awards. Due to the lower interest rates experienced over the last number of years, it has become challenging for schools to make annual awards with only the interest earned available.

Superintendent Jeffs and Corry Van Nispen, Controller, responded to questions from trustees at this time.

Moved by Michele Locke
Seconded by Krista Mayne

(1)

#BF-2012-06-06-44

That the Business and Facilities Standing Committee recommend that the Board approve the amendments to Trust Declarations, as set out in APPENDIX A and APPENDIX B of Report No. BF-D-1, Amendment to Trust Declarations for Scholarship and Trust Funds, dated June 6, 2012.

CARRIED

2. Naming of the New Bradford Replacement Public School (BF-D-2)

Paula Murphy, Superintendent of Education, provided an overview of the report which summarized the work of the ad-hoc naming committee's recommendations. Seventy-six names were suggested to the committee and from that list the committee unanimously decided to prioritize the selection as follows:

- a. Fred C. Cook Public School
- b. Bradford Public School
- c. Bradford Fred C. Cook Public School

Superintendent Murphy advised that after three meetings of the committee, the name Fred C. Cook Public School was decided upon to be the name of the Bradford replacement school.

Superintendent Murphy responded to questions from trustees at this time.

Moved by Peter Beacock
Seconded by Krista Mayne

(2)

#BF-2012-06-06-45

That the Business and Facilities Standing Committee recommend that the Board approve the name "Fred C. Cook Public School" as the name of the new Bradford replacement public school, as set out in Report No. BF-D-2, Naming of the New Bradford Replacement Public School, dated June 6, 2012.

CARRIED

3. Revision to Policy No. 4320 – Fundraising (BF-D-3)

Superintendent Jeffs provided an overview of the revised policy. Revisions have been made to comply with the Ministry of Education's Fundraising Guidelines. Superintendent Jeffs confirmed that fundraising is not mandatory.

Superintendent Jeffs and Kathryn Wallace, Director of Education, responded to questions from trustees at this time.

Moved by Michele Locke
Seconded by Amanda Monague

(3)

#BF-2012-06-06-46

That the Business and Facilities Standing Committee recommend that the Board approve the revisions to Policy No. 4320 – Fundraising, as set out in APPENDIX C of Report No. BF-D-3, Revision to Policy No. 4320 – Fundraising, dated June 6, 2012.

CARRIED

4. Bradford Replacement School: Project Cost (BF-D-4)

John Dance, Superintendent of Facility Services, provided an overview of the report. The Board received a letter from the Ministry of Education in July 2011 approving \$8,534,877 funding for the Bradford replacement school. Finalization of the project costs is complete and the project is estimated to exceed the initial approved funding. The Ministry has approved redirecting funds from the build capacity to assist with the funding. The Ministry has directed the board to find an alternate source of funding to cover the remainder of the unfunded costs.

Superintendent Dance responded to questions from trustees at this time.

Moved by Peter Beacock
Seconded by Robert North

(4)

#BF-2012-06-06-47

That the Business and Facilities Standing Committee recommend that the Board approve the use of up to \$400,000 from Appropriated Surplus – Annual Renewal for project costs in excess of the Ministry approved funding, as set out in APPENDIX A of Report No. BF-D-4, Bradford Replacement School: Project Costs, dated June 6, 2012.

CARRIED

MOTION

Moved by Peter Beacock
Seconded by Michele Locke

That the committee recess at this time.

CARRIED

5. 2012-2013 Proposed Budget (BF-D-5)

Superintendent Jeffs provided an overview of the report and advised that updated information from the Ministry and direction received from the Board has been incorporated into the 2012-2013 Proposed Budget.

Superintendent Jeffs, Steve Parker, Manager, Design and Construction Services, responded to questions from trustees at this time.

Moved by Michele Locke
Seconded by Robert North

(5)

#BF-2012-06-06-48

That the Business and Facilities Standing Committee recommend that the Board approve the 2012-2013 Proposed Budget, including the transfers from accumulated surplus and deferred revenue, as set in APPENDIX A of Report No. BF-D-5, 2012-2013 Proposed Budget, dated June 6, 2012.

CARRIED

Items for Information

1. Contract Awards Within Approved Budget (BF-I-1)

Superintendent Jeffs, provided an overview of the report which summarized the awarded contracts within approved budget.

Superintendent Jeffs responded to questions from trustees at this time.

This report was provided for information.

Correspondence – Nil

Other Matters – Nil

1. Trustee Locke enquired as to the best way for trustees to gain access to the Superintendents with the new access system that has been installed at the Education Centre. Director Wallace provided an update regarding the new system and advised trustees that their ID cards can be reprogrammed to allow them access if they wish.
2. Trustee Lloyd provided an update on the following items from the Simcoe County Student Transportation Consortium's (SCSTC) board meeting:
 - SCSTC budget is balanced and they will continue to look for additional cost savings
 - Striving to achieve the 2013 High Efficiency rating
 - The next meeting is scheduled for the first week of July.

Trustee Locke requested that the transportation cost per student be made available. Superintendent Dance agreed to forward the recommendation to the SCSTC.

Notices of Motion for Next Meeting - Nil

MOTION

Moved by Peter Beacock
Seconded by Michele Locke

That the meeting be adjourned at 7:40 p.m.

CARRIED

RECOMMENDATIONS

1. That the Board approve the amendments to Trust Declarations, as set out in APPENDIX A and APPENDIX B of Report No. BF-D-1, Amendment to Trust Declarations for Scholarship and Trust Funds, dated June 6, 2012.
2. That the Board approve the name “Fred C. Cook Public School” as the name of the new Bradford replacement public school, as set out in Report No. BF-D-2, Naming of the New Bradford Replacement Public School, dated June 6, 2012.
3. That the Board approve the revisions to Policy No. 4320 – Fundraising, as set out in APPENDIX C of Report No. BF-D-3, Revision to Policy No. 4320 – Fundraising, dated June 6, 2012.
4. That the Board approve the use of up to \$400,000 from Appropriated Surplus – Annual Renewal for project costs in excess of the Ministry approved funding, as set out in APPENDIX A of Report No. BF-D-4, Bradford Replacement School: Project Costs, dated June 6, 2012.
5. That the Board approve the 2012-2013 Proposed Budget, including the transfers from accumulated surplus and deferred revenue, as set in APPENDIX A of Report No. BF-D-5, 2012-2013 Proposed Budget, dated June 6, 2012.

Respectfully submitted by:

Brian Jeffs
Superintendent of Business Services

John Dance
Superintendent of Facility Services

Approved for submission by:

Kathryn Wallace
Directory of Education

June 20, 2012

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Program Standing Committee

SUBJECT: **REPORT OF THE PROGRAM STANDING COMMITTEE
MEETING HELD WEDNESDAY, JUNE 13, 2012**

The Program Standing Committee met in Public Session at the Education Centre on Wednesday, June 13, 2012.

PRESENT:

Committee Members

Donna Armstrong, Peter Beacock, Nicole Black, Debra Edwards, Suzanne Ley, Jodi Lloyd, Michele Locke (Chairperson), Krista Mayne (Vice-Chairperson), Amanda Monague, Robert North, Caroline Smith, Christine Williams.

PRESENT:

Student Trustees

Victoria Edwards.

REGRETS:

Student Trustees

Matt Stergiou.

Administration

Kathy Bailey, Stephen Blake, John Dance, Phyllis Hili, Brian Jeffs, Janis Medysky, Paula Murphy, Anita Simpson, Kathryn Wallace.

Staff

Debbie Clarke, Peter Gumbrell, Jane Hofmann, Heather Lagace, Tracy McPhail, Brett Pinnell, Sandra Sangster.

Recording Secretary

Mary Cannell.

Chairperson Locke called the meeting to order at 7:00 p.m.

1. **Approval of Agenda**

Trustee Smith requested that Report No. PRO-I-2, Consultation and Review of the Use of Foam Pads (Blocker Shields), be dealt with prior to Report No. PRO-D-1, Revisions to Policy No. 4115 – Extended French as a Second Language (EFSL) Program.

Moved by Caroline Smith
Seconded by Debra Edwards

That the agenda be revised to deal with Report No. PRO-I-2, Consultation and Review of the Use of Foam Pads (Blocker Shields) prior to Report No. PRO-D-1, Revisions to Policy No. 4115 – Extended French as a Second Language (EFSL) Program.

DEFEATED

Moved by Robert North
Seconded by Jodi Lloyd

That the agenda be approved as printed.

APPROVED

Trustee Smith requested that a Special Education Advisory Committee (SEAC) member be granted permission to make a delegation and referred to Regulation 464/97 Sections 11 (1) and (2) of the Education Act:

S. 11(1) A special education advisory committee of a board may make recommendations to the board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board.

S. 11(2) Before making a decision on a recommendation of the committee, the board shall provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred.

Chair Locke stated that as per Board Bylaws, requests to make a delegation are to be submitted to the Director's office by 1:00 pm one week prior to a Standing Committee/Board meeting. Chair Locke ruled that the presentation/delegation would not be allowed as the request for a presentation/delegation came from an individual and not a committee. As well, there were no recommendations coming forward on this item. Chair Locke confirmed that since March 2012, SEAC was aware that this report was coming forward to the June Program Standing Committee meeting.

2. **Declaration of Conflicts of Interest** – Nil.

3. **Presentations/Delegations** – Nil.

Items for Decision

1. **Revisions to Policy No. 4115 – Extended French as a Second Language (EFSL) Program (PRO-D-1)**

Superintendent of Education Kathy Bailey advised that this policy is being revised to focus on EFSL program expansion in relation to site selection within the board and to reflect contemporary relevance in relation to equity of access to the EFSL program for students and families.

Superintendent Bailey responded to trustee comments and queries related to equity of access, monitoring of the EFSL program by staff, secondary site selection and designated attendance areas. Superintendent of Facilities John Dance responded to a trustee question regarding the transportation of EFSL students in specific areas of the board.

Moved by Peter Beacock
Seconded by Nicole Black

#PRO-2012-06-13-15

That the Program Standing Committee recommend that the Board approve the revisions to Policy No. 4115, Extended French as a Second Language (EFSL) Program, as set out in Report No. PRO-D-1, Revisions to Policy No. 4115 – Extended French as a Second Language (EFSL) Program, APPENDIX C, dated June 13, 2012.

CARRIED

2. Revisions to Policy No. 4310 – School Councils (PRO-D-2)

Associate Director Janis Medysky, on behalf of Superintendent of Education Paul Sloan, provided an overview of the revisions made to Policy No. 4310, School Councils. This policy is being revised after consultation with the Parent Involvement Committee, school council members, staff and the general public. Changes to the policy were made to better define the relationship between and among school councils, principals and board level senior administration.

Associate Director Medysky responded to a trustee query related to the role of school council as an advisory body. Trustee Edwards requested that a friendly amendment be made to Article 3.1 of Policy No. 4310 to include “recommendations to the school principal **and/or** the board” and that the word “to” be deleted. Trustees agreed that the change should be made.

Moved by Peter Beacock
Seconded by Jodi Lloyd

#PRO-2012-06-13-16

That the Program Standing Committee recommends that the Board approve the revisions to Policy No. 4310, School Councils, as set out in APPENDIX C of Report No. PRO-D-2, Revisions to Policy No. 4310, School Councils, dated June 13, 2012.

CARRIED

Items for Information

1. Alternative Education Program Review (PRO-I-1)

Superintendent of Education Steve Blake outlined the findings of the Alternative Education Program review that began in the fall of 2011. Several key initiatives have evolved since the last review in 2005 including Supervised Alternative Learning and Outreach, necessitating a review so that students are being provided with the best possible learning opportunities. Superintendent Blake shared that the primary focus of the Alternative Education Program is to re-engage students who experience challenges succeeding in traditional classrooms.

Among the results of the Alternative Education Program review were the successes of the programs that offer alternative learning offsite and those responding to specific individual student needs. Superintendent Blake provided an overview of both achievement data and funding sources for alternative education. Superintendent Blake advised that the proposed actions detailed in the report provide a vision for a revised model for the delivery of alternative education programs in this board that would enhance program effectiveness while ensuring accountability, consistency and equity of access.

Superintendent Blake responded to trustee comments related to the admissions process, and access to the program by grades 9 and 10 students. Brian Jeffs, Superintendent of Business, indicated that there has not been a long-term commitment from the Ministry for funding off-site facility leases. Director Wallace added that this board has continued to make a commitment to alternative education resulting from the positive impact this program has had on student achievement.

Superintendent Blake addressed additional questions from trustees regarding the relationship of alternative education sites with the home school, the future potential for our existing alternative school sites, the transition from elementary to secondary school for at-risk students, and the range of course offerings available to students within alternative education programs.

This report was provided for information.

MOTION

Moved by Peter Beacock
Seconded by Robert North

That the committee recess at this time.

CARRIED

The meeting reconvened at 8:40 p.m.

2. Consultation and Review of the Use of Foam Pads (Blocker Shields) (PRO-I-2)

Superintendent of Education Phyllis Hili and Associate Director Janis provided an overview of the consultation process on the use of foam pads that has taken place over the past several weeks. At the March 28, 2012 Board meeting, trustees referred the following motion to the June 13, 2012 Program Standing Committee meeting for senior staff to review the concerns raised regarding the use of blocker shields with students, to consult with SEAC, parents, staff, and the Joint Health and Safety Committee, and to seek input from community partners and to prepare a report updating the Program Standing Committee in June 2012:

That the Board approve that the Board cease use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion, as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motion, March 19, 2012, dated March 28, 2012.

During the consultation process, feedback and comments were received from various educational stakeholders including parents, SEAC committee members, external agencies, staff, students, community members and other Ontario school boards.

Among the themes that emerged from the consultation process were the need for communication, monitoring and review of individual student programs on a regular basis, and maintaining a balance between providing an inclusive learning environment for all students and providing a safe working and learning environment for both staff and students.

Superintendent Hili advised that several recommendations and next steps were identified as a result of the feedback received during the consultation and review of the use of foam pads. Included in the next steps of the report is the development of a protocol for personal protective equipment including foam pads, further specialized training for board staff, and continued partnerships with external agencies and other school boards to explore best practices and alternative options.

In addition, a review of all individual student programs where foam pads are currently in use will take place and all protective equipment not currently in use will be returned to the special education department by the end of June 2012.

Superintendent Hili and Associate Director Medysky responded to trustee queries related to the best practices of other school boards regarding the use of foam pads, alternative options available, and the consultations that were held with SEAC committee members. Trustees posed further questions related to individual education plans and the communication of those plans with parents, the various forms of foam pads in use in the province, and the thoroughness of the consultation process. Discussion took place among trustees related to the role of advisory committees such as SEAC, media coverage and public perception of the use of foam pads, and working conditions for Educational Assistants.

Principal of Special Education Peter Gumbrell responded to trustee questions around the reporting of aggressive incidents and the frequency of use of foam pads within the board.

Some trustees expressed concern related to the extent to which this matter has been reviewed within the media and both reinforced the importance of ongoing communication and collaboration generally.

Director Wallace commented on the value of the consultation process and its role in informing the next steps contained within the report. In the implementation of these next steps, Director Wallace affirmed the importance of continuing to work collaboratively and positively with SEAC, community and provincial associations and agencies.

This report was provided for information.

Other Matters

Trustee Edwards requested that a report detailing the work of the board's six attendance counsellors be brought to a future Program Standing Committee meeting in the fall of 2012.

Notices of Motion for Next Meeting - Nil

Moved by Peter Beacock
Seconded by Nicole Black

That the meeting be adjourned.

CARRIED

Meeting adjourned at 10:00 p.m.

RECOMMENDATIONS

1. That the Board approve the revisions to Policy No. 4115, Extended French as a Second Language (EFSL) Program, as set out in Report No. PRO-D-1, Revisions to Policy No. 4115 – Extended French as a Second Language (EFSL) Program, APPENDIX C, dated June 13, 2012.

REPORT NO. D-4-c
JUNE 20, 2012 – 6

2. That the Board approve the revisions to Policy No. 4310, School Councils, as set out in APPENDIX C of Report No. PRO-D-2, Revisions to Policy No. 4310, School Councils, dated June 13, 2012.

Respectfully submitted by:

Kathy Bailey
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

June 20, 2012

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Director of Education

SUBJECT: **APPOINTMENT OF STUDENT TRUSTEE MENTOR**

1. **Background**

At the December 21, 2011 Board meeting, trustees appointed Trustee Jodi Lloyd to serve as the student trustee mentor from December 22, 2011 to July 31, 2012.

2. **Current Status**

The Board is required to appoint a trustee to serve as the student trustee mentor from August 1, 2012 to July 31, 2013.

RECOMMENDATION

That the Board appoint Trustee _____ to serve as the student trustee mentor from August 1, 2012 to July 31, 2013, as set out in Report No. D-5-a, Appointment of Student Trustee Mentor, dated June 20, 2012.

Approved for submission by:

Kathryn Wallace
Director of Education

June 20, 2012

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: First Nations Education Advisory Committee Meeting

SUBJECT: **REPORT OF THE FIRST NATIONS EDUCATION ADVISORY COMMITTEE
MEETING HELD APRIL 11, 2012**

A meeting of the First Nations Education Advisory Committee (FNEAC) was held on Wednesday, April 11, 2012 at the Simcoe County District School Board Education Centre.

PRESENT:

Voting Members

Michele Locke, Debra Edwards, Amanda Monague,
Byron Stiles, Dan Shilling

Non-Voting Members

Anita Simpson, Lisa Ewanchuk, Grant Edwards, Daryl
Halliday, Nick Howard, Jim Sammon, Lisa Snache, Rick
Hodgkinson, Shelley Clark, Sally Potts, Angela Johnson,
Arlana Bickell, Lori Beresford

Guests

Sonya Partridge (Recorder)

REGRETS:

Diane Fletcher, Natalia Pyskir, Kim Campbell, Gina Genno,

Welcome and introductions – Anita Simpson

Anita Simpson, Superintendent of Education, opened the meeting by welcoming the Committee members and facilitating introductions. She expressed regrets from Principal Fletcher and Principal Pyskir and welcomed Student Representative Arlana Bickell and new Trustee Amanda Monague.

Opening Prayer

Community Member Byron Stiles led the group in an opening prayer.

Approval of the minutes of the last meeting dated January 25, 2012

RECOMMENDATION

That the minutes be approved as printed.

Moved by Dan Shilling

Seconded by Trustee Edwards

CARRIED

Business arising from the minutes/last meeting

N/A

Education Services Agreements

Principal Ewanchuk noted that she and Superintendent Simpson will be visiting with the two First Nations communities in May and June to discuss the Education Services Agreements.

School Reports

See Appendix A

Enrolment Report

Assistant Manager Hodgkinson provided a report to the FNEAC members. This report summarizes preliminary enrolment of First Nation students attending SCDSB schools on March 31, 2012 under the effective Educational Services Agreements with Beausoleil First Nation and Chippewas of Rama First Nation.

For the Ministry count date of October 31, 2011, 87 students (fee paying students) from Beausoleil First Nation and Chippewas of Rama First Nation were registered at SCDSB schools. The Admissions & Enrolment department is currently working with all SCDSB schools to verify and report student enrolment information for the March 31, 2012 Ministry count date.

For the purposes of this report, preliminary enrolment data on March 31, 2012 was extracted from the board's student information system. Currently 79 First Nation (fee paying) students are attending SCDSB schools outlined in the Table below. This represents a decrease of 8 students from the October 31, 2011 count date and the report presented to the First Nations Education Advisory Committee on January 25, 2012. Finalized enrolment information for the March 31, 2012 count date will be presented at the next First Nations Education Advisory Committee meeting.

Registered First Nation Students -- Total Fee Paying Students

	October 31, 2011		Preliminary March 31, 2012		Change		Preliminary 2011-2012 ADE
	Total Pupils	FTE	Total Pupils	FTE	Total Pupils	FTE	ADE
Beausoleil	26	25.50	25	24.50	- 1	- 1.00	25.00
Chippewas of Rama	61	58.50	54	52.50	- 7	- 6.00	55.50
Total	87	84.00	79	77.00	- 8	- 7.00	80.50

FTE -- Full-time equivalent enrolment

ADE -- Average daily enrolment

Update from Principal Ewanchuk

Principal Lisa Ewanchuk acknowledged the work of all staff and highlighted the newly hired staff that are supporting FNMI programming and students. She noted that the Aboriginal Education Office of the Ministry of Education has provided funding to support professional learning for secondary teachers about First Nation, Métis, and Inuit histories, cultures and perspectives. Each secondary school has sent teachers to the professional learning sessions.

Principal Ewanchuk also noted that the Aboriginal Education Office of the Ministry of Education released *Aboriginal Perspectives: The Teacher's Toolkit*, and she highlighted the professional learning opportunity available for teachers that focuses on integrating evidence-based strategies into daily classroom work. She also shared information about the work being done to support implementation of the Elementary Literacy and Learning Baskets. Currently, there are six teachers that have been reviewing the resources in the learning baskets and have been creating lesson plans, identifying strategies, and making connections to the Seven Grandfather Teachings and SCDSB character education attributes. Principal Ewanchuk noted that central staff are also continuing their work with ensuring that Special Education staff receive FNMI cultural awareness training. This professional development opportunity is now a workshop option for Education Assistants during professional activity days.

The Ministry has provided more clarity around the Voluntary Self Identification process, and the SCDSB will be revising its policy. A community focus group has been created to review what is currently in place, to revise the current policy and to develop promotional information to promote self-identification.

The Treaties with Canada Resource Documents are moving forward. Another meeting is scheduled for later this month. The SCDSB has developed some lessons around Chief Yellowhead's contribution as part of the War of 1812.

Principal Ewanchuk reported that Restorative Practices have had a significant and profound impact on students, staff, families, and facilitators. It is proving to be an empowering process and positive experience that builds community and empathy. There are several additional upcoming training sessions that have been added because of demand. Principal Ewanchuk highlighted the contribution of the Ontario Provincial Police and the support from Raj Sud.

Superintendent Simpson indicated that the progress made to date would not have been possible without this assistance. Superintendent Simpson noted that she shares this initiative with Superintendent Paula Murphy who has responsibility for the Safe Schools portfolio. The decision was made to formally identify Restorative Practices within the Safe Schools portfolio because it was felt that, while it certainly fit within the parameters of FNMI, this approaches to harm and wrongdoing is a natural fit in the progressive discipline continuum. To date, all sessions have been fully subscribed and there continue to be waiting lists for all sessions.

Most exciting is the upcoming session at the end of April where SCDSB staff will be trained as official trainers who will then be qualified as official certified trainers. Immediately following this training, they will train over forty staff over three days.

Principal Ewanchuk indicated that the Government of Ontario is again offering the James Bartleman Aboriginal Youth Creative Writing Awards to Ontario FNMI students. Each year the program recognizes up to six Aboriginal students for their creative writing talents. All submissions will be reviewed by an independent selection committee. Each recipient will receive a certificate and a cash award of \$2 500.00.

Transitioning remains a focus for the SCDSB, and staff are diligently working with both Rama and Beausoleil First Nations to redefine the processes and to look at ways to encourage students to come to SCDSB schools for Grade 9. Principal Ewanchuk noted that staff are working on promoting local FNMI culture in the school presentations and advertisements.

Principal Ewanchuk informed the committee of the Native Language PLC taking place on April 25, 2012 at the Education Centre. She extended the invitation to Mnjikaning Kendaaswin and Christian Island Ojibwe language teachers as well as teachers in the community to attend. Additionally, May 9, 2012 is the 4th annual Sharing Our Learning workshop at the Education Centre which will highlight student visual art. Local artists will be attending and will work with students.

Additional Business

Education Director Shilling reported that he was impressed with the Restorative Justice article in the newspaper. He said that as a community it is great to see that young children are participating in traditions that were widespread when he was a child.

ACTION

Education Director Shilling requested a copy of the newspaper article to share with the FNEAC members.

Trustee Locke shared that she has been in contact with Minister Wynn while at a conference regarding on-reserve student access to Homework Help – these student do not have an OEN number and cannot access this service without one. Additionally, in speaking with the Minister about difficulty recruiting Ojibwe language teachers, it was suggested that the communities create an inventory of staff in order to share contact information and qualifications of teachers. She also noted that the Enahtig Healing Lodge has been an excellent resource for the SCDSB and students at risk. They have even provided a work area for one of the board's outreach teachers.

Questions/Comments

Education Director Shilling indicated that he and Education Director Monague attended a Ministry of Education meeting regarding Day Care and Elementary School. He

highlighted that many attendees expressed the need for a dialogue regarding transition from daycare to elementary school. He also noted that they are concerned from a funding and reporting standpoint and will be working together with the Ogemawahj Tribal Council to address these concerns. Education Director Monague also noted that they are looking to close the gap between ECE and teacher salaries.

Superintendent Simpson thanked Trustee Locke for facilitating the meeting today. She highlighted the need to continue to grow the supports available. She spoke to the desire of the SCDSB to support FNMI learners and to have all pupils of the board become more aware of FNMI culture and teachings.

Principal Howard asked about the possibility of an exchange between an SCDSB and Kendaasiwin teacher. He highlighted the potential benefits for both organizations. Superintendent Simpson indicated that teachers are able to participate in international exchange programs and this may be seen as a similar opportunity.

ACTION

Superintendent Simpson will speak with Associate Director Janis Medysky about the potential for an exchange.

Closing Prayer

Community Representative Stiles led the group in a closing prayer.

The meeting adjourned at 12:28 p.m. The next FNEAC meeting will take place on Wednesday, June 6, 2012 at 10:00 a.m. on Christian Island.

Report Status

This report is provided for information.

Respectfully submitted by:

Anita Simpson
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

June 20, 2012

School Reports

Christian Island Elementary School

Principal Angela Johnson reported that five of their staff had the opportunity to go to Wikwemikong First Nation to visit their three schools. While in that area they also spent a half day at another First Nation School on Birch Island. It was a wonderful experience and they all learned a lot. They were primarily there to take a look at how they integrate culture into their programs and their First Nation Student Success Plan.

This past year, one of Christian Island Elementary School's Native Language Teachers has also been a Cultural Lead for staff. He has worked with staff once a week for an hour integrating more culture into various program areas. For example, Grade 1 recently hosted a puppet show on the clan system and a traditional fish fry for parents and the community. Grade 2/3 has been working all year on integrating the Seven Grandfather Teachings into their program and daily routines. Grade 4/5 has done a lot with traditional foods and has gathered, hunted, fished and prepared various dishes. They will also create a cookbook for the end of the school year that will contain all of the dishes that they prepared. Grade 6/7 has had Veterans come in for presentations. They had teachings about tapping maple trees and then went through the process themselves. They used the maple syrup to naturally sweeten cedar tea that they had also prepared. All classes have also taken part in going on Medicine Walks at different times of the school year as well.

Christian Island Elementary School is currently busy working on the preparations for their 3rd Annual School Pow Wow that will take place on Wednesday, May 23rd. Each class will showcase something that they have been working on all year and each class will also host a traditional activity or craft. There will be a lot to see, eat and do. There are limited spaces available so they are asking schools to reserve their spots soon. New this year is an Eagle Staff that the school is working on. They are hoping to have it ready in time for the School Pow Wow.

School staff have had the opportunity this year to have regular PLC's which have been primarily run by their Lead Literacy. From those PLC's it was recommended that staff take part in more professional development in regards to Smart Boards, Kurzweil, and Dragon Naturally Speaking. This training has taken part during the month of March and will continue during April. They are very fortunate that through our FNSSP funding they were able to get one iPad for each classroom and support for this technology will be included in this training as well. Additional PD that will take place before the end of this school year includes plans for all staff to visit a school within Simcoe where they can meet other teachers in their division.

The staff are very fortunate in all the Professional Development that they are offered and take part in. As a strategy in sharing information and resources with all staff the school holds "Sharing Sessions" where staff all come together one evening and share. The next sharing session is scheduled for June 5th.

Upcoming sessions for parents include a Parent Information Session on ADHD & LD which will take place on the evening of Tuesday, April 24. In preparation for this year's EQAO, staff will also be hosting an Information Session for Parents on May 1st. They have unfortunately never had a successful parents committee but recently a group of parents did approach the principal about creating one. The first Parents Committee Meeting will take place on the evening of April 19th.

Other highlights to mention are the much needed new staff that will be joining the school. They will now have an IT person and a part-time Librarian. They have had a Counsellor this year that has come over to the school three times a month. The demand has been so great that they have recently hired an additional Traditional Healer/Counsellor who will come once a week until the end of June. Another highlight includes 6 students and both Native Language Teachers attending the 18th Annual Anishinaabemowin-Teg Conference. Three of six students won awards and bursaries and were honoured at a banquet at the conference.

Trustee Locke noted that the SCDSB is part of a coalition – there is a child and youth mental health summit coming up. She noted that she will ensure that Principal Johnson and Director Monague get this information.

Principal Ewanchuk asked what the maximum number of classes would be able to attend the upcoming Pow Wow. Principal Johnson said that this year they will impose a limit of 200 students. She noted that it is not grade level specific; instead, Kindergarten to Grade 12 students are invited.

Mnjikaning Kendaaswin Elementary School

Principal Nicholas Howard reported that the School Improvement Planning process is well underway with SIP team meetings being held on a regular basis. Staff are becoming more engaged in this important process. He noted that they continue to have bi-weekly staff and division meetings which provide the opportunity for collaborative planning and discussion. The goals are clearly identified in the SIP and this process is assisting the school to move forward in a logical and systematic way.

Principal Howard reported that students were very involved in the Orillia Branch of the Canadian Legion Remembrance Day activities. One student in particular won the Intermediate Poetry competition and placed 3rd in the following round. This student was presented with the Legion Literacy Pin, the first ever for the Orillia Branch.

Mnjikaning Kendaaswin Elementary School has established a MKES co-ed hockey team which has placed at a number of local schools. They are very fortunate to receive excellent community support for all of their sports teams. The school held a very successful EQAO Parents meeting for parents of students in Grade 3 and Grade 6. They have also been able to assist these students by engaging the services of a reading specialist on a regular basis.

The school has started a bi-weekly Math Challenge program for students in the school to further improve Number Sense and Numeration skills. MKES has provided opportunities for students to participate in oral speaking competitions.

Monthly theme days have been held: Crazy Hair, Pyjama and Hawaiian days have been held to raise school spirit and have some fun. The school has celebrated the academic success of four former students presently in Grade 9 for achieving the Honour Roll. A highlight has been the 'clay animation' short films that the Grade 6/7 students produced with the help of a computer programmer and Disney animator! MKES is a busy, vibrant school with a team of very committed staff who will move the school forward.

Education Director Shilling noted that the report was great and says that Principal Howard is doing an outstanding job in the school and in the community.

ACTION

Principal Howard will share the aforementioned video with the FNEAC at the next meeting in June.

Lions Oval Public School

Principal Darryl Halliday reported that Lions Oval has three items to highlight for the month of April.

First, they have a wonderful opportunity in process right now: 15 classes from Kindergarten to Grade 8 will have the benefit of elder Bernice Trudeau coming in to share traditional stories, teachings and artifacts. She will visit on April 5, 12 and 24, and staff and students are eagerly anticipating these opportunities.

Second, one of Lions Oval teachers has been seconded to the board to serve as an Itinerant Resource Teacher at the system level, travelling to schools across Simcoe County helping students and staff to learn more about FNMI traditions and culture. He has already been back at the school working on drumming and artwork with Kindergarten classes and has assisted in a healing circle and smudging to help some of the school's Intermediate students work through an issue and move forward positively.

Finally, the OSL classes continue to operate under the direction of Erica Louttit. She is currently offering students opportunities to participate in the James Bartleman Aboriginal Youth Creative Writing contest – an initiative where up to six youth are recognized for their written work which may include poems, essays, plays or songs. Some students are excited about this chance to share their writing and potentially win a cash award of \$2500!

Principal Halliday noted that he thought that it would be appropriate for a Grade 8 student to be recognized for their contribution and participation in the Ojibwe as a Second Language classes. He noted that they are looking for an appropriate title for the award. Suggestions include First Nations Award, First Nations Language Awards, Ojibwe Language Award.

Regent Park Public School

Principal Lisa Ewanchuk reported on behalf of Principal Kim Campbell that Raven Murphy - Aboriginal song and story teller - visited Regent Park. Students absolutely loved their time with Raven and all were very attentive. Bernice Trudeau, an Aboriginal song and story teller, also spent three days at the school. She spent half a day with each of the Grade 3 – 8 students.

Principal Campbell noted that the school's Eagle Staff that was completed at the end of last year was smudged at this ceremony. Tobacco was given to an Elder to conduct the ceremony. Strawberries were shared to complete the feast which was enjoyed by all.

Grade 7 and 8 students have started working on making and designing their "planting buckets" with plans to try to grow sage, cedar saplings and sweetgrass. The future plan discussed with Grade 8 students was to use the cedar saplings at their graduation, where the plants will line their walk as they proceed to receive their diplomas. Students loved that idea and are also excited to be able to take these medicines home.

Rama Central Public School

Principal Shelley Clark reported that this term at Rama Central, staff re-designed their school-wide discipline sheet to incorporate the circle of caring.

Students complete the in-the-round reflection as part of the progressive and restorative discipline process at the school. Students must reflect on who has been impacted when incidents of harm and wrongdoing occur as well as on what has been learned. The school has two trained Restorative Practices facilitators, and recently, they held two formal circles. The school is really seeing the difference listening makes: students who listen intently to what others are saying about something that has happened learn about the hearts of others. Circles have proven to be powerful instigators of changed perceptions, and thus, changed attitudes and actions.

Orchard Park Public School

Principal Sally Potts reported that at Orchard Park they continue to work on the Seven Grandfather Teachings. Rosanne Mancari, an educational assistant who is Interior Salish, has been working with students throughout the school. Recently they focused on two Grandfather teachings with the primary grades. The teachings were linked to the school's anti-bullying program. Rosanne has led circles in classrooms teaching specific lessons about the Seven Grandfather Teachings. Rosanne links the teachings to the Character Traits and shares personal stories with the students, while encouraging them to participate. Rosanne's eagle feather or talking stick is passed around to encourage students to share experiences and information about themselves. This allows students to develop closer connections with each other and build a sense of community.

Orillia District Collegiate Vocational Institute

Principal Grant Edwards reported that O.D.C.V.I. currently has 23 self-identified First Nation, Métis, and Inuit students enrolled at the school. Nine of these students are Chippewas of Rama First Nation members. In June of 2011, six First Nation students graduated from O.D.C.V.I.

He highlighted that O.D.C.V.I. has a variety of transition activities into secondary school for First Nation students to participate in. For example, on the first Wednesday of November, Grade 8 students from the family of schools are invited to O.D.C.V.I. to become familiar with the clubs, teams and activities. The students follow a mini-timetable to experience elective courses which are of particular interest to them.

He noted that, in January, the Guidance counsellors visit the family of schools to start the Grade 9 course selection process. This year, the counsellors took two Grade 9 students, who were former graduates, back to their elementary school to answer any questions the Grade 8 students might have. In January, O.D.C.V.I. hosts a Grade 8 Parent Information Night in which incoming Grade 9 students and their parents are invited to visit the high school, talk to teachers and decide upon course offerings.

Principal Edwards highlighted that during the spring months the Student Success teacher travels to the elementary schools to talk to the Grade 8 classes about specific success strategies for Grade 9. During the spring months, the Student Success teacher also completes Transition meetings at the family of schools for students whom the Grade 8 teacher feels are at risk of struggling with the transition into high school. In June, the school mails out a welcome letter to the incoming Grade 9 students.

During the last week of August, O.D.C.V.I. hosts a Grade 9 Orientation Day for the Grade 9 students to pick up their timetables, locks, T-shirts and participate in a "walk-about" to locate their classes. On the first day of classes in September, there is a Grade 9 Assembly to welcome the students and introduce staff, clubs, teams, activities and encourage the students to participate and get involved in extracurricular activities in order to maximize their true potential and enjoy high school life to the fullest.

During first term of semester one, the Student Success teacher and Guidance counsellors meet with each Grade 9 student individually to welcome them, check on how they are progressing and remind them that they are their "go-to-person" if they have questions or concerns. Particularly throughout the Grade 9 year, the Student Success teacher monitors closely and meets with frequently, all students whom she met during the Transition Meeting process to provide extra support during this first year of secondary school transition.

Twin Lakes Secondary School

Principal Lori Beresford reported that Twin Lakes continues to be a busy place with varied activities occurring. They are waiting for multi-lingual signs in English, Ojibwe and French, as mentioned in the last report.

As well, the Full Circle Youth are planning and ordering large rocks to begin the development of the outdoor garden and gathering place. They are in the process of seeking funding and developing plans for a natural garden with Native plants and hope to have it useable towards the end of the school year, with more development to occur into next year.

Twin Lakes' Native Studies teacher has been active in attending various workshops and networking with Native Studies teachers. He is gaining great resources to add to the curriculum. He met with Education Officer Brissard from the Ministry of Education and discussed the most recent curriculum guidelines. The Native Studies class had the pleasure of a visit from Ralph King who is a Medicine Man from Rama First Nation. Ralph was in to share various medicine teachings and explain how traditional medicines are used in healing. In April, the Native Studies class is heading to the Georgian College Aboriginal Studies Centre in Barrie where they will be learning how to create original art pieces, receive an Elder teaching, and enjoy a traditional "Three Sisters" lunch. In May, the class is scheduled for a field trip to St. Marie Among the Hurons.

Principal Beresford noted that the school has had two great Restorative Justice circles. These were a great success, were extremely emotional and were a great alternative to other forms of discipline.

Park Street Collegiate Institute

Principal Jim Sammon reported that sixteen Park Street Collegiate Institute students have formally self-identified as First Nation, Metis, or Inuit of which three are from Rama.

On February 14, 2012, PSCI was honoured to welcome three special guests to the school. Ms. Gloria King, Ms. Erica Louttit and the Grade 6 student (Owen) from Orchard Park (who first had this idea) came to the school for the Eagle Staff ceremony. FNMI students worked hard last year under the direction of Ms. Karen King and also played a lead role in planning and running this assembly. PSCI students and teachers learned of the history and importance of the eagle staff as well as how to continue to care for it. They were surprised, and very honoured, to learn that they are the first (and only) high school in Simcoe County to have an eagle staff in the school.

The Native Studies class remains full, and the students in it are actively participating in cultural activities as well as living and learning the cultural perspective unique to First Nations cultures. Ms. Rosanne Mancari visited the class on two occasions to sit in the circle and share teachings on the gifts of the Seven Grandfathers as well as the Medicine Wheel teachings. Other guests will spend time with the class over the course of the semester.

Teachers from Native Studies, Canadian & World Studies, and English are participating in the three Weaving FNMI Perspectives workshops and another staff member will attend the Aboriginal Perspectives: Teachers' Toolkit workshop.

Full Circle students are anxious for the spring season to take hold so that the school can begin to add elements of FNMI culture to our school's Peace Garden courtyard.

Midland Secondary School

Principal Lisa Ewanchuk reported on behalf of Principal Diane Fletcher that the 7th Fire Program began the second semester with 12 students, but currently has 19 students enrolled in a variety of courses. She highlighted that during the morning two periods, the majority of students are completing the Grade 11 Environmental Science course (SVN3E) and the Grade 10 Physical and Health Education (PPL2O). Select students are completing Grade 9 Native Art (NAC1O), Grade 11 English Contemporary Aboriginal Voices (NBE3U), Grade 11 Mathematics (MBF3C), Grade 11 English (ENG3C), or the Ontario Literacy Course (OLC4O) in addition to, or in place of, the regular programming of SVN3E and PPL2O. In the afternoon, students are completing two periods of Co-operative Education with placements in their selected sector of interest.

She also reported that they secured *Eat Well To Excel*, *Breakfast for Learning*, and *Healthy High Schools* funding for the breakfast, snack, and lunch program. Co-op programming has partnered with GBNFC to provide two guest speaker presentations (Customer Service Skills & Skilled Trades/Apprenticeships). As well, students have been placed in a variety of industries including bike repair, child care, auto repair, social work, customer service, animal services, marine repair, and the legal sector... including two FNMI agencies (GBNFC & BANAC - Binoojinsauk Child Care)

Later in the semester, Co-op students will participate in a *My Blueprint* workshop led by SCDSB Guidance/Careers IRT as well as a presentation from Georgian College regarding the Aboriginal Community Services Worker program; One MSS student, Skylar McCue is participating in the dual credit program at Georgian College. The 7th Fire Co-op program was showcased in a half-page article in the Midland Free Press. A *Speak Up* grant was awarded for a *Cultural Inclusion Program* which will include a day trip to the Enaahdig healing lodge and a day trip to Camp Kitchikewana on Beausoleil Island.

Students are participating in the *Project of Heart* initiative for the NAC1O and PPL2O courses. *Project of Heart* is a hands-on, collaborative, inter-institutional artistic endeavor ongoing throughout Canada to commemorate the lives of thousands of Indigenous children who died as a result of residential schools. The finished art piece will go on display in Ottawa as part of the Truth and Reconciliation Commission.

Carlene Jackman from Enaahdig Healing Lodge visited 7th Fire to do a presentation on how *The Sixties Scoop* and Residential Schools relate to Aboriginal addiction in Canada. Preparations for the year-end graduation and gala ceremony will soon be initiated. They anticipate three students will receive their OSSD at this event. Four 7th Fire students participated in a two day Aboriginal Youth Business Conference in Sudbury over the March Break through the GBNFC.

Superintendent Simpson noted that there will be additional classroom space for the 7th fire program at the Native Friendship Centre as a second floor is being added to the space which will house another classroom for the program.

Penetanguishene Secondary School

Principal Lisa Ewanchuk reported on behalf of Principal Natalia Pyskir that in Semester One, 44 of 49 credits were attained in the three classes offered, representing a 90% success rate. She highlighted that in Semester Two they are currently running two classes of the Contemporary Aboriginal Voices and one class of Ojibwe. PSS is expanding the use of Restorative Justice Circles. Teachers are attending the training sessions offered by the SCDSB for the Tool Kit and PD on infusing FNMI perspectives into the curriculum. PSS continues to make the FNMI culture evident in the halls and classrooms.

In the 2012 – 2013 School Year, PSS has requested to offer the same courses. The Christian Island Place of Learning for next year still appears uncertain. PSS would benefit from continuing to have Ruth Quesnelle as their FNMI Student Advisor and Sylvia Norton for the BFN Student Advisor.

Rama Student Advisor

Lisa Snache reported that currently there are 50 Rama students (on and off reserve) attending the 3 Orillia high schools. Students were seen at the start of Semester 2 regarding new courses and Semester 1 final examinations. She has attended Twin Lakes Transition meetings at MKES and for Regent Park. At the end of April, students will be invited to participate in “Pathways to Education”, hosted by Georgian College and Lakehead University. Students will learn about the programs, and services and will tour each campus. The FNMI Special Education Coach has been working with transitioning students.

Trustee Locke asked that Student Representative Bickell bring a report to the next FNEAC meeting on June 6. She congratulated Student Representative Bickell for her participation in the Circle of Light conference and on her Trustee accolade.

ACTION

Student Representative Bickell will report to the committee at the June 6, 2012, FNEAC meeting.

Community Representative Stiles expressed his overwhelming pride regarding Student Representative Bickell’s presentation at the Circle of Light conference. He told her that the whole community is proud of her.

Principal Ewanchuk expressed the SCDSB’s pride and told the committee that Arlana received a letter from the Minister of Education for her presentation.

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Parent Involvement Committee

SUBJECT: **REPORT OF THE PARENT INVOLVEMENT COMMITTEE
MEETING HELD APRIL 18, 2012**

A meeting of the Parent Involvement Committee was held on Wednesday, April 18, 2012 at the Education Centre.

PRESENT:

Committee Members: (Voting)
Elizabeth Bettencourt, Laura Black, Timmi Brady-Ingليس,
Michelle Hunter, Jennifer Johnson, Jane McCreadie (Chairperson),
Marjorie Dowdell (Vice-chairperson).

Trustee

Representatives: (Non-voting)
Peter Beacock, Caroline Smith.

Administration & Staff

Representatives: (Non-voting)
Debbie Clarke, Rita England (Recorder), Angela Pino, Jane Seymour,
Paul Sloan.

REGRETS: Jill Hynes, Tanya Nabuurs, Kim Gadsby.

1. **Welcome**

Chairperson McCreadie welcomed everyone to the meeting and expressed regrets on behalf of Jill Hynes and Tanya Nabuurs.

2. **Approval of Agenda**

Chairperson McCreadie asked the committee for approval of the agenda.

Moved by Marjorie Dowdell
Seconded by Elizabeth Bettencourt

That the agenda be accepted as printed.

CARRIED

3. Approval of the March 21, 2012 Minutes

Chairperson McCreadie asked for approval of the minutes.

Moved by Laura Black
Seconded by Jennifer Johnson.

That the minutes of the March 21, 2012 meeting be accepted as printed.

CARRIED

4. PIC Membership Appointment

Paul Sloan, Superintendent of Education explained to the committee that a numbered memorandum entitled – *Parents Involvement Committee Membership* would be sent to the system requesting expressions of interest from School Council chairs to apply for existing vacancies on PIC.

Applications to join the SCDSB Parent Involvement Committee are available for all active School Council members from their school principal and will be received by R. England via fax at 705-734-6320 or email at rengland@scdsb.on.ca until May 31, 2012.

Discussion ensued regarding the reappointment of the committee for more than one term (two years), Board policy states that “parent representative may only serve on the PIC for a maximum of two years with the option of reappointment to a maximum of 4 years.”

Under the Ministry guidelines a chair or co-chair may not serve more than two consecutive terms if reappointed or re-elected.

MOTION

Moved by Laura Black
Seconded by Jennifer Johnson

That the Parent Involvement Committee (PIC) members are to forward to Superintendent Sloan an Application for Representation on the Parent Involvement Committee for consideration of reappointment for an additional two year term.

CARRIED

Based on the applications received, Superintendent Sloan will send out a numbered memorandum to the system requesting applications to fill the vacancies on PIC for the 2012 – 2013 school year.

The committee accepted applications of reappointment from: Jane McCreadie, Marjorie Dowdell, and Elizabeth Bettencourt.

The committee determined that all members presently in their first year will be returning for their second year term.

Superintendent Sloan will contact member Jill Hynes to confirm her intentions for reappointment to PIC for the additional two year term.

5. Update on April 21 Conference Planning

The committee agreed on the set up of a display booth to aid in recruitment and provide information to interested parents. Debbie Clarke, Manager of Communications volunteered to assist Chair McCreadie to design a PIC display and to set up the Circle of Learning banner for the conference.

Rita England informed the committee that Annie Kidder's presentation will be videotaped by our IT department. Manager Clarke explained one of her staff members would also be taking video clips of the conference to use for the 2013 Circle of Learning Conference.

The final details of the Circle of Learning were discussed: registration process, name tags, meals, signage to daycare at Forest Hill P.S., gifts for presenters, display booths, and welcoming parents.

Michelle Hunter will purchase 16 glass containers of maple syrup and will co-ordinate the distribution of these gifts as tokens of appreciation to the guest speakers.

Superintendent Sloan reported that he had taken the date for next year's Circle of Learning, April 6, 2013, to the senior table along with the possibility of renting the Simcoe County Museum for childcare.

Discussion ensued regarding parents from other school boards attending the conference. Communications Manager Clarke explained that the conference was open to all parents in Simcoe County and that all are welcome to this yearly event.

The committee thanked Manager Clarke and her team for the extensive promotion and advertising effort that was used to promote the Circle of Learning conference. To date the total of applicants is 159, with 93 children registered.

6. Feedback – School Council Policy

Superintendent Sloan explained to the committee that a reminder had been sent out to the system regarding the deadline for feedback on the revised School Council Policy. To date, 77 responses have been received in total with 41 of the responses coming from school council chairs or school council members.

The committee discussed the redline version and offered their comments.

Discussion also included the following information for consideration for inclusion in the school council policy: ideal number of parents on a council for elementary and secondary, minimum number of council members required, by-law development, councils operating on the principles of Character Ed traits and following the Code of Conduct, guidelines for conflict resolution.

Superintendent Sloan suggested the committee craft some additional details for further discussion, take the feedback through survey monkey and distill it into what the committee sees as the main themes emerging. This information would be brought back to the May meeting. Given the short time frame, the committee decided to take all the information, summarize the main themes, and put this in a draft for the May PIC meeting.

Members were encouraged to forward any additional comments to Superintendent Sloan who will forward all information to Principal Jane Seymour and the committee working on the draft version of the School Council Policy.

7. May 29, 2012 Agenda Planning Group – School Council

Chair McCreadie provided the committee with a draft copy of the May 29 School Council agenda. Chair McCreadie reported that the school council agenda was very full and requested that PIC members email their preferences to her as soon as possible.

8. Parents Reaching Out (PRO) Grants Announcement

The committee discussed the PRO grants provided by the Ontario Ministry of Education to help schools receive additional support for resources need to become more involved in their childrens' education. There are two types of PRO grants: Grants for schools and Grants for regional/provincial projects. The deadline for 2012-2013 school year applications is June 8, 2012. Additional information may be found at www.edu.ov.ca/eng/parents/reching.html.

Chair McCreadie invited PIC members to attend a PRO event hosted by Goodfellow P.S. on May 3, 2012 from 6:00-8:30 p.m. to celebrate parent involvement. You must RSVP to Jane by May 1st.

9. Update on \$60,000 Budget Resource Process

A member questioned if there was a deadline for the \$60,000. Superintendent Sloan said there was no deadline.

Deferred to next meeting.

10. Top 10 Toolkit Documents (Next steps for PIC review, SCDSB review, publish before May 23, 2012)

The draft Top 10 Toolkit document was provided to PIC members. Chair McCreadie requested PIC members review and provide feedback regarding best practices for school councils. Communications Manager Clarke will assist in graphically designing and putting into a pdf form.

Communications Manager Clarke, spoke on the Parent Portal project.

11. Multi Year Planning – Part 1

Deferred to next meeting

12. Additional Item

Superintendent Sloan reported that Superintendent of Facilities, John Dance, is establishing an Acceptable Use Guideline project team and is requesting a representative from PIC to participate on this team. Involvement includes a maximum of five meetings. The goal is to develop a new acceptable use of technology for staff, students and the community.

Timmi Brady–Inglis volunteered for the position on this committee.

13. Adjournment

Moved by Elizabeth Bettencourt
Seconded by Laura Black

That the meeting be adjourned at 7:45 p.m.

The next regular meeting will be held on Wednesday, May 16 at 5:00 p.m. at the Education Centre.

14. Report Status

This report is provided for information.

Respectfully submitted by:

Paul Sloan
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

TO: The Chairperson and Members of the
Special Education Advisory Committee

FROM: Chairperson of SEAC
Superintendent of Education

SUBJECT: **MINUTES OF THE SPECIAL EDUCATION ADVISORY COMMITTEE
COMMITTEE MEETING HELD MAY 14, 2012**

A. **Call to Order**
(1) **Roll Call**

PRESENT

SEAC Members: Angie Bridekirk, Joanne Brown, Susan Clough, Sue Downing,
Sarah Elliott, Mary Haire, James Hall, Laura LaChance.

SEAC Alternates: Kevin Berry, Sheila Davis, Alexander Koculym.

Staff: Alexa Barrie, Peter Gumbrell, Phyllis Hili, Hailey McLean.

Regrets: Donna Armstrong (Trustee), Margaret Homewood, Kim Latour, Krista
Mayne (Trustee), Michele Locke (Trustee), Joanne McCafferty,
Sari Russell.

**Recording
Secretary:** Jennifer Henry.

(2) **Approval of Agenda**

Moved by Laura LaChance
Seconded by Sarah Elliott

That the agenda be approved as printed.

CARRIED

(3) **Approval of Minutes**

(a) **Minutes of the Regular Committee Meeting April 16, 2012**

Susan Clough Susan Clough requested that two words, "for closure" be removed on page 7, item (c) Elementary and Secondary County Classes so that the sentence reads as follows "There was an inquiry regarding the location of the ASD class that is being proposed, and inquiries regarding the proposed cap size.

Moved by Sarah Elliott
Seconded by Joanne Brown

That the minutes of the regular meeting of the Special Education Advisory Committee held April 16, 2012 be approved as amended.

CARRIED

B. (1) Welcoming

(a) Welcome and Introductions

Chairperson Bridekirk welcomed all guests, Board staff members, SEAC members, Associate Director Medysky, and Brian Jeffs, Superintendent of Business Services and Steve Bartlett from Information Technology Services.

Trustees Beacock, Ley, Lloyd, North and Smith, were also welcomed. SEAC Member regrets were noted for Donna Armstrong, Margaret Homewood, Kim Latour, Krista Mayne, Joanne McCafferty, Sari Russell.

In response to the request at the April 16, 2012 SEAC meeting for WIFI access at the SEAC meetings, Steve Bartlett from Information Technology Services was present for the beginning of the meeting. He provided an overview of the WIFI access and assisted members with connecting to the system.

(b) SCDSB Special Education Statement of Beliefs

Susan Clough read the Statement of Beliefs.

(2) Presentations & Discussion

(a) Special Education Budget Consultation

Superintendent Jeffs provided a brief overview of the budget information that was shared at the April SEAC meeting. Since the April meeting, the Board has received the Ministry released document titled "School Board Funding Projections for the 2012-2013 School Year (also known as the grey paper). Superintendent Jeffs provided SEAC members with a handout and presented via PowerPoint projection further information on the 2012-2013 special education budget development. He noted that the first slide should read as "2012-2013" Special Education Budget Development. The presentation addressed School Board Funding projections for the 2012-2013 School Year; Technical Paper 2012-2013, Simcoe County District School Board (SCDSB) estimates; and Next Steps. As noted at the April meeting, the Board is projecting a drop in Average Daily Enrolment (ADE) of approximately 477 students. The ministry is projecting based on the enrolment and some funding adjustments that our board will see a one percent or \$721,000 special education funding reduction. Superintendent Jeffs noted that special education funding is enveloped, and can only be used for special education. If it is not used in the year, it will be deferred and targeted at special education the next year. Superintendent Jeffs reported that the Ministry has also released the 2012-2013 Technical Paper which describes the various components of the funding model. Comparing last year's technical paper to this year, the following changes can be identified: Special Education Per Pupil Amount (SEPPA) – per pupil

reductions; a minimal increase in Behaviour Expertise Amount (BEA) – Base amount and per pupil increase. It was also noted that the Ministry is increasing the provincial projected allocation from \$41 million to \$50.5 million for the Special Incident Portion (SIP). At this time, the specific effect on this board is not known. When looking at the SCDSB estimates, SEPPA is the largest change as it makes up almost 50% of the Special Education funding, and enrolment is the key driver that will be lowering the funding for 2012-2013. Superintendent Jeffs noted that the Grants for Student Needs (GSN) remain unchanged from last year. Superintendent Jeffs reported that another noticeable difference in funding for 2012-2013 comes from Full Day Kindergarten (FDK). SCDSB will have 69 new classes in 2012-2013 which will result in an approximate \$1.4 million increase to special education. Superintendent Jeffs also spoke to deferred revenue, noting that there was some carry over from the previous year to this current year, and clarified that there is no projected deferred revenue for 2012-2013.

Superintendent Jeffs confirmed the passing of the provincial budget and noted that the Education Finance Information System (EFIS) package is complete. In terms of next steps, presentations and consultations with committees, administrators and the Board will take place. Superintendent Jeffs reported that first discussions with the Board regarding budget are being held on May 16th, then the joint Business and Facilities Standing Committee and Special Education Advisory Committee budget meeting will take place on May 22, 2012. The submission of the board approved Budget is due to the ministry by July 1, 2012.

Superintendent Jeffs addressed SEAC members' questions. There was an inquiry regarding the FDK funding. Superintendent Jeffs clarified that as part of the FDK envelop, each child attracts a dollar amount that is designated into special education as part of the early learning program. There was also a question regarding deferred revenue. Superintendent Jeffs clarified that "deferred revenue" is what was referred to as "reserve" in the past. Vice-Chairperson Hall inquired when the expense side of the budget would be available. Superintendent Jeffs noted that it is expected to go out May 16, 2012 and will be posted.

Superintendent Hili addressed 2012-2013 Professional Learning Strategies, County Classes and the Special Education Service Delivery Model as part of the budget presentation. The proposed professional learning strategies for 2012-2013 are similar to the 2011-2012 strategies and include the following: Targeting Programming Individual Education Plans (IEPs), Transitions Planning and Programming, Behaviour Management Systems (BMS) Training; Applied Behaviour Analysis (ABA) PD Projects – Policy Program Memorandum (PPM) 140 supports; Gifted Programming, Kaufman Test of Educational Achievement (KTEA) training, Hearing Awareness Workshop, Alternative Curriculum Expectations (ACE) and Assessment Companion Tool (ACT), and Special Education Amount (SEA).

Superintendent Hili and Peter Gumbrell, Principal of Special Education addressed SEAC members' questions. Susan Clough inquired about the ABA professional Development (PD) and questioned if there will be more behavioural intervention strategies, evidence-based good practices for

minimizing behaviours. Principal Gumbrell indicated that the Board will continue with Ziggurat training and a more supplementary site-based, team training approach. Vice-Chairperson Hall inquired about the Gifted programming and the status of the gifted testing this year. Superintendent Hili confirmed that staff is looking at establishing a working group for the fall. Principal Gumbrell reported that the Board cannot access additional General Index Ability (GAI) tests at this time. He noted that where schools had not been contacted previously, staff has followed up and contacted the schools where the students scored 123 and 124 on the test, and from the point of view of the schools and through parent communication, they are satisfied at this time with the programming.

There was also discussion regarding PPM 140 and the Ministry survey. It was noted that the Survey will be submitted to the Ministry on Friday and that further information could be brought forth at the beginning of the year. There was an inquiry when the survey was sent out to schools, as many parents with children under the spectrum did not receive the survey.

Principal Gumbrell and Hailey McLean, Central Program Consultant in Special Education addressed the question, and confirmed that the survey was distributed between three and four weeks ago, and that it is suggested to principals that they seek input from parents and staff when completing the survey.

SEAC members spoke to the importance of collaboration with parents, and inquired if a clear directive could be given to principals to seek input from parents and staff as opposed to being “suggested” to ensure consistency of information. Hailey Mclean reported that the wording “may seek feedback” comes from the ministry. She noted that a team of Board staff attended a Ministry session in February regarding PPM 140 and at that time provided feedback regarding the survey process. SCDSB staff suggested a different survey format/process such as Survey Monkey. Hailey noted that this type of survey could offer greater opportunity for parent feedback. Feedback was also provided to the ministry regarding allowing sufficient turn-around time for the survey.

In follow up to the information that was provided to SEAC members last month, Superintendent Hili provided further details regarding the proposed changes for the County Classes for 2012-2013. The following is being proposed: close one Life Skills Class at Midland Secondary School; close one Social Skills Class at Fieldcrest Elementary School; Close one Gifted Class (intermediate) at Orchard Park Elementary School; add one Autism Spectrum Disorder (ASD) Class at Barrie Central Collegiate Institute. Superintendent Hili and Principal Gumbrell addressed SEAC members’ questions. It was confirmed that the reason for closing one gifted class at Orchard Park is that most of the students are intermediate and are moving onto secondary. This will still leave one Gifted Class at Orchard Park with enough space to accommodate, with the potential of a grade 4-8 Gifted class.

There was also an inquiry regarding the addition of the ASD class at Barrie Central and whether staff is still looking at changing the cap size, and if the set up for that class will be similar to the one at Barrie North Collegiate. Superintendent Hili indicated that staff would like to see the cap size reduced, but that it will likely be progression overtime. Principal Gumbrell indicated that the equipment that is required to fulfill the program and the application of ABA will be put into place at Barrie Central. It is felt that a similar set-up to the one at Barrie North can be easily accomplished, which is part of the reason for choosing Barrie Central as the site for the additional class. There was an inquiry regarding the closure of the Life Skills class at Midland Secondary School. Superintendent Hili confirmed that attrition and enrolment were the rationale for the closure. It was also confirmed that the ministry cap size for ASD classes is six.

Superintendent Hili provided an overview of the proposed special education service delivery model. She spoke to capacity building within the schools and the close working relationship between Program Services, Student Success and Special Education and spoke to the co-planning, co-teaching and co-presenting model. For 2012-2013 a Multidisciplinary team approach is being proposed, as feedback from Administrators has indicated that they would appreciate more support through a central team. Each Area (1-5) will be supported by a multidisciplinary team including representation in the following: Consultant, Social Worker, Attendance Counsellor, Child and Youth Worker (CYW), Outreach Teacher, and Behaviour Intervention Itinerant Resource Teacher (IRT), in an effort to build on-going support at the school level.

SEAC members had several questions and comments regarding the proposed model. There was an inquiry if the model results in an increase or decrease of staff and how the proposed model is different from current practice.

Superintendent Hili addressed the funding of staff members, noting that it is pretty well the same staffing model in terms of what goes through the special education model. Superintendent Hili also reported that with the FDK funds, the hope is to put additional supports into the schools. Principal Gumbrell provided further detail noting that the proposed model differs from the current coaching model. Confirmation was provided that there would still be the four central special education consultants as well as the three Applied Behaviour Analysis (ABA) coordinators in the proposed model who will be liaising with the 5 area teams. This model has staff providing a planned, targeted, and tailored approach to address the needs of a particular school. Superintendent Hili provided clarification regarding how the proposed model would work. She noted that the team of staff could go into a school for a couple of days, where they could be in consultation, provide some modeling and coaching, come back to the school a few weeks later and provide any further follow up. Superintendent Hili reported that this model provides a structure allowing principals to access support through a more expedited route. Superintendent Hili also reported that consideration is being given to system consultants continuing to provide professional development.

There was some discussion regarding the term Behaviour Intervention (IRT). Principal Gumbrell noted that there is still some discussion regarding this term and that the name of the position may change. Concern was also expressed regarding the specialty knowledge that this position will have.

There was discussion regarding collaboration with external agencies and parents and how the model/team could be even more consistent and tailored for the student. Superintendent Hili confirmed that external agencies and parents are seen as part of the model, and that there could be further discussions and possibly a template developed on how to bring the team together. Chairperson Bridekirk suggested that perhaps the Resources Aligned with Priorities (RAP) sub-committee could initiate a general discussion. Principal Gumbrell also spoke to the new ABA initiative and memorandums of understanding that are already in place with various external agencies, and possibly re-visiting some of the existing connections and partnerships.

There was an inquiry regarding how additional support could be provided to students if the school setting is not applicable or if they are working on curriculum through distance education, and whether the above noted supports could also be available in the home setting. Superintendent Hili and Principal Gumbrell addressed the inquiry noting that typically support would be provided through home instruction.

(b) Special Education Report

Superintendent Hili reported on the Ministry Memo that was issued on April 30, 2012, pertaining to Instructions Regarding School Boards'/School Authorities' Reports on the Provision of Special Education Programs and Services, 2012. She noted the responsibilities of the Board in consultation with SEAC to update the Special Education Report and have it available for the next school year.

SEAC members were provided with a copy of the Ministry Memo as well as an initial summary of the changes that staff has flagged for updating for 2012-2013. SEAC members were invited to provide feedback at this time or to submit any further comments or feedback to Jennifer Henry. Superintendent Hili reported that changes will begin to be made and will be brought back to the June SEAC meeting for review. Staff will continue with revisions during the summer and will email SEAC members with updates. It was noted that once the report is submitted to the Ministry that it can be revised at any time. There was a request that changes made to the document be tracked. Susan Clough referenced page 21 which speaks to the IEP, noting that there is no reference to Safety Plans. As the two documents go hand-in-hand, feedback was provided that it would be beneficial to add information on safety plans.

Laura LaChance noted that staffing information is usually shared with SEAC ahead of budget and inquired when that information would be brought forward. It was noted that the information would be shared with SEAC once the budget documents are released.

Vice-Chairperson Hall noted that discussions have been taking place at the Provincial Parent Associations Advisory Committee (PAAC) regarding special education reports and whether it is time for a new plan altogether.

(c) **SEAC Consultation Date**

There was discussion regarding coordinating a date for the SEAC to participate in the SCDSB Consultation on the Use of Protective Equipment to Ensure Safety. Several dates were discussed, as well as the timelines that staff has in terms of preparing the report for the June 13, 2012 Program Standing Committee meeting. Chairperson Bridekirk noted that when the initial request was sent out for May 17th, many SEAC members responded that they could not attend that date. Given the time of year and difficulty in finding a date that would work for all, May 17th was proposed again, along with June 4th which is a regular SEAC meeting night. It was noted that if the consultation were to take place on June 4th that the report will be in draft form at that time, as it will be presented to Administrative Council for final review on June 5th. Chairperson Bridekirk reported that she shared with the SEAC distribution the PowerPoint presentation that was presented at the SCDSB Community Consultation held on May 10th, and inquired if the consultation took place as part of the SEAC agenda on June 4th if it would help if feedback submissions were provided ahead of time. Further discussion ensued, and the decision was made to try for the consultation on May 17th. It was confirmed that submitted feedback would be accepted whether SEAC members were present for the consultation or not.

(3) **SEAC Member Reports**

Laura LaChance reminded SEAC members of the Inclusive Education Pre-Conference being held at the Delta Chelsea Toronto on May 18th in conjunction with the Canadian Down Syndrome Society National Conference. Gordon L. Porter, C.M. Director of Inclusive Education Canada will be leading the session.

(4) **Board Reports**

Special Board Meeting April 17, 2012, and Regular Board Meeting April 25, 2012

- (a) In the absence of the three Trustees on SEAC, Trustee North (Board Chairperson) provided a brief overview of the report for the Special Board Meeting held April 17, 2012

This Special Accommodation Review Committee (ARC) Meeting was held to hear delegations regarding recommendations pertaining to ARC 2011:02 - Coldwater PS, Moonstone ES and Warminster PS.

Trustee North reported on the regular Board meeting held on April 25, 2012. He spoke to the Trustee Tribute that Russ Atkinson, Principal at Barrie Central Collegiate Institute received acknowledging his recent recognition by The Learning Partnership as one of Canada's Outstanding Principals, and for his work creating programs to help strengthen students' literacy skills and cross-curricular programs teaching literacy, problem solving, nutrition, life skills and responsible decision-making. Trustee North reported that Ian Tudor, OSSTF Teacher Bargaining Unit

President, and Silvana Petersen, President of OPSEU Local 330, made delegations regarding the SEAC Notice of Time Sensitive Motion. He also reported on minor changes made to the Native Advisory Committee Terms of Reference, as well as a motion that trustees approved to establish a Committee of the Whole Board in order to adopt a Trustee Code of Conduct. Trustee North reported that Trustee Michele Locke has been nominated for the position of director and that Trustee Suzanne Ley has been nominated as alternate director on the OPSBA Board of Directors for the 2012-2013 school year.

(b) Notice of Motion – Recording of SEAC Meetings Commencing June 2012

SEAC members received in their folders, a copy of the report that was addressed at the May 9, 2012 Program Standing Committee Meeting regarding the Notice of Motion from the Program Standing Committee Meeting of April 11, 2012 – Video Recording Special Education Advisory Committee Meetings Commencing June 2012. Trustee North reported that Trustee Ley put forth the Notice of Motion, and clarified the notice of motion was for video recording (onto a CD) as opposed to live video streaming which takes place at the Board Meetings.

Trustee Ley addressed the SEAC table and spoke to the rationale for putting forth the motion. She spoke to the items that have been addressed at SEAC meetings during the past few months, noting the important and complicated issues and information that have come forth, the need for transparency, background information regarding the motions that come forth, and the need to access the meetings in order to make better informed decisions. Trustee Ley spoke to a recent SEAC meeting that she attended where a CTV news reporter was present and recording the meeting. She noted that even though the SEAC minutes are quite lengthy and detailed, they are not verbatim, and that there is a need for trustees to better understand the conversations that take place. Trustee Lloyd further added that the geographics of Simcoe County make it difficult for some parents and members of the public to attend the SEAC meetings and that recording the meetings may make them more accessible for some.

SEAC members questioned why the notice of motion was put forth at the Program Standing Committee meeting as opposed to being brought forth at a SEAC meeting. SEAC members spoke to the request that came forth in 2009, for SEAC meetings to be recorded and how that request was addressed at SEAC meetings.

SEAC members referenced the Board By-Laws which state that standing committees must stick to their mandate, and expressed confusion as to why the notice of motion would have come forth at a Program Standing Committee Meeting, and if SEAC meetings are the only meetings that are not recorded. Trustee North addressed the question, stating that anything the board discusses pretty well falls within program, and that SEAC would be the first non-standing committee to be recorded. It was noted that an amendment was put forth to expand the motion to include other non-standing committees and that was defeated.

Trustee Beacock further addressed the Board By-Laws, noting that per the By-Laws, meeting minutes should be brief. He noted that the SEAC minutes are becoming lengthier, and that recording the meetings may assist in keeping the minutes more brief. SEAC members provided positive feedback regarding the current SEAC minutes, and Chairperson Bridekirk noted that the minutes are thorough because they are shared with SEAC members' provincial bodies.

Further discussion ensued regarding the Notice of Motion and SEAC members' comfort levels regarding the recording of SEAC meetings. Opportunity was provided for each SEAC member to provide feedback regarding the recording of SEAC meetings. Some SEAC members indicated that they would be fine with the meetings being recorded. Some SEAC members indicated that they would not be comfortable with the meetings being recorded and provided rationale. Some SEAC members indicated that they would have to consult with their provincial office, and others indicated that that while they were fine with the meetings being recorded, that they wanted to be sensitive of families and other SEAC members comfort levels, and that they would not support the meetings being recorded if it meant making individuals uncomfortable or if it meant losing SEAC members because of it. Chairperson Bridekirk, addressed the comment about CTV news being present at a recent SEAC meeting and noted that because it is a public meeting, that they could not ask them to leave. It was also noted that some SEAC members were uncomfortable with the news camera present. Concern was also expressed for the costs involved in recording the meetings and where the funds would come from. It was confirmed that that costs would be covered though administrative funds. Chairperson Bridekirk noted that it is hard to obtain volunteers to come forward for SEAC and indicated that she would not support the recording of SEAC meetings, if it meant losing a SEAC representative or SEAC member's voices, and requested trustees to take SEAC members feedback into consideration.

(c) Status of Recommendations to the Board –Time Sensitive Motion of April 16, 2012

Trustee North reported that the SEAC Time Sensitive Motion of April 16, 2012 recommending to the Board that the use of Blocker Shields with students be discontinued during the consultation process was moved, but did not receive a seconder, therefore no action occurred.

SEAC members asked for an update on the proceedings of the recent By-Law committee regarding the delegation process for the SEAC to present at Board meetings. Trustee Beacock reported that the By-Law Committee met and discussed all the committees that are legislated by the Ministry. The committee reviewed the Board By-Laws, Roberts Rules, and the Education Act.

It was noted that the Education Act clearly indicates that the SEAC is to be heard, but there is nothing clearly defining how it is to be heard. Trustee Beacock reported that recommendations will be coming forth from the By-Law Committee as a Notice of Motion for the May 25th Board meeting and will not be discussed until June. If SEAC wishes to discuss the Notice of Motion at the June 4th SEAC Meeting this would allow ample time if they wished to bring anything forward for the June Board meeting. Vice-Chairperson Hall suggested that this item be placed on the June 4th SEAC agenda. It was also confirmed that By-Law Committee meetings are open to the public.

Susan Clough left at this time.

(5) Staff Member Reports/Updates

(a) IEP Review

Principal Gumbrell spoke to the Ministry Memo entitled “Individual Education Plans: 2011-2012 that was issued on April 4th and was circulated to SEAC members last month. Principal Gumbrell provided a brief overview of the memo which instructs all boards to complete an internal review of their IEPs, and speaks to a team of educators, parents or students or both as well as a SEAC representative to be part of the review team. Principal Gumbrell inquired if there is a SEAC member who would like to be part of the team, and indicated that the afternoon of May 29th is being proposed for the team meeting. SEAC members who wish to be part of the team are asked to contact Principal Gumbrell. Vice-Chairperson Hall provided feedback on a similar review that was conducted approximately five years ago, noting that he and Laura LaChance were part of the team. At that time Vice-Chairperson Hall felt that a formulation as to whether the IEP matched the student, and the coherence of the IEP and how it flowed from areas of strength and need was missing from the review. Principal Gumbrell indicated that he feels some valuable insight will be gained through this review.

(b) Professional Development Update

Superintendent Hili reported on the professional development sessions being held in May and June.

(c) Information Update

Superintendent Hili circulated the brochure for the Assistive Tech Strategies Summer Camp presented by SCDSB and VocaLinks for Students with Learning Disabilities and Parent/Guardian, and noted that registration starts on May 15th and runs through to June 1st.

(6) **Committee Reports/Updates**

(a) **SEAC Consultation Update – May 2, 2012**

Laura LaChance reported that SEAC facilitated a community consultation on May 2nd which was attended by 51 individuals including senior board staff. The format for the consultation consisted of a presentation on the contextual background from a legal and instructional perspective, and three questions were put forth for discussion and feedback.

Laura reported that a summary report is currently being prepared for circulation.

Laura inquired if SEAC would have an opportunity to see the submissions received as part of the Board consultation. Associate Director Medysky indicated that submissions from associations could be shared, but that she wouldn't see individual submissions being shared.

C. INFORMATION

(1) **Correspondence**

Chairperson Bridekirk reported on two letters that she received and forwarded to the SEAC distribution. One from the Niagara Catholic District School Board regarding the status of their recommendation that new teachers complete Special Education Part 1 as a mandatory qualification course prior to obtaining their Certificate of Qualification and Registration. The second letter was received from the District School Board of Niagara and was addressed to the Hon. Laural Broten regarding the current delivery model of School Health Support Services.

Vice-Chairperson Hall reported that the PAAC on SEAC will be meeting with Barry Finlay on May 28th to discuss a number of issues, and invited SEAC members to submit through him or their associations any items that they would like the director to address at the meeting.

(2) **Questions and Proposals from SEAC Members (including notices of motion) - Nil**

(3) **SEAC Contact Information 2011-2012**

Please notify Jennifer Henry of any changes to contact information.

D. FUTURE BUSINESS AND ADJOURNMENT

Moved by Laura LaChance
Seconded by Sarah Elliott

That the meeting be adjourned at 9:45 p.m.

CARRIED

Report Status

This report is provided for information.

Respectfully submitted by:

Phyllis Hili
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Business and Facilities Standing Committee

SUBJECT: **REPORT OF THE PUBLIC SESSION OF THE BUSINESS AND
FACILITIES STANDING COMMITTEE MEETING HELD
TUESDAY, MAY 22, 2012**

The Business and Facilities Standing Committee met in Public Session on Tuesday,
May 22, 2012, at the Education Centre.

PRESENT:

Committee Members

Donna Armstrong, Peter Beacock, Nicole Black (Vice-Chairperson),
Debra Edwards, Suzanne Ley, Jodi Lloyd (Chairperson),
Michele Locke, Krista Mayne, Amanda Monague, Robert North,
Caroline Smith.

REGRETS

Committee Members

Christine Williams.

Administration

Kathy Bailey, Steve Blake, John Dance, Phyllis Hili, Brian Jeffs,
Janis Medysky, Paula Murphy, Anita Simpson, Paul Sloan,
Kathryn Wallace.

Staff

Karen Côté, Corry Van Nispen.

REGRETS:

Student Trustees

Victoria Edwards.

Student Trustees

Matt Stergiou.

Recording Secretary

Tina Bazuk.

Approval of the Agenda

MOTION

Moved by Peter Beacock
Seconded by Donna Armstrong

That the agenda be approved as printed.

CARRIED

Declaration of Conflicts of Interest – Nil

Presentations/Delegations - Nil

Items for Decision - Nil

Items for Information

1. **2012-2013 Proposed Operating and Capital Budget: Supporting Schedules 2 – 7 and Supplemental Schedules (VERBAL)**

Brian Jeffs, Superintendent of Business Services, advised that 2 supplemental schedules (2a – Capital Expenditures – Annual Renewal and Supplemental Schedule 2b – School Condition Improvement) have been added to the end of the budget package provided on May 16, 2012.

Superintendent Jeffs provided a detailed overview of the Accumulated Surplus (Available for Compliance) as requested at the May 16, 2012 Business and Facilities Budget meeting. It was recommended that the Retirement Gratuity surplus be left as is, pending further information and clarity from the Ministry of Education. At the present time, it is believed that each board will be required to fund the liability over the next few years. The current projected liability for SCDSB is \$41M over the next 12 years.

Superintendent Jeffs recommended that \$1,000,000 of the surplus from the Energy Stabilization fund be directed to additional energy saving projects. Priority projects would include: Lighting retrofits, mechanical retrofits, and enhanced of building controls and operating sequences. The Board provided direction for staff to incorporate this initiative into the revised budget projection for the June 6, 2012 Business and Facilities Standing Committee meeting.

Superintendent Jeffs and John Dance, Superintendent of Facility Services responded to questions from trustees at this time.

Superintendent Jeffs provided a brief summary of Schedules 2 - 7 and explained the variances as questions arose.

Superintendent Jeffs, Superintendent Dance and Phyllis Hili, Superintendent of Education responded to questions from trustees at this time.

MOTION

Moved by Suzanne Ley
Seconded by Michele Locke

That the Business and Facilities Standing Committee recess at this time and reconvene at the conclusion of the Joint SEAC/Business and Facilities Budget Meeting.

CARRIED

The Business and Facilities Standing Committee reconvened at 8:00 p.m.

Superintendent Jeffs provided a brief overview of the proposed project expenditures for 2012-2013, 2013-2014 and onwards provided in section 2a - Capital Expenditures – Annual Renewal and section 2b – Capital Expenditures – School Condition Improvement. These sections were provided at this time to be proactive with the process so that staff can commence the work.

Superintendent Jeffs and Superintendent Dance responded to questions from trustees at this time.

Trustees decided that the tentative meeting scheduled for May 31, 2012 is not required and that the budget would be brought forward to the Business and Facilities Standing Committee meeting on Wednesday, June 6, 2012.

This report was provided for information.

Correspondence – Nil

Other Matters - Nil

Notices of Motion for Next Meeting - Nil

MOTION

Moved by Michele Locke
Seconded by Krista Mayne

That the meeting be adjourned at 8:10 p.m.

CARRIED

Report Status

This report is provided as information.

Respectfully submitted by:

Brian Jeffs
Superintendent of Business Services

Approved for submission by:

Kathryn Wallace
Directory of Education

June 20, 2012

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Business and Facilities Standing Committee

SUBJECT: **REPORT OF THE BUSINESS AND FACILITIES STANDING COMMITTEE AND
SPECIAL EDUCATION ADVISORY COMMITTEE BUDGET MEETING HELD
MAY 22, 2012**

A meeting of the Business and Facilities Standing Committee and Special Education Advisory Committee (SEAC) was held on Tuesday, May 22, 2012 to discuss budget.

PRESENT:

Committee Members

Donna Armstrong, Peter Beacock, Nicole Black (Vice Chairperson), Debra Edwards, Suzanne Ley, Jodi Lloyd (Chairperson), Michele Locke, Krista Mayne, Amanda Monague, Robert North, Caroline Smith.

PRESENT:

SEAC Members

Donna Armstrong (Trustee), Angie Bridekirk (Chairperson), Joanne Brown, Sue Downing, Mary Haire, Kim Latour, James Hall (Vice Chairperson), Michele Locke (Trustee) Krista Mayne (Trustee), Joanne McCafferty.

Administration

Kathy Bailey, Stephen Blake, John Dance, Brian Jeffs, Phyllis Hili, Janis Medysky, Paula Murphy, Anita Simpson, Paul Sloan, Kathi Wallace.

Staff

Karen Cote, Peter Gumbrell, Corry Van Nispen.

REGRETS:

Committee Members

Christine Williams.

SEAC Members

Susan Clough, Sarah Elliott, Laura LaChance.

ABSENT:

SEAC Members

Margaret Homewood, Sari Russell.

Student Trustees

Matt Stergiou.

Recording Secretary

Jennifer Henry.

Chairperson Lloyd and Angie Bridekirk, Chairperson of the Special Education Advisory Committee co-chaired the meeting.

Chairperson Lloyd called the meeting to order at 7:10 p.m.

Chairpersons Lloyd and Bridekirk welcomed Business and Facility Standing Committee Members, SEAC Members, Board Staff and guests to the meeting.

Chairperson Bridekirk thanked the Business and Facilities Standing committee for the opportunity for SEAC members to participate in the joint meeting and for the opportunity to receive further details regarding the special education budget and to share dialogue and questions.

Approval of the Agenda

MOTION

Moved by Nicole Black
Seconded by Caroline Smith

That the agenda be approved as printed.

CARRIED

Declaration of Conflicts of Interest – Nil

Items for Committee Decision - Nil

Items for Information

1. Presentation on 2012-2013 Proposed Special Education Operating Budget

Brian Jeffs, Superintendent of Business Services provided a brief overview of the 2012-2013 Proposed Special Education Operating Budget (Schedule 3 of Report No. BF-I-1, 2012-2013 Proposed Operating and Capital Budgets, dated May 16, 2012).

Superintendent Jeffs briefly reviewed the revenue side of the proposed operating budget, noting that detailed information was presented to both the Business and Facilities Standing Committee and Special Education Advisory Committee (SEAC) at recent meetings. Superintendent Jeffs reported on the noticeable differences in funding for 2012-2013 compared to 2011-2012; Simcoe County District School Board (SCDSB) will have 69 new Full Day Kindergarten (FDK) classes in 2012-2013, which will result in an approximate \$1.4 million increase to special education funds. Superintendent Jeffs also spoke to deferred revenue, noting that in the current year there was approximately a \$0.5 million from the previous year coming ahead. He reported that there is no projected deferred revenue for 2012-2013.

Superintendent Jeff's provided a line by line overview of the proposed expenses which include: Teachers; Educational Assistants; Professional and Para-Professional; Consultants and Co-ordinators; Supply Teachers; Section 23; SEA Claims Based; Textbooks & Classroom Supplies; and Staff Development. The expenses associated with each of the above items were also highlighted see APPENDIX A -Schedule 3 with notations. Superintendent Jeff's reported that the Professional and Para-Professional staff line includes psychologists, signing interpreters, speech pathologists, behavioural associates, Applied Behaviour Associate coordinators, and computer software and hardware technicians. It was also noted that the Consultants and Co-ordinators line includes the Educational Assistant (EA) co-ordinator, consultants, 2 principals, budget coordinator, and clerical staff supporting the special education department. Clarification was also provided regarding the Textbooks and Classroom Supplies Line. This line includes basic budget allocation, software licence fees for IEP Writer, field trip funds, contracted services, an educational audiologist, kilometrage, resources, supplies and professional development for teachers.

Chairpersons Lloyd and Bridekirk called for questions and comments at this time.

Superintendents Jeffs and Hili responded to questions and comments from trustees and SEAC members. There was a request for a breakdown of the costs associated with each of the expense lines. As noted above, Schedule 3 has been attached as APPENDIX A with notations regarding the costs. Clarification was requested regarding deferred revenue. It was confirmed that there is no anticipated deferred revenue coming forward for 2012-2013.

Superintendents Jeffs and Hili also addressed questions and comments regarding the Autism Spectrum Disorder (ASD) Pilot Project with iPads/iPods at Terry Fox Elementary School. There were questions whether that program would continue for those students next year, and whether there is any plan within the Special Equipment Amount (SEA) to adopt any of these technologies. Further discussion ensued regarding the Consultants and Co-ordinators expense line with clarification sought regarding the staff complement; specifically the five consultants' positions and the additional principal position. Questions and comments were also addressed regarding the following: The decrease in projected expenses for 2012-2013; how the deferred revenue that was carried into this current year was allocated, and whether there will be purchasing implications for next year with no anticipated deferred revenue; the average daily rate per day for supply teachers; whether the dollar amount that is designated into special education as part of the FDK envelop will be directed to the children that generate the funding or whether it be spread across a greater range of students, and whether it is a "one time" funding for start-up costs or whether it is an anticipated annual flow of funding. The decrease in funding for specialized equipment was also noted, and it was questioned how much effect that would have on the purchase of specialized equipment and professional development.

There was a comment regarding special education assessments and the attention that has been given to this subject in the media, and an inquiry as to how the SCDSB is doing in terms of the number of assessments that are being conducted. Superintendent Hili addressed the question, noting that the Board was able to conduct additional assessments this current year using some of the deferred revenue that was carried over. She spoke to past statistics and provided the approximate number of assessments that have been conducted this year.

It was noted that in past years concern has been raised regarding special education funds at the school level being used for general school items and purposes such as supervision. There was an inquiry on the Board's position regarding this subject and whether the practice is still being carried out in some schools. Associate Director Medysky addressed the question and clarified that EA's currently work a 7 hour day. That leaves some time outside of the 300 minutes of instruction which could be given to working with students in other capacities or in general supervision.

It was suggested that these duties be funded through other sources instead of special education funds.

Correspondence – Nil

Other Matters - Nil

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Moved By Peter Beacock
Seconded by Michele Locke

That the meeting be adjourned at 7:40 p.m.

CARRIED

Report Status

This report is provided for information.

Respectfully submitted by:

Brian Jeffs
Superintendent of Business Services

Phyllis Hili
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

June 20, 2012

**Simcoe County District School Board
 Proposed 2012-2013 Operating Budget**

**Schedule 3
 May 16, 2012**

Compliance - Special Education

	2011-2012 Revised Budget	2011-2012 Revised Budget		Proposed 2012-2013 Budget	Proposed 2012-2013 Budget
Expenses					
Teachers	380.2	35,543	A	375.5	34,793
Educational Assistants	626.5	30,620	B	646.5	31,245
Professional and Para-Professional	20.0	2,427	C	20.0	2,342
Consultants and Co-ordinators	10.0	871	D	17.0	1,567
Supply Teachers		952	E		977
Section 23		936	F		820
SEA Claims Based		440	G		440
Textbooks & Classroom Supplies		297	H		299
Staff Development		381	I		368
	1,036.7	72,467		1,059.0	72,851
Professionals and Para-Professional	3.0	202	J	3.0	190
Staff Development - Classroom		175	K		-
SEA Equipment		1,311	L		1,319
Special Equipment Amount (SEA)	3.0	1,688		3.0	1,509
Total Expenses	1,039.7	74,155		1,062.0	74,360

- A** Includes salaries and benefits for all Special Education Resource Teachers at the school level, plus any itinerant teachers such as Intervention, Vision or Hearing Resource Teachers.
- B** Includes salaries, benefits, supply coverage and transitional hours for all educational assistants, as well as the brailist located centrally.

REPORT NO. D-6-e
 APPENDIX A-2
JUNE 20, 2012

C	Professional and para-professional staff include psychologists, signing interpreters, speech pathologists, behavioural associates, Applied Behavioural Associate coordinators and computer software and hardware technicians. This line includes salaries, benefits, cell phones, kilometrage and professional development costs for the related staff. This section also includes the cost of external assessments that would otherwise be provided by in-house professional staff.		
D	Includes salaries, benefits, cell phones, resources, supplies, kilometrage and professional development costs for the EA coordinator, consultants (multi-disciplinary team lead), 2 principals, budget coordinator and clerical staff supporting the special education department.		
E	Supply costs related to absences of staff reported on the teacher line.		
F	Teacher and educational assistant salaries and benefits, and supplies related to the approved Section 23 programs.		
G	Anticipated claims for specialized equipment based on individual assessments.		
H	Basic Budget Allocation (Sch 6)	75	75
	Software licence fees for IEP writer	15	13
	Field trip funds available	22	22
	Contracted services with Kerry's Place (Autism Services), Deaf Access Simcoe and an Educational Audiologist	59	59
	Kilometrage, resources, supplies and professional development for staff included in A .	126	130
		<u>297</u>	<u>299</u>
I	Professional development and training	361	338
	Prior years' workshops and training may have included:		
	PPM 140 training - programs for students with ASD		
	KTEA training (Kaufmann Test of Educational Achievement)		
	Assessment based training through IEP		
	BMS training for EAs and teachers		
	Transition training and support		
	Protective Equipment	20	30
		<u>381</u>	<u>368</u>
J	Salaries, benefits and travel related to computer technicians assigned specifically to specialized equipment.		
K	Training related to specialized equipment.		
L	These funds are used to support all computers, software, computing related devices and required supporting furniture identified for use by students with special education needs, as well as all training costs related to SEA equipment.		

TO: The Chairperson and Members of the
Simcoe County District School Board

FROM: Human Resources Standing Committee

SUBJECT: **REPORT OF THE PUBLIC SESSION OF THE HUMAN RESOURCES
STANDING COMMITTEE MEETING HELD WEDNESDAY, JUNE 13, 2012**

The Human Resources Standing Committee met in Public Session on Wednesday, June 13, 2012, at the Education Centre.

PRESENT:

Committee Members

Donna Armstrong (Chairperson), Nicole Black, Peter Beacock, Debra Edwards, Suzanne Ley, Jodi Lloyd, Michele Locke, Krista Mayne, Amanda Monague, Robert North, Caroline Smith, Christine Williams (Vice-Chairperson).

Student Trustees

Victoria Edwards.

Administration

Kathy Bailey, Steve Blake, Phyllis Hili, Brian Jeffs, Janis Medysky, Paula Murphy, Anita Simpson, Kathryn Wallace.

REGRETS:

Student Trustees

Matt Stergiou.

Recording Secretary

Kary Hancock.

Chairperson Armstrong called the meeting to order at 6:00 p.m.

Approval of the Agenda

MOTION

Moved by Robert North
Seconded by Krista Mayne

That the agenda be approved as printed.

CARRIED

Declaration of Conflicts of Interest – Nil

Presentations/Delegations - Nil

MOTION

Moved by Robert North
Seconded by Jodi Lloyd

That the Human Resources Standing Committee move into closed session.

CARRIED

The Human Resources Standing Committee reconvened in public session at 6:20 p.m.

Items for Decision - Nil

Items for Information

1. Principal and Vice-Principal Allocations (HR-I-1)

Janis Medysky, Associate Director presented a report that provided a breakdown by area of the principal and vice-principal allocations for the 2012-2013 school year in comparison to the 2011-2012 allocations. Vice-principal allocations are based on enrolment and needs of the particular school. Each school is allocated one principal. There are thirteen elementary principals that have a 0.2 teaching component.

Associate Director Medysky responded to questions from trustees at this time.

This report was provided for information.

2. Update on Insurance Trust (Verbal)

Associate Director Medysky shared that there is no new information to share with regards to the distribution of the Board's gross share of the Insurance Trust or the demutualization funds at this time.

When a decision has been reached, communication to the AESP, Principal and Vice-Principal and Supervisory Officer groups will be communicated via e-mail and through the board's website.

Associate Director Medysky responded to questions from trustees at this time.

This report was provided for information.

Correspondence - Nil

Other Matters – Nil

Notices of Motion for next meeting - Nil

MOTION

Moved by Suzanne Ley
Seconded by Peter Beacock

That the meeting be adjourned at 6:25 p.m.

CARRIED

1. **Report Status**

This report was provided for information.

Respectfully submitted by:

Janis Medysky
Associate Director

Approved for submission by:

Kathryn Wallace
Director of Education

TO: The Chairperson and Members of the
 Simcoe County District School Board

FROM: Superintendent of Education

SUBJECT: **ENROLMENT OF FIRST NATION STUDENTS ON MARCH 31, 2012**

1. Background

Enrolment data was extracted from the board's student information system (eSIS) for the purpose of reporting student data to the Ministry of Education through OnSIS for the March 31, 2012 count date. This report details the enrolment of First Nation students attending SCDSB schools (fee paying students) under the effective Educational Services Agreements with Beausoleil First Nation and Chippewas of Rama First Nation.

2. Enrolment on March 31, 2012

Enrolment for fee paying students from Beausoleil First Nation and Chippewas of Rama First Nation totalled 81 students (elementary, secondary and learning centres) with a full-time equivalent (FTE) enrolment of 79.00. This is a decrease of 6 students compared to enrolment reported on October 31, 2011. The table below details total student enrolment and total FTE enrolment by First Nation community on October 31, 2011 and March 31, 2012.

Registered First Nation Students -- Total Fee Paying Students

	October 31, 2011		March 31, 2012		Change	
	Total Pupils	FTE	Total Pupils	FTE	Total Pupils	FTE
First Nation						
Beausoleil	26	25.50	27	26.50	+ 1	+ 1.00
Chippewas of Rama	61	58.50	54	52.50	- 7	- 6.00
Total	87	84.00	81	79.00	- 6	- 5.00

FTE -- Full-time equivalent enrolment

The tables below detail the total number of Beausoleil First Nation and Chippewas of Rama First Nation students (fee paying students) attending SCDSB elementary schools, secondary schools and learning centres under the effective Educational Services Agreements between the board and the respective communities.

Beausoleil First Nation Students (Fee Paying Students) Attending SCDSB Schools

Beausoleil First Nation	School Attending	October 31, 2011		March 31, 2012		Change	
		Total Pupils	FTE	Total Pupils	FTE	Total Pupils	FTE
Elementary		0	0.00	0	0.00	0	0.00
Secondary	Midland SS	21	20.50	22	21.50	+ 1	+ 1.00
	Penetanguishene SS	5	5.00	5	5.00	0	0.00
	Total Secondary	26	25.50	27	26.50	+ 1	+ 1.00
Learning Centre		0	0.00	0	0.00	0	0.00
Total		26	25.50	27	26.50	+ 1	+ 1.00

FTE -- Full-time equivalent enrolment

Chippewas of Rama First Nation Students (Fee Paying Students) Attending SCDSB Schools

		October 31, 2011		March 31, 2012		Change	
Chippewas of Rama First Nation	School Attending	Total Pupils	FTE	Total Pupils	FTE	Total Pupils	FTE
Elementary	Lions Oval PS	1	1.00	0	0.00	- 1	- 1.00
	Orchard Park PS	2	1.50	0	0.00	- 2	- 1.50
	Rama Central PS	3	2.50	3	2.50	0	0.00
	Regent Park PS	12	11.00	12	11.00	0	0.00
	Total Elementary	18	16.00	15	13.50	- 3	- 2.50
Secondary	Orillia District CVI	14	14.00	8	8.00	- 6	- 6.00
	Park Street CI	0	0.00	0	0.00	0	0.00
	Twin Lakes SS	28	27.50	26	26.00	- 2	- 1.50
	Total Secondary	42	41.50	34	34.00	- 8	- 7.50
Learning Centre	Orillia Learning Centre	1	1.00	5	5.00	+ 4	+ 4.00
Total		61	58.50	54	52.50	- 7	- 6.00

FTE -- Full-time equivalent enrolment

Total All First Nation Students (Fee Paying Students) Attending SCDSB Schools

		October 31, 2011		March 31, 2012		Change	
Total All First Nation Students		Total Pupils	FTE	Total Pupils	FTE	Total Pupils	FTE
Elementary		18	16.00	15	13.50	- 3	- 2.50
Secondary		68	67.00	61	60.50	- 7	- 6.50
Learning Centre		1	1.00	5	5.00	+ 4	+ 4.00
TOTAL ALL STUDENTS		87	84.00	81	79.00	- 6	- 5.00

FTE -- Full-time equivalent enrolment

3. 2011-2012 Average Daily Enrolment

The calculation of average daily enrolment (ADE) is based on the two count dates established by the Ministry of Education within the school year – October 31 and March 31. The full-time equivalent (FTE) of students enrolled in the board's schools are weighted at 0.5 for each of the count dates. The Table below details average daily enrolment for First Nation fee paying students for the 2011-2012 school year compared to the 2010-2011 school year.

Registered First Nation Students – Average Daily Enrolment

First Nation	2010-2011 ADE	2011-2012 ADE	Change
Beausoleil	35.88	26.00	- 9.88
Chippewas of Rama	70.39	55.50	- 14.89
Total	106.27	81.50	- 24.77

ADE -- Average daily enrolment

4. Voluntary, Confidential Self-Identification of Aboriginal Students

In accordance with SCDSB Policy 4195, *Voluntary, Confidential Self-Identification of Aboriginal Students*, all aboriginal students have the right to voluntarily self-identify so that appropriate programs may be designed and delivered to improve educational outcomes. The number of students voluntarily self-identified through the registration and student verification process continues to increase. The total number of students who have voluntarily self-identified as First Nation, Métis or Inuit are detailed in the tables below.

Voluntarily Self-Identified Aboriginal Students – 2011-2012

	Total Students		
	October 31, 2011	March 31, 2012	Change
Elementary	833	840	+ 7
Secondary	396	409	+ 13
Total	1,229	1,249	+ 20

Voluntarily Self-Identified Aboriginal Students – Total Students 2011-2012

	First Nation			Métis			Inuit		
	October 31, 2011	March 31, 2012	Change	October 31, 2011	March 31, 2012	Change	October 31, 2011	March 31, 2012	Change
Elementary	559	565	+ 6	264	264	+ 0	10	11	+ 1
Secondary	237	260	+ 23	151	141	- 10	8	8	+ 0
Total	796	825	+ 29	415	405	- 10	18	19	+ 1

5. Report Status

This report is provided for information.

Respectfully submitted by:

Anita Simpson
Superintendent of Education

Approved for submission by:

Kathryn Wallace
Director of Education

Blocker Shields

Special Education Advisory Committee

Simcoe County District School Board

June 4, 2012

Summary of Recommendations

SEAC Recommendation 1: All use of blocker shields (or similar devices) immediately cease. The implementation and use of all Personal Protective Equipment (PPE) must be brought into line with all established SCDSB policies and procedures.

SEAC Recommendation 2: There is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and agencies and other experts indicate that such use is in fact detrimental to the student. The use of such devices is contrary to the SCDSB Special Education Statement of Beliefs and should not be allowed. SEAC recommends that the SCDSB immediately cease the use of blocker shields (or similar devices) and accept some of the offers received from local service agencies and others across the province to implement alternative approaches.

Governance

Based on a review of the SCDSB's Special Education Report 2011-2012, Policies and Procedures, SEAC concludes that taken as a whole they reasonably reflect the governing legislation. Some areas for improvement have come to light and SEAC will provide comments separately with respect to those, however for the purpose of discussing the use of blocker shields (or similar devices) within the SCDSB, these documents are believed to adequately represent the legislative requirements, including as noted in APM7635, the primacy of the Human Rights Code of Ontario: *"The Human Rights Code of Ontario has primacy over provincial legislation and policies, as well as school board policies and procedures, such that the Education Act, regulations, Ministry of Education Program Policy Memoranda, and Board policies and procedures are subject to, and shall be interpreted and applied in accordance with the Human Rights Code of Ontario."* The Occupational Health and Safety Act (OHSA), which has been used by way of explanation for the introduction and use of blocker shields (or similar devices), was never intended to describe the relationship between students and teachers or support staff as the Education Act (and its supporting legislation) is intended to do.

Mission, Beliefs and Special Education Model

The SCDSB Special Education Report includes:

- Simcoe County District School Board Mission Statement
- SCDSB Special Education Advisory Committee Mission Statement
- SCDSB Special Education Statement of Beliefs
- SCDSB Model for Special Education

These four elements comprise the lens through which legislation must be viewed; provide guidance in developing policies and procedures for all situations in which any legislation leaves room for interpretation; and govern the manner in which SCDSB staff are to approach the delivery of Special Education Services within the Board.

Analysis and Recommendations

SEAC does not believe that the implementation and use of blocker shields (or similar devices) within the SCDSB has been/is consistent with these governing elements, nor with the published policies and procedures of the Board.

- 1. SCDSB documents outline the requirement for collaboration, including the involvement of parents in the development and delivery of education services, including the development of IEPs and**

Safety Plans. These documents also make clear that the use of equipment such as blocker shields (or similar devices) must be included in a Safety Plan.

From the SCDSB Special Education Statement of Beliefs:

Education services are delivered using a collaborative and flexible process centred on the strengths and needs of the students, inclusive of family, school, and community, and based on the best learning outcomes for the student. The student's "voice" is key to all decisions made on behalf of and with the student.

Excerpts from documents provided by SCDSB staff as being relevant to the issue of the use of blocker shields (or similar devices) in the SCDSB:

- From APM A1440 – Physical Containment: Guidelines for Responding to Injurious and Self-Injurious Student Behaviour

2.7 If any form of physical containment is required then a debriefing and an individual student safety Plan must be developed or reviewed in consultation with the student, parent, and staff (may include a registered psychologist, psychological associate, partner agencies, BMS trainers, etc.) If the safety of any one is compromised then the involvement of outside support including police or other agencies may be necessary.

3.5 Containment as a Component of a Safety Plan

3.5.1 Safety Plan

The potential to use physical containment may be a necessary component of a Safety plan for a student with special education needs. In this case, physical containment would be the last resort in a series of least intrusive to most intrusive behavior management strategies used with that student. The Safety Plan should clearly outline the purpose of the containment and the conditions of its use and be developed in consultation with the parent/guardian

4. Parent/Guardian involvement

When physical containment is used, the parents or guardians of students under 18 are to be made aware of the incident as soon as possible.

6.1 Whenever a physical containment is used the parent must be contacted that same day before the student is sent home from school.

- From APM A1435 – Management Process for Student Behaviours Causing a Risk-of-Injury

5.2 Parental/Guardian/Caregiver Involvement and Consultation

5.2.1 Parental/guardian/caregiver involvement is always important when developing appropriate programming for students with special needs. When developing the IEP, consultation with parents/guardians/caregivers is mandatory under Regulation 181/98. Early consultation is essential and absolutely critical in program planning for students whose exceptional needs include behaviours that present serious safety issues.

5.7 Safety Plan

5.7.1 Principals are responsible for ensuring that Safety Plans are developed collaboratively by school staff members, and that consultation with central board staff, parent(s)/legal guardian(s)/caregivers and outside agencies are included in the process where appropriate.

5.7.2 The Safety Plan (APPENDIX D) (FORM 2) is a component in the ongoing Management Process for Risk-of-Injury. This is an emergency response plan developed for students whose behaviour presents a risk-of-injury to self, students and/or staff. All students with a Safety Plan must have an IEP that identifies the ongoing risk-of-injury behaviours and daily intervention strategies as part of the behaviour plan. While Safety Plans are unique for each student, they generally include the following information:

5.7.2.1 a description of the observable behaviour concern(s);

5.7.2.2 triggers or antecedents;

5.7.2.3 prevention and intervention strategies;

5.7.2.4 management of behaviour/staff safety responses;

5.7.2.5 necessary personal protective equipment

5.7.2.6 photographs, as necessary.

5.7.3 Safety Plans must be reviewed a minimum of twice per year or as needed after an incident. All staff members who work on an ongoing basis with a student whose behaviour presents a serious risk-of-injury should be involved in the development of the Safety Plan. Staff and others who participate in the development of the Safety Plan should be recorded on FORM 3. Board services (such as Special Education, and Health and Safety Department) will provide significant support in the development and revision of the Safety Plan as well as the IEP. Input and advice should be sought from a parent/guardian/caregiver, Board Special Education staff and any community agency professionals currently working with the student and/or the student's family.

15. Planned physical intervention with a student

15.1 The details involved in the use of planned physical intervention with a student are identified in the student's Safety Plan. A Safety Plan that includes planned physical intervention will outline the following details/procedures:

15.1.1 indicators that the student's behaviour presents an imminent safety risk and that physical intervention is required;

15.1.2 who will assist in containing the student;

15.1.3 a contingency plan for staff absences;

15.1.4 containment techniques to be used;

15.1.5 safety/protective equipment needed;

15.1.6 how the student's condition will be monitored;

15.1.7 how it will be determined when to discontinue the physical intervention;

15.1.8 communication with school administration.

Note: If the intervention strategies detailed in the IEP do not result in a decrease of the behaviours requiring physical intervention, the entire IEP must be re-evaluated. The use of physical intervention as a component of the IEP is not appropriate if there is no reasonable expectation that the need for physical intervention will decrease and eventually not be needed.

- From Health and Safety Procedures Manual Procedure HS 05-29 – Workplace Violence Prevention

8. Special Education

The Simcoe County District School Board supports a safe working and learning environment for all staff including those who work with students with special needs. It is recognized that enhanced measures for employees, students and visitors may be required to prevent and address potential safety concerns. The Instructional Services Department provides assistance to principals and employees when a student has demonstrated behaviour that represents a safety risk to themselves or others. A program is put in place that develops, supports and communicates procedures and practices for the safety of employees and the students.

8.1. This program may incorporate the following:

8.1.1. Functional Behaviour Assessment

8.1.2. Individual Educational Plan

8.1.3. Behaviour Log

8.1.4. Safety Plan

8.1.5. Classroom Design/Layout

8.1.6. Personal Protective Equipment

8.1.7. Communication Systems

8.1.8. Physical Intervention

8.1.9. Behaviour Intervention

8.1.10. Regular Program Review/Assessment

8.1.11. Post Incident Strategies

8.1.12. Special Training

The program shall be developed in consultation with the Principal, employees and parents. It shall also be communicated to all employees working with the student. Specific employees will also receive training regarding behavior management strategies including preventative, instructional and physical intervention.

Despite the clear and consistent requirement throughout SCDSB policies and procedures to do so, blocker shields (or similar devices) were introduced into the SCDSB in the fall of 2010 without prior consultation with parents and even without parental knowledge. Blocker shields (or similar devices) continue to be employed to this date without any consistent requirement that they be reflected in Safety Plans and be discussed with parents, in continued violation of SCDSB policies and procedures.

2. SCDSB documents outline the requirement for training associated with use of equipment such as blocker shields (or similar devices).

- From APM A1435 – Management Process for Student Behaviours Causing a Risk-of-Injury

10. Safety and/or Personal Protective Equipment (PPE)

10.1 The Safety Plan may determine the use of safety and/or personal protective equipment (PPE) that must be worn to protect staff from injury or the student from self-injury. It is mandatory to use PPE identified in the Safety Plan. Determinations about the purchase and implementation of PPE may be part of the ongoing Management of Risk-of-Injury Process. The principal shall consult with the Principal of Special Education whether protective safety equipment is necessary when working with a student and to obtain proper training for the use of the equipment.

SEAC requested copies of “any instructions prepared or issued by SCDSB staff regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: guidelines; training materials; etc.” but none were provided. SEAC further requested:

- what instructions accompanied the blocking shields sent to schools
- what training was provided to administrators, teachers and EAs in the use of blocking shields at the schools where they were sent
- what percentage of staff using blocking shields had training – prior to using the blocking shields and to date

to which the response was: “Individual consultation took place.” It seems clear to SEAC that contrary to procedure “proper training for the use of the equipment” was neither prepared nor delivered to all affected staff.

3. SCDSB documents outline the requirement for equity and inclusive education.

- From SCDSB Policy 3130 – Equity and Inclusive Education

The Simcoe County District School Board is committed to excellence in education and equitable educational outcomes for all students and to the elimination of discrimination as outlined in Ontario’s Equity and Inclusive Education Strategy and Ontario Ministry of Education Policy / Program Memorandum No. 119, “Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools”. The board upholds the principles of respect for human rights and fundamental freedoms outlined in the Canadian Charter of Rights and Freedoms, the Constitution Act, 1982 and the Ontario Human Rights Code.

- From PPM 119 – Equity and Inclusive Education

- *...boards will embed the principles of equity and inclusive education in all their other policies, programs, guidelines, and practices, so that an equity and inclusive education focus is an integral part of every board’s operations and permeates everything that happens in its schools.*
- *The strategy is designed to promote fundamental human rights as described in the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms, with which school boards are already required to comply*
- *The three goals of the equity and inclusive education strategy are as follows:*
 - *shared and committed leadership by the ministry, boards, and schools to eliminate discrimination through the identification and removal of biases and barriers*

- *equity and inclusive education policies and practices to support positive learning environments that are respectful and welcoming to all*
- *accountability and transparency with ongoing progress demonstrated and communicated to the ministry and the community*
- *A positive and inclusive school climate is one where all members of the school community feel safe, welcomed, and accepted*
- *Active and engaged citizens are aware of their rights, but more importantly, they accept responsibility for protecting their rights and the rights of others.*
- *Boards will also put procedures in place that will enable students and staff to report incidents of discrimination and harassment safely, and that will enable boards to respond in a timely manner.*
- *The action plan contained in the document focuses on respecting diversity, promoting inclusive education, and identifying and eliminating discriminatory biases, systemic barriers, and power dynamics that limit students' learning, growth, and contribution to society. These barriers and biases, whether overt or subtle, intentional or unintentional, need to be identified and addressed.*

The use of blocker shields (or similar devices) is inconsistent with the intent of PPM 119 – rather than be welcoming it shuns; rather than being inclusive it separates these students from everyone else; rather than promoting acceptance it rejects and isolates; rather than making the student feel safe it threatens; et cetera. Blocker shields have even been carried on a regular basis in public, broadcasting a message of “danger, keep away”, also potentially violating the student’s rights to privacy. The use of blocker shields (or similar devices) are not equity and inclusive education.

SEAC Recommendation 1: All use of blocker shields (or similar devices) immediately cease. The implementation and use of all Personal Protective Equipment (PPE) must be brought into line with all established SCDSB policies and procedures.

From the SCDSB Special Education Statement of Beliefs:

Based on best practices and research the SCDSB will adopt proactive, innovative practices to promote individual student capacities and gifts while addressing their special education needs.

- From APM A1440 – Physical Containment: Guidelines for Responding to Injurious and Self-Injurious Student Behaviour

2.4 Physical containment shall only be employed as a last resort when all other less restrictive measures have been exhausted and there is an imminent and acute risk of injury to self or others

2.5 Any physical containment will be used to manage a student's behavior only until that student no longer creates//poses an imminent risk or serious bodily injury to self or others.

2.6 The physical containment used will be the least invasive level of the specific containment technique.

SEAC asked several questions of SCDSB staff with respect to any research or communication that might indicate that there was any evidence to support the introduction and continued use of blocker shields (or similar devices) as “best practice”:

Correspondence Issued by Board

- Please provide any correspondence that does not reference a specific student, issued by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.

Correspondence Received by Board

- Please provide any correspondence that does not reference a specific student, received by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.

Research

- Please provide any research obtained by the SCDSB relevant to the use of blocking shields (or similar devices) with special education students, such as but not limited to: published articles; use at other boards (including conditions of use, training, etc.); evidence of best practices; etc.

None of the responses received indicated that any effort had been made to establish whether or not the use of blocker shields (or similar devices) were best practice or even if they were in use anywhere. SEAC has been unable to find any information indicating that the use of blocker shields (or similar devices) could be construed as best practice, or in fact that such use could be considered acceptable practice. SEAC was unable to identify any research regarding the use of blocker shields (or similar devices) and was unable to uncover a single school board or service agency that considered the use of blocker shields (or similar devices) to be acceptable practice, let alone best practice. Attached are communications from the Toronto District School Board, various agencies, and others, all of which denounce the use of blocker shields (or similar devices) and recommend alternative measures be employed.

On May 2, 2012 SEAC sponsored a facilitated working session attended by approximately 50 people, entitled “Inclusion AND Safety: It’s not an either/or”. In attendance were SCDSB Board staff; SCDSB

SEAC members; Simcoe Muskoka Catholic District School Board SEAC members; agency representatives; parents and others. The following questions were posed to working groups for their consideration:

1. In what circumstances would you consider the use of blocker shields evidence-based best practice in instruction when interacting with students demonstrating unsafe behaviours?
2. In what circumstances would you consider blocker shields evidence-based best practice in prevention, intervention, reaction strategies when interacting with students demonstrating unsafe behaviours?
3. What alternative measures might be considered when balancing the individual needs and rights of students with safety needs of staff and students?

The overwhelming position was that the use of blocker shields is not evidenced-based best practice - feedback ranged from:

“Everything” else has been exhausted - Environment, instructional, sensory, social, etc. ; to

There are NO circumstances that would support use of BS as an “evidence-based practice” to achieve success with intervention, prevention, reaction, - NOT an evidence-based practice.

Notes from the working session groups are attached.

SEAC Recommendation 2: There is no evidence to suggest that the use of blocker shields (or similar devices) are best practice and agencies and other experts indicate that such use is in fact detrimental to the student. The use of such devices is contrary to the SCDSB Special Education Statement of Beliefs and should not be allowed. SEAC recommends that the SCDSB immediately cease the use of blocker shields (or similar devices) and accept some of the offers received from local service agencies and others across the province to implement alternative approaches.

SEAC is cognizant of the concern SCDSB staff and their union have for their safety – in fact SEAC shares their concern and urges the Board to work with local agencies and other partners to implement evidence-based best practices that meet the needs of students and staff - Inclusion AND Safety: It’s not an either/or.

Excerpt from:
Simcoe County District School Board
Special Education Report
2010-2011

Simcoe County District School Board Mission Statement

The mission of the Simcoe County District School Board (SCDSB), serving diverse, growing urban and rural communities in the Huronia and Georgian Bay region, is to ensure students reach their full potential to become responsible and contributing members of an ever-changing global society through quality programs which develop the skills of lifelong learning in a safe, caring environment enhanced by community support.

Source: S.C.D.S.B. Strategic Plan,
June 1997

SCDSB Special Education Advisory Committee Mission Statement

To make recommendations on special education matters to the SCDSB that enable all students to feel valued and achieve their full potential and to advocate for students with special needs.

Source: SEAC,
March 21, 2005

SCDSB Special Education Statement of Beliefs

Based on our belief in **respect, leadership, integrity, collaboration, compassion, student driven services and the right of all students to be included**, we advocate that:

- All students have equitable opportunities to learn and participate in inclusive school communities. They are supported in developing and maintaining relationships, and participating in freely chosen activities and groups that result in a sense of belonging.
- Students' unique learning styles are recognized and planned for in a caring and sensitive manner, enabling them to learn and participate with dignity and respect.
- Students' strengths and special education needs are identified and responded to early, as this is paramount to their growth and development. Based on best practices and research the SCDSB will adopt proactive, innovative practices to promote individual student capacities and gifts while addressing their special education needs.
- Education services are delivered using a collaborative and flexible process centred on the strengths and needs of the students, inclusive of family, school, and community, and based on the best learning outcomes for the student. The student's "voice" is key to all decisions made on behalf of and with the student.

The SCDSB Character Education attributes be incorporated in all aspects of the school community to provide a solid foundation for positive school and workplace cultures in Simcoe County.

<p>Integrity We act justly and honourably in all that we do.</p>	<p>Responsibility We are accountable for our actions and we follow through on our commitments.</p>
<p>Cooperation We work together towards shared goals and purposes.</p>	<p>Empathy We strive to understand and appreciate the feelings and actions of others.</p>
<p>Optimism We maintain a positive attitude and have hope for the future.</p>	<p>Respect We treat ourselves, others and the environment with consideration and dignity.</p>
<p>Honesty We behave in a sincere, trustworthy and truthful manner.</p>	<p>Caring We show kindness towards each other.</p>
<p>Inclusiveness We include everyone in what we do and value their unique contributions.</p>	<p>Courage We do the right thing even when it's difficult.</p>

Commit to Character

The SCDSB’s program *Commit to Character* focuses on high academic achievement in relation to personal, interpersonal and citizenship development. An inclusive school culture that rests upon the principals of *Commit to Character* provides learning environments that are emotionally safe, encouraging, and respectful of diversity and difference. It builds community, inclusivity, and a sense of interconnectedness and interdependence that are critical to the educational experiences of all students.

Fostering attributes such as caring, courage, integrity and respect build resiliency and capacity. It is about the development of relationships that promote the enhancement of individual strengths and differences. Living out these values in practice requires intentional planning and implementation. It requires the commitment of all school community members. We must look at the culture or our schools and classrooms to see how we construct communities of learners where all children are respected, have leadership opportunities, and are honoured for being who they are. (Given, 2002, p. 58).

*In all cases where the word “students” or “pupils” is mentioned, “students” or “pupils” includes those students attending Board schools under a tuition agreement with First Nations.

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MODEL FOR SPECIAL EDUCATION

The Simcoe County District School Board's (SCDSB's) Special Education Report outlines the Board's philosophy of special education and describes the special education programs and services available. It has been designed in accordance with the *Canadian Charter of Rights and Freedoms*, the *Ontario Human Rights Code*, the *Education Act* and regulations made under the Act.

The SCDSB is committed to providing the most appropriate educational opportunities for all students in an environment that enables all students to reach their goals, some of which are self defined.

Students' unique learning styles are recognized and planned for in a caring and sensitive manner, enabling them to learn and participate with dignity and respect (SEAC's Mission and Belief Statements, p. 4). To accomplish this a range of services are offered, where possible, in neighbourhood schools.

Educational services are delivered using a collaborative and flexible process centered on the strengths and needs of the students, inclusive of family, school, and community, and based on the best learning outcomes for the students. The student's "voice" is key to all decisions made on behalf of and with the student. (SEAC's Mission and Belief Statements, p. 4).

Special education services are defined in the *Education Act* as the facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

Services are driven by the student's strengths and needs and might include, but are not limited to:

- Specialized staff
- Continuous cycle of assessment
- Referral to a Strengths and Needs Committee (SNC) (refer to Early/Ongoing Identification and Intervention Procedures, page 64)
- The consultation, development, implementation, and revision of an Individual Education Plan (IEP) (refer to Individual Education Plans, page 20)
- Referral to an Identification, Placement and Review Committee (IPRC) (refer to The Identification Placement and Review Committee (IPRC), page 8)
- Assistive technology
- Accessible facilities
- Specialized equipment

Inclusive School Communities

- Ensure that "All students have equitable opportunities to learn and participate in inclusive school communities" (SEAC's Mission and Belief Statements, p. 4)
- Ensure that "...they (students) are supported in developing and maintaining relationships, and participating in freely chosen activities and groups that result in a sense of belonging" (SEAC's Mission and Belief Statements, p. 4)
- Foster learning communities where each member is treated with respect and dignity
- Recognize and value each student's unique contributions (SCDSB Commit to Character)
- Provide appropriate accommodations and modifications
- Collaborate amongst teachers, students, parents and community partners.

Ontario Curriculum

Programs and services for all Ontario students, including those who are exceptional, are provided in accordance with the requirements of the *Education Act* and related regulations, and with principles articulated in Ministry of Education policy documents and resource guides (refer to page 105).

The Ontario Curriculum is intended to guide programming for all students, including students with exceptionalities. Students who have been identified as exceptional by an Identification, Placement and Review Committee (IPRC) may require accommodations and/or modifications, which will be outlined in their Individual Education Plan (IEP). Recognizing the strengths and needs of exceptional students, and providing appropriate programs and services for them are critical to student success.

Accessibility for students with disabilities is an inherent component in all aspects of the SCDSB's Special Education Mission and Beliefs. It is governed by the accessibility for *Ontarians with Disabilities Act* and guided by documents from the Ontario Human Rights Commission.

The *Ontarians with Disabilities Act* requires all publicly funded organizations to examine themselves annually to ensure that they are progressing in their efforts to become more accessible to persons with disabilities. Under the Act, school boards are required to file annual accessibility plans that "... address the identification, removal, and prevention of barriers to persons with disabilities in the bylaws and in its policies, programs, practices and services." The SCDSB ODA team welcomes on-going input into the development and implementation of activities that will promote accessibility for all our stakeholders and remove identified barriers (see SCDSB ODA Report - APPENDIX B).

In November 2004, the Ontario Human Rights Commission released *Guidelines on Accessible Education*. These Guidelines express the Commission's expectations regarding the duty to accommodate students with disabilities. The Guidelines are a companion to the Commission's October 2003 Consultation Report: *The Opportunity to Succeed: Achieving Barrier-free Education for Students with Disabilities*. The complete Guidelines are available on the Human Rights Commission's website at: www.ohrc.on.ca

The principles of accommodation which involve respect for dignity, individualization, and inclusion are expressed in the Guidelines. School staff is reminded of the importance of making every effort to discuss disability issues with students and model respectful attitudes and behaviours.

As set out in the Education Act and Regulations, the Commission specifies that each student's needs are unique and must be considered individually and with confidentiality. Consistent with Regulation 181/98; Identification and Placement of Pupils, the Commission specifies the need to first consider placement in the regular education classroom before considering placing a student in a special education class.

It is the Commission's position that the duty to accommodate requires that the most appropriate accommodation be determined and then undertaken, short of undue hardship. An accommodation is considered appropriate when it results in equal opportunity to attain the same level of performance, or to enjoy the same level of benefits and privileges enjoyed by others, or if it is proposed or adopted for the purpose of achieving equal opportunity, and meets the student's disability-related needs (*Ontario Human Rights Commission: Guidelines on Accessible Education, 2004*).

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Blocker Shield Discussion Time-Line

Blocker Shield Discussion Time-Line

March 19, 2012 SEAC meeting

- Blocker shields discussed for the first time
- SEAC passed a time sensitive motion: “That the Board approve that the Board cease use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion.”

March 29, 2012 Board of Trustees Meeting

- Director Wallace clarified that the blocker shields have been in use at the SCDSB since the fall of 2010
- SEAC’s motion referred to senior staff; “That the Board refer the issue identified by the SEAC motion as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motion – March 19, 2012, to senior staff to review the concerns raised regarding the use of blocker shields with students, to consult with SEAC, parents, staff, and the Joint Health and Safety Committee, and to seek input from community partners and to prepare a report updating the Program Standing Committee in June 2012.”

April 1, 2012

- Vice Chair of SEAC emailed Superintendent Hili a list of questions regarding the use of blocker shields (or similar devices) in the SCDSB.

April 27, 2012

- SEAC received responses to some of its questions.

May 2, 2012

- SEAC sponsored a facilitated working session attended by approximately 50 people, entitled “Inclusion AND Safety: It’s not an either/or”, and facilitated by:
 - Brendon Pooran, LLB. provided contextual background including Disability Law, Human Rights Law and Special Education Law

- Dr. Lindy Zaretsky, Ph.D. provided contextual background on the Guiding Questions for the Consultation

May 7, 2012

- Vice Chair of SEAC requested clarification of responses received and requested additional information.

May 14, 2012

- SEAC received further responses to some of its questions.

Simcoe County District School Board
Special Education Advisory Committee (SEAC)
Delegation to the SCDSB Board of Trustees
March 28th, 2012

Background:

“Education Act

ONTARIO REGULATION 464/97

SPECIAL EDUCATION ADVISORY COMMITTEES

11. (1) A special education advisory committee of a board may make recommendations to the board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board.

(2) Before making a decision on a recommendation of the committee, the board shall provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred. O. Reg. 464/97, s. 11”

Delegation to Board March 28 2012:

Recently it came to the attention of SEAC that large, red blocker shields are being used with students in some of our special education classrooms, throughout some school buildings during the school day and when school staff is accompanying students out in the community.

SEAC was not consulted about this use of Blocker Shields either as a behavioural intervention or as regular daily work wear for staff who teach students who have difficulty with self-regulation. SEAC is very concerned with the indiscriminate, en masse use of these blocker shields within our Board as we believe they severely impact on the dignity and human rights of students with special education needs as well as promote fear and exclusion of these students. Using Blocker Shields is both dehumanizing and discriminatory.

Worldwide, there are documents which speak to Human Rights. The purpose of the United Nations Convention on the Rights of Persons with Disabilities, which Canada ratified in 2010, is “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent human dignity.” Section 6 affirms the right of persons with disabilities to services which will “hasten the processes of their social integration or reintegration”. *Convention on the Rights of the Child*, Article 23, recognizes the rights of children with disabilities to “enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child’s active participation in the community”.

SEAC is concerned that the indiscriminate use of blocker shields negatively impacts the dignity and human rights of vulnerable students.

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

SEAC is concerned that the use of blocker shields discriminates based on mental disability.

The Ontario Human Rights Commission's (OHRC) *Disability Policy* emphasizes human dignity, respect and the right to equality. The Policy states:

“Human dignity encompasses individual self-respect and self-worth. It is concerned with physical and psychological integrity and empowerment. It is harmed when individuals are marginalized, stigmatized, ignored or devalued. As a caring society, we have an obligation to ensure that all vulnerable members of our society are guaranteed access to services, supports and accommodations to help them overcome the negative impacts of their vulnerability.”

One of the main barriers to education for students with disabilities is negative attitudes and stereotypes. Students with disabilities continue to face negative attitudes and stereotypes in the education system. The OHRC further states that each student's needs are unique and must be considered individually and with confidentiality.

Lack of knowledge about and sensitivity to disability discrimination issues on the part of school personnel and fellow students can make it difficult for students with disabilities to feel welcome and be a part of the school community. Schools must work to remove barriers to give meaning to the right to equality and freedom from discrimination which is guaranteed to persons with disabilities under the *Code*.

SEAC noted that this use of Blocker Shields does not protect the privacy of the student. This en masse practice publically announces that these students have a disability both to the community and within schools.

The Ontario Human Rights Commission published a document “*The Opportunity to Succeed: Achieving Barrier-free Education for Students with Disabilities*” and “*Guidelines on Accessible Education*.” The Guidelines state the Commission's expectations regarding the duty to accommodate students with disabilities.

Principles of accommodation

Accommodation is a means of preventing and removing barriers that impede students with disabilities from participating fully in the educational environment in a way that is responsive to their own unique

circumstances. The principle of accommodation involves three factors: dignity, individualization and inclusion.

Respect for dignity

Students with disabilities have the right to receive educational services in a manner that is respectful of their dignity. Human dignity encompasses individual self-respect and self-worth. It is concerned with physical and psychological integrity and empowerment. It is harmed when individuals are marginalized, stigmatized, ignored or devalued. Educators must create accommodation solutions in a way that respects the dignity of students with disabilities. Accommodations that do not take into account a student's right to respectful and dignified treatment will not be appropriate.

Furthermore, respect for dignity also includes taking into account how an accommodation is provided and the student's (and/or their parent(s)' or guardian(s)') own participation in the process.

SEAC was notified that the families of students did not know about or consent to the use of Blocker Shields

With respect to individualization...Protecting disability-related information

It is important that an education provider take steps to ensure that students feel safe disclosing a disability. To avoid labeling or stereotyping, it is essential that education-providers take precautions to safeguard the disability-related information of students. This is especially important for individuals with disabilities that continue to carry a strong social stigma, such as mental illness and HIV/AIDS. Maintaining confidentiality for students with disabilities is an important procedural component of the duty to accommodate.

SEAC wonders why there is such disregard for confidentiality.

And Inclusion..... Educators have a duty to maintain a positive school environment for all persons they serve. The **OHRC found that the attitudes of educators towards disability issues play a major role in influencing how other students treat and relate to students with disabilities.** Teachers should make efforts to sensitize students about disability issues and to model respectful attitudes and behaviour towards students with disabilities. Education providers need to address any behaviour that may be injurious to the dignity of students with disabilities.

SEAC believes the indiscriminate use of Blocker Shields is injurious to the dignity of students with disabilities.

Some students with special education needs have a safety plan attached to their individual education plan (IEP). This outlines the crisis protocol to be used when a student exhibits escalating behaviour i.e. observable signs of increased anxiety or agitation. Interventional behaviour strategies would be listed. If the situation escalates there is also strategy in place how to respond to the crisis, which crisis response adults to call, would outline how to handle a crisis itself and the supported self-control, how to soothe and redirect and how to cope. Typically the parents are involved in joint-development of safety plans with the school personnel and necessary medical personal.

SEAC was notified that such use of Blocker Shields is not included in the Safety Plans of some students.

Furthermore, using Blocker Shields does not align with legislated social inclusion for persons with disabilities Ontario regulation 299/10 (including: Promotion of social inclusion, individual choice, independence and rights of persons with developmental disabilities who are receiving services and supports based on respect for, and the dignity of, the individual)

Using Blocker Shields does not align with legislated laws governing confidentiality (*Personal Health Information Protection Act, 2004 (PHIPA)* – a provincial law governing the collection, use and disclosure of personal health information)

The Canadian Association of Community Living provides national leadership for the issue of inclusion, advocating for the rights of people with intellectual disabilities and their families, and helping Canadians and communities build an inclusive country calls for benchmarks outlining the provision of policies and practices for restraint-free and non-violent supports and interventions to be in place in services accessed by people with disabilities.

Posted on the SCDSB Website:

“The Simcoe County District School Board is committed to excellence in education and equitable educational outcomes for all students, and to the elimination of discrimination as outlined in Ontario’s Equity and Inclusive Education Strategy and Ontario Ministry of

Education Policy / Program Memorandum No. 119, Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools. The board upholds the principles of respect for human rights and fundamental freedoms outlined in the Canadian Charter of Rights and Freedoms, the Constitution Act, 1982 and the Ontario Human Rights Code.”

(SCDSB) Commit to Character

The SCDSB’s program *Commit to Character* focuses on high academic achievement in relation to personal, interpersonal and citizenship development. An inclusive school culture that rests upon the principals of *Commit to Character* provides learning environments that are emotionally safe, encouraging, and respectful of diversity and difference. It builds community, inclusivity, and a sense of interconnectedness and interdependence that are critical to the educational experiences of all students.

SEAC wonders how does the use of blocker shields align with the Commit to Character Program. Where do the attributes of compassion, respect and empathy align with this practice?

The Simcoe Path, the cornerstone of the Board’s operational strategies promises **Inclusive, equitable and safe learning and working environments** by

- Integrate “Commit to Character” attributes in teaching, learning and leading;
- Promote and sustain safe, healthy, respectful and welcoming learning and working environments;
- Include the voices of our diverse communities; and
- Understand, identify and remove the barriers in order to achieve student sense of belonging and future prospects
- Lead in global, environmental and socially responsible citizenship
- Promote shared leadership with school and community partners

According to Bill 168, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) employers must put in place policies that prescribe safe workplaces for their employees. SEAC knows that there are local, regional, national resources available to help the Board align the workplace safety demands of Bill 168

without the public use of blocker shields as that practice violates human rights, results in loss of dignity, privacy and promotes fear and exclusion, the ultimate in isolation

In summary, SEAC concerns regarding indiscriminate en masse use of blocker shields include

- No Parental knowledge/involvement/consent
- No SEAC knowledge/involvement/advice
- This use of blocker shields is not in individual safety plans
- Not “prescribed” by medical practitioner
- No guidelines/rules/policies governing this widespread use
- No justification, not an evidence-based best practice

And given that indiscriminate use of blocker shields could be in violation of *Ontario Human Rights Code, Freedom of Information and Protection of Privacy Act and Ontarian’s with Disabilities legislation*, as well as being inconsistent with literature and evidence-based practice on behaviour management. SEAC recommends consultation and collaboration between families, School Board personal and behaviour experts to develop behavioural management plans which support the growth and development of vulnerable students with dignity.

SEAC approved the following time-sensitive motion to be presented at the Board Meeting of March 28 2012

Be it resolved that:

“the Special Education Advisory Committee recommends that the Board ceases use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion.”

Simcoe County District School Board
Special Education Advisory Committee (SEAC)
Community Activity
May 2nd, 2012



You are invited to a facilitated working session:

“Inclusion AND Safety: It’s not an either/or”

The Simcoe County District School Board Special Education Advisory Committee wishes to provide advice to the Board on evidence-based best practices for inclusion and safety. Following a keynote address, attendees will participate in a facilitated working session which will investigate marrying the individual rights of students with worker safety through sound instructional intervention practices geared at enhancing behavioural self-management.

When: Wednesday May 2nd 2012, Registration 6:00pm. Workshop 6:30-8:30pm

Where: Simcoe Community Services, 39 Fraser Court, Barrie

Keynote: Brendon D. Pooran LLB. B. Comm

Facilitator: Lindy Zaretsky Ph.D. Executive Director, Geneva Centre for Autism

We look forward to receiving confirmation of your attendance at this important event.

Kindly RSVP to consult020512@gmail.com by April 20th

Committee Activity:

In order to assist the staff with the required consultation, SEAC arranged a Community Consultation on Wednesday May 2 2012. The attendance record shows 50 persons in attendance, including representatives of the following groups: Parents, VOICE, SCDSB SEAC members, Autism Ontario, Community Living Ontario, IAI, Catulpa, Ontario Autism Coalition, Simcoe Community Services, Children's Treatment Network, On Solid Ground Behavioural Services, Inclusion Consultant, SMCDSB SEAC members, SCDSB staff, MPP, Parliamentary Assistants, Media, as well as those who did not identify an affiliation.

Brendon Pooran LLB. B. Comm provided contextual background including Disability Law, Human Rights Law and Special Education Law

Dr. Lindy Zaretsky Ph.D. provided contextual background on the Guiding Questions for the Consultation

1. In what circumstances would you consider the use of blocker shields evidence-based best practice in instruction when interacting with students demonstrating unsafe behaviours?
2. In what circumstances would you consider blocker shields evidence-based best practice in prevention, intervention, reaction strategies when interacting with students demonstrating unsafe behaviours?
3. What alternative measures might be considered when balancing the individual needs and rights of students with safety needs of staff and students?

Round-table consultation ensued

Remarks were documented and collated (attached)

Summary:

There was overwhelming response that there are no circumstances when the use of blocker shields is evidence-based best practice in instruction when interacting with students demonstrating unsafe behaviours.

There are no circumstances that would support use of blocker shields as an evidence-based best practice to achieve success with intervention, prevention, reaction. The use of blocker shields is not an evidence-based practice.

Participants provided comments with regard to alternative measures which could be considered when balancing the individual needs and rights of students with the safety needs of staff and students. There are recommendations for further consultation with families and behavioural experts, development of Safety Plans with all stakeholders, examination of existing practices where blocker shields are not used, documentation, ongoing third party involvement, detailed assessment, training, and examination of the practice of grouping students who have special needs.

Verbatim Summary from Consultation May 2 2012

(Transcription of group note taking)

Group A

1. We cannot accept that BS could be considered as evidence-based practice in any circumstances. In fact, we believe it could escalate behaviour.
2. There are NO circumstances that would support use of BS as an “evidence-based practice” to achieve success with intervention, prevention, reaction, -NOT an evidence-based practice.
3. ALTERNATIVE MEASURES
 - People will always use the simplest tool for any job. Blockers are a simple too that will always supersede all other tools.
 - For the students who are at-risk for aggressive behaviour-why can't we define specific training requirements ongoing for those support workers/teachers to work with these children.
BMI-strategy training, communication training, disability awareness, they need in-depth training on functional assessment, sensory training.
 - Bring in on-site training...compare to Simcoe Community Services

COMMUNICATION

services/training/implementation, needs-high attention, augmentative communication training, implementation for students

Better documentation

for safety plans and use of equipment, clinical oversight for equipment, look at how this informed use of BS

INCLUSION

Please look at the road to inclusion from all-day learning on

Board!! Ask yourselves the questions. How are we putting best efforts, best practices to move forwards.

A priority of inclusion overall

Investing resources with this goal in mind may not have lead us to this point (augmentative, communication, ASD resources, peer buddying, inclusive classrooms, inclusive teachers, inclusive EAs, inclusive school staff, work with SEAC to take input/feedback more closely on training/ policy development/ equipment use etc.

Group B

1. “Everything” else has been exhausted

-Environment, instructional, sensory, social, etc.

- Parents key source of info
- Revisit & retry, -monitor
- Could require training for staff

2. similar to #1, but more focus on staff actions

Training specific to use of shields...when and how (consult martial arts)

3. Talk about elements in #1 to

- Parents
- Former teachers
- SERT
- Etc.

After exhausting alternatives, more specific and less obvious devices/equipment

- Flexibility
- Individualization
- Model successful staff

OTHER

Communication key

Discuss/focus on successes

Scaffolding-start small and build, keep success going

Educators listen to experts who live it each day.
BS don't support principles of equality, inclusion, dignity

Group C

1. No
2. None
3. Functional Behavioural Assessment

Safety Plan developed with all Stakeholders * family

Proper Training for Staff

Individualized Programming with "real" preferred activities

Focus on Positive Peer Modeling as a Preventative Measure (authentic inclusion)

Group D

1. Wouldn't use

Communicates the wrong message to others in the public

2. Certainly wouldn't use on a group because of their disability

3. Believe that behavioural challenges can be addressed by other means...need an analysis done

Don't write these kids off!

Group E

1. None

2. None

- Not targeted to the behaviour/disability
- Messages children with Autism are dangerous
- Transition Plan

3.NVCI, Communication, team with family, working with family and outside service providers to establish a plan to best support the child, what may be possible triggers to behaviour, doctor info i.e. assessments New Path, Catulpa, Kerry's Place, SCS, E3, Kinark

- Informed teachers re: disability
- Everyone interacting with students to be well versed in their IEP and Safety Plan

Group F

“Evidence-based...”?? Is there any evidence of need?

1. For instructional purposes...” there wouldn't be any, would there?

- We are not aware of any “evidence-based” practice for instruction
- Reactive, aggressive vs. preventative strategies can further escalate the situation
- “offense” not defense....is “active”
- Has visual impact... can arouse the student
- Can create “associations” of shield us with physical aggression...can perhaps become a “trigger” itself, triggers fear, uncertainty

2. For prevention, etc...

- Is it even safe and does it even make students “unsafe”
- Perception created within community that things may be unsafe
- The visual impact...why are so many staff carrying these shields? What does this say about safety?
- Is this even an “individual” intervention, or are staff carrying these shields “en masse” just because the kids are grouped together.
- The shields are seen by staff as a consequence to behaviour that hopefully will make them feel safer....but in reality, could they be acting as an “antecedent”...as a trigger
- There is a problem with the way the issue being framed as “staff safety” And, are they even really “safe?” The use of this intervention is not addressing the real issue.

Our thoughts:

What does the environment look like and how might it be contributing to the problem. What is the class like? What are the concerns with grouping students in this way in a segregated setting and what is the physical environment like? The use of blockers may be preventing the successful inclusion of the students in the community. How is a “classfull” of behaviours helpful to anyone, on any way?? Where are the role models?

3. Alternative measures:

- Use of ABC Antecedent Control.....need to properly understand what this means!
- Training (for above)
- Change the environment
- Leadership is required for staff adherence to abolition of these measures that violate student dignity...must not be allowed

Replace with:

- Involve interaction with other students...peers are the best motivators
- Consult with and involve families...gather data
- Ask EA/staff who know student “what works?” and build from there
- Work on an individualized basis
- Revisit “alternative measures” that have worked in the past. They are evidence-based; there are such practices being used every day in other boards/environments across the province.

Group G

1. Question regarding “evidence-based”

- What research is there on the use of protective equipment for intervention/instruction?
- KEY WORD...instruction
- Need a full assessment when dealing with aggressive behaviour

- What replacement skills are being identified or taught to children as a preventative “teaching environment”
- Need to assess all aspects of what child may need to learn
- Comprehensive program for students needs to be developed but that is a disconnect between identified goals and application of strategies (evidence-based strategies)
- Work around the students’ needs...instructional needs, adapted day

2.

- use of protective equipment used in an assessment of severe behaviour issue to determine function...then develop comprehensive plan to treat and teach new skills (replacement)
- Needs to be a plan to remove equipment as students learn replacement skills
- Are students who are demonstrating severe enough behaviours that warrant BS actually “safe” in the environment?

3.

- How can EA ,behaviours/environment be assessed
- Who is involved in treatment team to assess variables?
- Allow 3rd parties to be involved (?) in assessment and planning
- Make it Policy...that every student has access to full FBA prior to any treatment goals being put in place.
- Develop model similar to Kinark Day Tx programs in schools
- Partnership between home and school

Allowing/ permitting sharing of info, working together, allowing 3rd party involvement

**SEAC Questions
and
Staff Responses**

SEAC Questions, Board Staff Responses, SEAC Follow-up and Final Responses

LEGEND:

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Governing Documents

- SEAC has received a copy of APM A1435, issued October, 2011 “Management Process for Student Behaviours Causing a Risk-of-Injury”. Please provide any other APM that is relevant to the use of blocking shields (or similar devices).
 - Please provide any other SCDSB governing document that should be considered as part of a review of the use of blocking shields (or similar devices) by the SCDSB.
- R. Discussed in the Consultation Package under “Safety in the Workplace: Legislative Compliance”
- F. Copies of some of the listed policies are located on the SCDSB website at <http://scdsb.on.ca/board-highlights/policies/>, please indicate if these copies are up to date and provide a link to, or an electronic copy of, any more recent versions. Copies of some of the listed procedures are located on the SCDSB website at <http://scdsb.on.ca/board-highlights/procedures/>, please indicate if these copies are up to date and provide a link to, or electronic copy of, any more recent versions.

Some of the documents listed in the consultation package do not appear to be available on the SCDSB website – please provide a link to, or an electronic copy of, the most recent versions of the following:

- APMA1440
 - APMA7100
 - Procedure HS 02-01
 - Procedure HS 02-03
 - Procedure HS 05-29
 - Procedure HS 05-31
 - Procedure HS 05-33
- R. The above APMs and procedures are attached with the exception of APM A7100, which is “Under Review” therefore not included.

Correspondence Issued by Board

- Please provide any correspondence that does not reference a specific student, issued by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.
- R. Use of pads is discussed in the Consultation Package under “Strategies to Protect Student and Staff – sections – Appropriate Interventions / Use of foam pads in our schools / Regular evaluation and monitoring strategies”.
- F. The section “Strategies to Protect Students and Staff” appears to a policy and procedure summary created for the public consultation package – if this has been issued as correspondence, other than as part of the public consultation package, please clarify when and to whom this was issued. Please also provide the policies, procedures or other documents from which these are summarized.

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There was no other correspondence provided – no board staff communication; no instructions to schools/staff; no communication with outside organizations; etc. Please indicate if this means that no such correspondence has been issued by Board staff (central or school based) regarding the use of blocking shields (or similar devices) and provide the correspondence that has been issued.

- R. Information was created for the consultation package. The majority of the information came from APM 1435, APM 1440 and Behavior Management Systems. Communication with schools related to the use of foam pads was consultative pertaining to specific students.

Correspondence Received by Board

- Please provide any correspondence that does not reference a specific student, received by Board staff (central or school based) regarding the use of blocking shields (or similar devices) with SCDSB students, such as but not limited to: Memos; letters; emails; etc.
- R. Autism Ontario / Geneva Centre for Autism / Education Committee Community Living Ontario / Option Family Service Toronto (attached).
- F. In addition to the letters provided from agencies, there have been various other letters SEAC has that it understands were also addressed to the Board. While SEAC recognizes that this package was assembled at a particular point in time and therefore may necessarily lack correspondence received after that time, SEAC would appreciate continuing to correspondence on this issues that is received by Board staff.

There was no other correspondence provided – no communication/feedback from schools or parents; no communication with outside organizations; etc. Please indicate if this means that no such correspondence has been received by Board staff (central or school based) regarding the use of blocking shields (or similar devices) and provide the correspondence that has been received.

- Simcoe Community Services
- Family Service Toronto
- Any correspondence sent by an individual would constitute 3rd party information and as such we would require their consent to release.

Research

- Please provide any research obtained by the SCDSB relevant to the use of blocking shields (or similar devices) with special education students, such as but not limited to: published articles; use at other boards (including conditions of use, training, etc.); evidence of best practices; etc.
- R. Information provided by Behavior Management Systems in the Consultation Package provides a provincial perspective. Background information on The Behavior Management Systems Training program as well as the acknowledgement information on the many educators and experts throughout the province involved in program development program piloting and Curriculum Services Canada – Web-Site Materials, is attached.
- F. Please clarify the source(s) of information from each subsection under “BMS Use of Personal Protective Equipment (PPE) by staff when working with students with special needs who present an ongoing risk of injury to self or others.” This section does not appear to be research, but a summary created for the public consultation. For instance, under the subsection “Personal Protective Equipment” there is a specific reference to shields, but at a SEAC meeting SEAC was advised that BMS does not deal with shields (or similar devices) and that the use of such devices was beyond

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BMS. It therefore appears that this section is not an excerpt from a BMS documents, but is something else.

As noted above, SEAC was advised that Behaviour Management Systems Training does not deal with the use blocker pads (or similar) devices. Unless the inclusion of the excerpt from the “Background” on BMS training and the list of many educators and experts throughout the province involved in BMS training, which emphasizes prevention and non-physical interventions, is meant to be research concluding against the use of blocker shields and similar devices, please explain the relevance of these materials.

Please indicate if the SCDSB has no other research relevant to the use of blocking shields (or similar devices) with special education students and provide any such research it does have.

- R. “BMS Use of Personal Protective Equipment (PPE) by staff when working with students with special needs who present an ongoing risk of injury to self or others” is the official statement from BMS and is watermarked. Paul Addie, Project Director for BMS provided this for our use and he is the facilitator for our Public Consultation. The statement regarding BMS at SEAC was made by Chair Bridekirk. BMS supports the use of protective equipment and does not differentiate between the different types. Behavior Management Systems is the staff training and support program provided by the Ontario Education Service Corporation (established by all School Boards Associations of Ontario) developed in co-operation with the Ministry of Education. It incorporates the latest information on Child development and behavior as well as information on current relevant educational procedures and legislative materials.

Instructions

- Please provide any instructions prepared or issued by SCDSB staff regarding the use of blocking shields (or similar devices) with SCDSB students, such as but no limited to: guidelines; training materials; etc.
- R. Discussed in the Consultation Package under “Strategies to Protect Students and Staff – sections – Appropriate Interventions / Use of foam pads in our schools / Regular evaluation and monitoring strategies” as well as in the information provided by Behaviour Management Systems. In addition, individual consultation with central board staff takes place as required.
- F. The material provided appears to be limited to that prepared for the public consultation on this subject. Please clarify if this is the only such material prepared and provide any other instructions (such as, but not limited to, those issued at the time of deployment) prepared or issued by SCDSB staff regarding the use of blocking shields (or similar devices) with SCDSB students.
- R. Communication with schools related to the use of the foam pads was consultative pertaining to specific students and specific needs.

Usage

- Director Wallace has clarified that blocking shields have been in use in the SCDSB since the fall of 2010. Please provide details with respect to that usage within the SCDSB, such as but not limited to:
 - which schools were the blocking shields sent to
 - R. The foam pads are required to support situations from time to time involving one or a few students in six schools. In order to protect individual student privacy, it is not appropriate to identify these schools.

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- SEAC understands from responses that the blocker shields (or similar devices) are currently being used in six schools. This question was with respect to all the schools that have received such devices, not the schools currently employing them. How many schools have received blocker shields (or similar devices)?
- SCDSB schools have hundreds to thousands of students attending them. SEAC does not believe that listing the schools where blocker shields (or similar devices) were sent violate individual student personal privacy and as such requests that the schools be identified.
- R. It is our understanding that over the past 3 school years, 16 schools have received them. At this time, they are being used in 6 schools.
- o what criteria was used to determine which schools received blocking shields
 - R. The foam pads are required to support situations from time to time involving one or a few students in six schools.
 - F. Please provide specifics with respect to the criteria used to determine which schools received blocking shields (or similar devices).
 - R. The process used is outlined in the section entitled “Strategies to Protect Students and Staff”. The utilization of this equipment as with all interventions is related to individual student need.
 - o what instructions accompanied the blocking shields sent to schools
 - R. responded to above [from above: Discussed in the Consultation Package under “Strategies to Protect Students and Staff – sections – Appropriate Interventions / Use of foam pads in our schools / Regular evaluation and monitoring strategies” as well as in the information provided by Behaviour Management Systems. In addition, individual consultation with central board staff takes place as required.]
 - F. The material provided does not appear to be instructions that accompanied the blocking shields (or similar devices) when they were sent to schools and does not indicate when blocking shields (or similar devices) should be used nor how to properly use them. Please indicate if no instructions accompanied the blocking shields (or similar devices) when they were sent to schools and provide any instructions that did accompany the blocking shields (or similar devices) when they were sent to schools.
 - R. Individual consultation with staff took place.
 - o what training was provided to administrators, teachers and EAs in the use of blocking shields at the schools where they were sent
 - R. Discussed in the Consultation Package under “Strategies to Protect Students and Staff” including: Functional Behaviour Analysis (FBA) / Behaviour Management Systems / collecting and analyzing data through behavior logs, FBA’s, programming and interventions, site based training, visits to collaboration sites as well as individual consultations with central board staff and in some cases external behavior supports based on specific student need.
 - F. None of the material referred to deals with training related to the use of blocker shields (or similar devices), such as when the use of such devices would be appropriate and the correct method of use. Please indicate if there was no training specific to the use of blocker shields

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- (or similar devices) and provide information on any specific training that did take place to each staff group.
- R. Individual consultation took place.
- what percentage of staff using blocking shields had training – prior to using the blocking shields and to date
 - R. Discussed in the Consultation Package under “Strategies to Protect Students and Staff” including: Functional Behaviour Analysis (FBA) / Behaviour Management Systems / collecting and analyzing data through behavior logs, FBA’s, programming and interventions, site based training, visits to collaboration sites as well as individual consultations with central board staff and in some cases external behavior supports based on specific student need.
 - F. None of the material referred to deals with training specific to the use of blocker shields (or similar devices), such as when the use of such devices would be appropriate and the correct method of use. Please indicate if no staff have received training specific to the use of blocker shields (or similar devices) and provide information on what percentage of staff using blocking shields (or similar devices) did receive training – prior to using the blocking shields (or similar devices) and to date, if any training specific to the use of blocker shields (or similar devices) did take place.
 - R. Individual consultation took place.
 - how many blocking shields were sent to schools
 - R. Over the past 2 years, 44 pads were sent to schools.
 - F. SEAC understands that blocking shields (or similar devices) placed in side of some form of cover, such as canvas/sports bags, have in some cases been substituted for the foam pads previously in use. Please indicate if the 44 pads noted includes the deployment of all such devices and provide any additional information regarding the total number of blocking shields or similar devices that have been deployed.
 - R. Covers were used with existing foam pads already in use. An additional 4 foam pads returned, or not in use, have just come to my attention.
 - how many students were the blocking shields used with
 - R. Number of students pads were used with - 2010/2011 – approximately 18 students were supported based on needs.
 - F. The question was not limited to the 2010/2011 school year - please provide information regarding how many students the blocking shields (or similar devices) have been used with, up to the current time.
 - R. Usage is defined by student need and the effectiveness of the intervention which changes over time. It is our best estimate that from the spring of 2010 – Present approximately 26 students were supported based on needs. This number includes the 14 students who are currently being supported.
 - how many blocking shields were returned by schools
 - R. Number of pads returned / not is use – approximately 23
 - F.

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- what reasons were given by schools for returning the blocking shields
 - R. Reasons for return / not in use – student(s) moved / not an effective strategy with the specific risk of injury / no longer required due to change in student behavior.
 - F.

- how many blocking shields are still in use
 - R. Number of pads still in use – approximately 21 to support students based on needs.
 - F. SEAC understands that blocking shields (or similar devices) placed in side of some form of cover, such as canvas/sports bags, have in some cases been substituted for the foam pads previously in use. Please indicate if the 21 pads noted includes all such devices currently in use and provide any additional information regarding the total number of blocking shields or similar devices that are currently in use.
 - R. Yes – includes all foam pads.

- how many students are the blocking shields used with currently
 - R. Number of students that pads are currently used with – approximately 14 students are supported based on need.
 - F. SEAC understands that blocking shields (or similar devices) placed in side of some form of cover, such as canvas/sports bags, have in some cases been substituted for the foam pads previously in use. Please indicate if the 14 students noted includes all students with whom such devices are currently in use and provide any additional information regarding the total number of students with whom blocking shields or similar devices are currently in use.
 - R. Yes.

- how many students are there in the in the classes in which blocking shields were used
 - R. This would vary depending on the time.
 - F. Please provide a reasonable estimate as to the total number of students who have been present in a class where a blocker shield (or similar device) has been deployed and explain the basis of that estimate. One such estimate could be the numbers of students sharing the same placements as students with whom the blocker shields (or similar devices) could be utilized.
 - R. The majority of students who have been supported by foam pads are in a county class placement. The maximum number in any placement is 10. Some of the students have required an alternative learning environment and were therefore not integrated into a class placement.

- how many students are there in the classes where blocking shields are currently being used
 - R. This would vary depending on the time.
 - F. Please provide a reasonable estimate as to the total number of students who could be present in a class where a blocker shield (or similar device) has been deployed and explain the basis of that estimate. One such estimate could be the numbers of students sharing the same placements as students with whom the blocker shields (or similar devices) could be utilized.
 - R. Same answer as above.

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- how many of the safety plans of the students with whom blocking shields were used deal with the use of blocking shields
 - R. Safety Plans – in some cases, equipment worn by staff, such as Kevlar sleeves, is listed as part of the student’s safety plan. When equipment is part of the general classroom environment or for general travel purposes, it is not always itemized and listed.
 - F. Please indicate if this means that the use of blocker shields (or similar devices) has not been reflected in any safety plans or in how many safety plans of the students with whom blocking shields (or similar devices) were used that such use has been reflected.
 - R. As noted above. In addition, safety plans fall under OSR information.

- how many of the safety plans of the students with whom blocking shields are currently used deal with the use of blocking shields
 - R. Safety Plans – in some cases, equipment worn by staff, such as Kevlar sleeves, is listed as part of the student’s safety plan. When equipment is part of the general classroom environment or for general travel purposes, it is not always itemized and listed.
 - F. Please indicate if this means that the use of blocker shields (or similar devices) has not been reflected in any safety plans or in how many safety plans of the students with whom blocking shields (or similar devices) are currently in use that such use has been reflected.
 - R. Same answer as above.

- have the parents of all the students in a class where blocking shields have been used been apprised of their use in their son’s/daughter’s class
 - R. No
 - F. Please explain the rationale for not advising parents of the use of blocker shields in their child’s class to date and explain if they will be, how they will be and when?
 - R. We would not share intervention strategies pertaining to specific students with the parents of other students.

- where are the blocking shields being used: in the class?; in the school?; on school property?; off school property? – please elaborate
 - R. Where / When are pads used? Potentially where students with complex needs present with behaviors that cause a safety concern towards themselves or others.
 - F. Please indicate if this means that the blocker shields (or similar devices) could be used anywhere that the student might be. In which of these or other locations (please specify) have the blocker shields (or similar devices) been utilized.
 - R. Potentially yes – generally they have been used in the class. In a couple of schools they have been used in the halls and outside of the school.

- when are the blocking shields being used: when there is an incident? (what kind of incident?); at all times?; in some other manner? – please elaborate
 - R. Where / When are pads used? Potentially where students with complex needs present with behaviors that cause a safety concern towards themselves or others.
 - F. Please indicate the circumstances under which blocker shields (or similar devices) have been used, such as: only when there is an incident requiring their use; carried at all times; etc. Please elaborate as necessary to provide a full understanding of the circumstances surrounding the use of blocker shields (or similar devices).

original questions from SEAC in black text (submitted April 1, 2012)

responses received from Board staff to original questions in red text (received April 27, 2012)

follow-up questions from SEAC in blue text (submitted May 7, 2012)

responses received from Board staff to follow-up questions in orange text (received May 14, 2012)

- R. They have been used when there is an incident that presents a risk to safety. They may be carried by staff in circumstances where it is felt that there is a potential risk to safety. i.e. unpredictable behavior. They are not carried at all times.
- what kind of reporting is in place with respect to the use of the blocking shields
 - R. Reporting / Feedback / Review – discussed in the Consultation Package under “Regular evaluation and monitoring of strategies”.
 - F. Some interventions, such as the use of restraints, are required to be reported each and every time they occur. Please clarify if the response means that no such reporting is required for each use of blocking shields (or similar devices) and provide the circumstances under which such use would be required to be reported. Please clarify whether or not the use of blocking shields (or similar devices) is considered a form of restraint.
 - R. They are not considered a form of restraint.
- what feedback/review mechanisms are in place regarding the use of the blocking shields
 - R. Reporting / Feedback / Review – discussed in the Consultation Package under “Regular evaluation and monitoring of strategies”.
 - F. Safety plans are required to be reviewed following the filing of any incident report related to the contents of the safety plan. Please clarify if the response means that no such review of each use of blocking shields (or similar devices) is required and provide the circumstances under which such a review would be required.
 - R. Safety plans are reviewed twice a year and after an aggressive incident. This review includes the use of protective equipment.

Supplementary:

- Please describe the funding process for the blocking shields (and similar devices):
 - Which budget line(s)
 - Which budget year(s)
 - Amount(s)
 - When were they ordered
 - What are the unit costs
 - Et cetera
 - Can be discussed during budget consultation.
- What other devices besides blocker shields, such as PPE, are in use in the SCDSB that have been excluded from IEPs/safety plans?
 - R. As noted above, IEPs/safety plans fall under OSR information. There could be situations where PPE is in one student’s IEP/safety plan therefore in use in the classroom but wouldn’t be in other students’ IEP/safety plans because it doesn’t apply i.e. safety goggles.

original questions from SEAC in black text (submitted April 1, 2012)

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**Public Consultation Package Provided to SEAC
as Part of Staff Responses**



Public Consultation

**Use of Protective Equipment to Ensure Safety
for Students and Staff**

Information Package
May 10, 2012

BMS Use of Personal Protective Equipment (PPE) by staff when working with students with special needs who present an ongoing risk of injury to self or others.

The Need

- The vast majority of students with special needs, including those with autism, accept responsibility for a safe learning environment and take accountability for their actions
- However, a very small number of these students have uncontrollable behaviours that are directly related to their diagnosed medical, neurological or developmental condition and, in some cases, these behaviours may present an ongoing safety risk including a risk of injury to themselves or others

Legislative Requirement

- The *OHSA* requires that employers (school boards) and supervisors (school principals) assess these safety risks on an ongoing basis and provide workers (school staff) with the measures and procedures to control the identified risks
- The *OHSA* also requires that, where these safety risks can be eliminated or reduced through the use or wearing of personal protective equipment, this equipment must be provided and used by staff

Personal Protective Equipment

- PPE used in schools includes equipment, devices or clothing to protect a staff member or student from injury during the course of daily activities. PPE is specific to individual student behaviour and staff need for protection. Examples include, but are not limited to, the following: lifting equipment for students with mobility issues, safety harness for bus transportation, helmet for student head protection, special sleeves and shin guards for protection against pinching, biting and kicking, padded vest or shields for protection against punches, eye/face protection for bodily fluids, padded mats to protect the student from self-injury against walls, hair nets for protection against grabs and pulls, etc.
- The use of PPE allows the student to attend and benefit from a school program

How the need for PPE is determined

- The safety needs of students, including the use of PPE, are often identified at the Identification, Placement and Review Committee (IPRC) meeting along with academic and social needs and recommendations to meet these needs are made to the principal
- The principal ensures that an Individual Education Plan (IEP) detailing interventions and PPE, and where necessary an emergency Safety Plan, is developed and implemented by staff to meet these needs
- Parents are involved in the IPRC process and the development of the IEP
- If the IPRC has not identified any or a specific PPE and the need subsequently becomes apparent, the principal, in consultation with the parents and appropriate professionals (e.g., occupational therapists, psychologists) has a duty to provide the equipment

Safety in the Workplace: Legislative Compliance

The following excerpts from the Occupational Health and Safety Act outline the responsibility of the employer to ensuring a safe working environment:

Occupational Health and Safety Act, R.S.O.

Duties of Supervisor Section 27

A supervisor shall ensure that a worker,

- a) Works in the manner and with the protective devices, measures and procedures required by this Act and regulations; and,
- b) Uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn

Without limiting the duty imposed by subsection (1), a supervisor shall,

- a) Advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;
- b) Where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of the worker; and
- c) Take every precaution reasonable in the circumstances for the protection of a worker.

Duties of Workers Section 28

A worker shall,

- a) Work in compliance with the provisions of this Act and the regulations;
- b) Use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
- c) Report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
- d) Report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.

No worker shall,

- a) Remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately

Violence and Harassment

Section 1.

Definitions

“Workplace violence” means

- a) The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,
- b) An attempt to exercise physical force against a worker, in a workplace that could cause physical injury to the worker,
- c) A statement or behavior that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace that could cause physical injury to the worker

Part III.0.1

Section 32

An employer shall develop and maintain a program to implement the policy with respect to workplace violence

Without limiting the generality of subsection (1), the program shall,

- a) Include measures and procedures to control the risks identified in the assessment required under subsection 32.0.3 (1) as likely to expose a worker to physical injury;
- b) Include measures and procedures for summoning immediate assistance when workplace violence occurs or is likely to occur;
- c) Include measures and procedures for workers to report incidents of workplace violence to the employer or supervisor;
- d) Set out how the employer will investigate and deal with incidents or complaints of workplace violence; and
- e) Include any prescribed elements

An employer’s duty to provide information to a worker under clause 25 (2) (a) and a supervisor’s duty to advise a worker under clause 27 (2) (a) include the duty to provide information, including personal information, related to a risk of workplace violence from a person with a history of violent behavior if,

- a) The worker can be expected to encounter that person in the course of his or her work; and
- b) The risk of workplace violence is likely to expose the worker to physical injury.

Right to Refuse or to Stop Work Where Health or Safety in Danger

Section 43

A worker may refuse to work or do particular work where he or she has reason to believe that,

- a) Any equipment, machine, device or thing the worker is to use or operate is likely to endanger himself, herself or another worker;
- b) The physical condition of the workplace or the part thereof in which he or she works or is to work is likely to endanger himself or herself; or
- c) Any equipment, machine, device or thing he or she is to use or operate or the physical condition of the workplace or the part thereof in which he or she works or is to work is in contravention of this Act or the regulations and such contravention is likely to endanger himself, herself or another worker.

R.R.O. 1990 Regulation 857

Teachers

Part V (Right to Refuse or to Stop Work where Health or Safety in Danger) does not apply to a teacher where the circumstances are such that the life, health or safety of a pupil is in imminent jeopardy.

Relevant SCDSB Policies and APMs

Policy 3045 Workplace Violence

Policy 3140 Health and Safety

APMA4003 Health and Safety Procedures Manual

APMA4071 Aggressive Incident Reporting

APMA4002 Reporting of Workplace Injury/Illness

APMA7630 Code of Conduct

APMA7635 Student Discipline Procedures

APMA1435 Management Process for Student Behaviours Causing a Risk-of-Injury

APMA1440 Physical Containment: Guidelines for Responding to Injurious
And Self-Injurious Student Behaviour

APMA7100 Violent Incidents – Response Procedures

Procedure HS 02-01: Health and Safety Concerns

Procedure HS 02-03: Health and Safety Work Refusals

Procedure HS 05-29: Workplace Violence Prevention

Procedure HS 05-31: Identifying a Person with a History of Violent Behaviour

Procedure HS 05-33: Workplace Violence Risk Assessment

Strategies to Protect Students and Staff

The need to protect students and others

When students with complex needs present with behaviours that cause a safety concern towards themselves or others, school staff implement two sets of strategies and interventions. The first is to attempt to understand the function of the behaviour and the other is to manage the behaviour in a way that maximizes safety.

Understanding behaviour and planning for success

Proactive strategies will include tracking of behaviour using a Functional Behaviour Analysis (FBA) approach. This attempts to highlight the triggers or antecedents and the consequences of a particular behaviour. When the purpose of the behaviour can be identified, the environment and the program may be adjusted to reduce the incidence of the behaviour. For example, a Functional Behaviour Analysis approach often demonstrates that a student responds well to a routine and predictable schedule and therefore transitions within the school day are carefully planned to reduce student anxiety and agitation. In some circumstances it is very difficult to either identify the conditions that may lead to a particular behaviour or to change the environment in such a way that the behaviour is eliminated.

When there is a risk of injury

If a student demonstrates escalated behaviour that can cause a risk of injury, the first staff response should be to provide the student with space and allow time to deescalate. This strategy is successful in many situations. With a small number of students this strategy is not always successful, and we have situations when students demonstrate potentially injurious behaviour towards themselves and others.

Appropriate Interventions

In the Simcoe County District School Board, we train staff using the Behaviour Management Systems protocol for the management of student behaviour. This protocol trains staff to attempt to avoid or block punches or kicks and other behaviours using their bodies. This protocol also includes the use of physical restraints as an option when this form of avoidance will not work or where the student behaviour is presenting other risks. The use of protective equipment is also included in this protocol, which includes items such as special gloves and sleeves, shin pads and safety goggles.

Use of foam pads in our schools

While these interventions are usually successful in managing the behavior to ensure safety, some students do not respond to this approach for a variety of reasons. Attempting a physical restraint can further escalate the behavior of some students and make such a restraint difficult and potentially unsafe. Our protocol emphasizes using physical restraints (only as a last resort) for a short period and then releasing. In some cases, this process needs to be continued for a long period of time which presents the risk of injury to the student and to the staff members performing the restraint. In addition, we have some students whose size and strength means that physical restraints are neither effective nor possible. With a small number of students, foam pads have been effective as an alternative to physical restraint, by allowing the student to de-escalate while preventing self-injurious behavior. For example, some students with complex needs may hit their head on the wall or floor. The pads are sometimes used to cushion this. In other circumstances, foam pads are used to keep staff and others relatively protected when the student is escalated. As with other forms of intervention, the use of foam pads is discontinued when injurious behaviours are eliminated or minimized.

Regular evaluation and monitoring of strategies

For all students who have presented with these types of behaviours there has been a high level of involvement by school special education staff, central board staff and in some cases from external behavior supports. There is always a focus on understanding the function of the behavior so that the program and the environment can be adjusted to reduce or replace the behaviours of concern. The process of collecting and analyzing data through Behaviour Logs and FBAs, adjusting programs, and working with parents and others to stabilize behavior is ongoing and all interventions are reviewed and monitored regularly. When an intervention is no longer required, it is discontinued as part of the process of review of Individual Education Plans and Safety Plans.

Effectiveness of Interventions

We have several students who have, at one time, presented with very challenging behaviours that presented a risk of injury to themselves and others. With these students, a range of strategies and interventions have been used to reduce and to manage these behaviours, based upon the individual student need. We have experienced considerable success with our approach with some students who are now meeting with greater academic and social success in the most inclusive environment possible.

**Summary of Relevant SCDSB
Policies, Procedures and APMs**

Summary of SCDSB Policies, Procedures and APMs

Policy	Title	Description	Summary Details
2510	Communications	<p>It is the policy of the Simcoe County District School Board, at system, departmental and school levels, to develop, facilitate and support effective two-way communications, public awareness and community engagement strategies to:</p> <p>2.1 promote student achievement and well-being;</p> <p>2.2 inform stakeholders and communities about SCDSB schools, programs and initiatives; and,</p> <p>2.3 increase understanding and positive connections relating to public education in Simcoe County.</p>	<p>Communicating effectively is a system-wide responsibility. Along with annually providing funds to staff and resource corporate communications efforts, the Board expects trustees, staff, schools and departments, in accordance with related legislation (i.e. the Education Act, MFIPPA, etc.), to:</p> <p>3.1 promote awareness and understanding of SCDSB education achievements, initiatives and progress;</p> <p>3.2 communicate openly, honestly and with integrity;</p> <p>3.3 communicate accurate, understandable and timely information; and,</p> <p>3.4 increase positive connections and good will relating to public education.</p>
3045	Workplace Violence	<p>It is the policy of the Simcoe County District School Board to promote a violence free workplace in which all individuals respect one another to achieve common goals. Violent behaviour and behaviour which increases the risk of violence in the workplace are unacceptable and will not be tolerated.</p>	<p>4.3 Every employee must work in compliance with this policy and the workplace violence prevention procedures. Employees are encouraged to raise concerns about workplace violence and report any violent incidents or threats, in accordance with the procedures.</p> <p>4.4 In compliance with the Occupational Health and Safety Act, employees have an obligation to report any unsafe activities, and those individuals engaging in unsafe activities will be held accountable for their actions. This, together with Safe Schools legislation means that violent and potentially violent activity by any person in the workplace will be investigated by the board and will be acted upon in a manner that protects employees in the workplace. Violations of this policy may be prosecuted under Canada's Criminal Code.</p>

Summary of SCDSB Policies, Procedures and APMs

Policy	<u>Title</u>	<u>Description</u>	<u>Summary Details</u>
3130	Equity and Inclusive Education	The Simcoe County District School Board is committed to an equitable education system that upholds and reflects the principles of fair and inclusive education which permeates policies, programs, practices and operations. The board recognizes that equity of opportunity and equity of access to the full range of programs, the delivery of services and resources are critical to the achievement of successful educational and social outcomes for those served by our school system as well as for those who serve our system.	<p>3.1 Equity is a condition or state of fair, inclusive and respectful treatment of all people. Equity does not mean treating people the same without regard for individual differences.</p> <p>3.2 Inclusive Education is based on the principles of acceptance and inclusion of all students. Students see themselves reflected in their curriculum, their physical surroundings and the broader environment, in which diversity is honoured and all individuals are respected.</p> <p>3.3 Diversity is the presence of a wide range of human qualities and attributes within a group, organization or society. The dimensions of diversity include, but are not limited to, ancestry, culture, ethnicity, gender, gender identity, race, religion, sex, sexual orientation and socio-economic status.</p>
3140	Health and Safety	It is the policy of the Simcoe County District School Board to adhere to the responsibilities placed upon it by the Occupational Health and Safety Act and to take every reasonable precaution to prevent personal injury, and to provide and maintain a safe, healthy and secure working environment for all of its employees.	<p>3.1 The development of a safe working environment is dependent upon the joint efforts of workers and management and, to this end, the Board will encourage and support the implementation and maintenance of a joint health and safety committee.</p> <p>3.2 All principals, managers and supervisors must accept responsibility for ensuring the implementation of all health and safety legislation and for ensuring practices that promote compliance with board safety policies and procedures are in place.</p> <p>3.3 Employees must perform their jobs in accordance with established safety procedures and must actively participate in the protection of fellow employees.</p> <p>3.4 Employees must report all unsafe conditions and are encouraged to make suggestions for the improvement of the health and safety conditions in the workplace.</p>

Summary of SCDSB Policies, Procedures and APMs

Procedure	Title	Description	Summary Details
HS 02-01	Health and Safety Concerns	Outlines reporting procedures for life-threatening and non-life threatening concerns.	Discusses employee and principal/management onligations - includes flow chart and reporting form.
HS 02-03	Health and Safety Work Refusals	Under the Occupational Health and Safety Act, employees have the right to refuse to work or to perform particular work where he or she has reason to believe that any equipment, device, thing or physical condition of the workplace is likely to endanger themselves or another employee. The employee and the Principal/Manager shall attempt to resolve health and safety concerns using Health and Safety Procedure HS 02-01 "Health and Safety Concerns" prior to initiating a work refusal.	Outlines the steps to be taken if the concern cannot be resolved using the process outlined in procedure HS 02-01.
HS 05-29	Workplace Violence Prevention	This Workplace Violence Prevention procedure is designed to provide direction regarding the measures and processes as well as informative assistance including designation of duties, prevention strategies, assessment, reporting and providing information and instruction regarding workplace violence prevention.	Outlines roles and responsibilities of employers; supervisors; and employees. Deals with incident reporting; preventions strategies/measuresl risk assessment; emergency response; special education; information and instruction.

Summary of SCDSB Policies, Procedures and APMs

Procedure	<u>Title</u>	<u>Description</u>	<u>Summary Details</u>
HS 05-31	Identifying a Person with a History of Violent Behaviour	The disclosure of information is necessary to assist in preventing incidents of violence which may cause physical injury to employees. This procedure is designed to provide guidance and direction regarding the identification of a person with a history of violent behaviour, in accordance with the Occupational Health and Safety Act, Board Policy 2197 - Management of Personal Information and the Municipal Freedom of Information and Protection of Privacy Act.	Discusses roles and responsibilities; identifying a person with a history of violent behaviour and disclosure of information.
HS 05-33	Workplace Violence Risk Assessment	This Workplace Violence Risk Assessment procedure is designed to proactively assess the risks of workplace violence to employees that may arise from the nature of the workplace, type of work or conditions of work and identify strategies and measures which can be implemented to reduce the risk of workplace violence.	Discusses roles and responsibilities; risk assessment ranking system and risk assessment review. Provides a risk assessment form.

Summary of SCDSB Policies, Procedures and APMs

APM	Title	Description	Summary Details
A4002	Reporting of Workplace Injury/ Illness	This Administrative Procedures Memorandum (APM) provides guidance to employees of the Simcoe County District School Board (Board) for reporting work related injury and illness.	Outlines details of Obligation to Report workplace illness/injury.
A4003	Health and Safety Procedures Manual	Table of Contents of Health and Safety Procedures Manual.	Relevant procedures cited - provided under Procedures section below.
A4071	Aggressive Incident Reporting	This Administrative Procedures Memorandum (APM) provides guidance to employees of the Simcoe County District School Board for reporting aggressive incidents that are not covered under the Workplace Safety and Insurance Act and ensures that the appropriate individuals are aware of the aggressive incident.	<p>3.1 Under the Occupational Health and Safety Act, section 25(2)(h), employers are responsible to take every precaution reasonable in the circumstances for the protection of the worker and shall advise workers of the existence of any potential or actual danger to the health and safety of the worker of which the employer is aware.</p> <p>3.2 Every worker has the responsibility to report to his/her supervisor any health and safety issue that endangers his/her safety and security.</p> <p>3.3 In situations where the police are involved pursuant to APM A7100, the Aggressive Incident Report Form (FORM A4071-1) is completed in addition to the Violent Incident Form (FORM A7100-1 or FORM A7635-3).</p> <p>3.4 In situations where there is an aggressive incident and a student is restrained, the Aggressive Incident Report Form (FORM A4071-1) is completed in addition to the Physical Containment Incident Report (FORM A1440-1).</p> <p>3.5 If the employee is injured and requires medical attention or is off work due to the injury, APM A4002 - Reporting of Workplace Injury/Illness must be followed, and FORM A4002-1 must also be completed.</p>
A7630	Code of Conduct	Roles and responsibilities for Board; Principal; Teachers and school staff; Students	Also includes prevention strategies and standards of behaviour.

APM	Title	Description	Summary Details
A7635	Student Discipline Procedures	<p>The procedure outlines the expectations for the process to be used by the Board when imposing appropriate consequences for pupils.</p> <p>The process set out in these procedures shall be informed by and implemented in accordance with the principles of equity and inclusion articulated in PPM 119 (equity and inclusive education).</p> <p>The Human Rights Code of Ontario has primacy over provincial legislation and policies, as well as school board policies and procedures, such that the Education Act, regulations, Ministry of Education Program Policy Memoranda, and Board policies and procedures are subject to, and shall be interpreted and applied in accordance with the Human Rights Code of Ontario.</p>	<p>3. Progressive Discipline</p> <p>3.1 Progressive discipline is a non-punitive, whole-school approach that uses a continuum of corrective and supportive interventions, supports and consequences to address inappropriate behaviour and to build upon strategies that promote positive behaviours. Consequences include learning opportunities for reinforcing positive behaviour and assisting pupils to make good choices.</p> <p>3.2 Prevention and early intervention are important for assisting pupils to achieve their potential and for maintaining a positive school environment. A positive school environment is effected through programs and activities that focus on building healthy relationships, character development, and civic responsibility which encourage positive participation of the school community in the life of the school.</p> <p>3.3 Progressive discipline is most effective when dialogue between the school and home regarding pupil achievement, behaviour and expectations is open, courteous and focused on pupil success. It is an expectation of the Board that principals, vice-principals and teachers-in-charge consult with parents prior to imposing any pupil specific progressive discipline preventative measures, positive behaviour management strategies or progressive discipline consequences.</p> <p>3.4 Each school is required to develop and implement a school-wide progressive discipline policy, consistent with the Board’s Student Discipline Policy, and Student Discipline Procedures and the Human Rights Code.</p> <p>3.5 In addition, teaching strategies should include a focus on developing healthy relationships by including bullying prevention throughout the curriculum, preventing homophobia, gender based violence, sexual harassment, inappropriate sexual behaviour, as well as promoting critical media literacy and safe internet use strategies, all of which is to be implemented in a manner consistent with the principles of equity and inclusion. The teacher, principal or designate should select the most appropriate response to address the pupil’s behaviour. Where a pupil has special education and/or disability related needs, the interventions, supports and consequences must be consistent with the expectations for the pupil, including those in the pupil’s Individual Education Plan, Behaviour Management Plan and or Safety Plan. Progressive discipline includes the use of early and ongoing prevention, intervention strategies and strategies to address inappropriate behaviour. Parent(s)/guardian(s) should be actively engaged in the progressive discipline approach.</p> <p>3.6 Prevention Strategies; 3.7 Positive Practices; 3.8 Early and Ongoing Intervention Strategies - Progressive Discipline Consequences</p> <p>3.9 Addressing Inappropriate Behaviour; 3.10 Factors to Consider Before Deciding to Utilize a Progressive Discipline Consequence to Address Inappropriate Behaviour.</p> <p>3.11 Mitigating Factors; 3.12 Other Factors to be Considered; 3.13 Record</p> <p>4. Responding to Incidents</p>

APM	Title	Description	Summary Details
A1435	Management Process for Student Behaviours Causing a Risk-of-Injury	This document outlines a process that is initiated (and continues on an ongoing basis) when a student presents a “risk-of-injury” (existing or probable) to staff or others. The guidelines and procedures in this document assist principals with meeting the safety and behavioural needs of all students, while ensuring the safety of staff and students. Meeting these needs involves awareness, consultation, and planning in collaboration with parents/guardians/caregivers, school staff, school services staff, and professional agencies.	<p>Significant discussion of IEPs, Safety Plans and responsibilities.</p> <p>4. Responsibilities</p> <p>4.1 The principal is ultimately responsible for the safety of staff and students at the school. The principal is required to conduct an investigation into all potential and reported incidents of unsafe conditions and establish a school plan to alleviate the safety concern. In addition, the principal is responsible for establishing and communicating clear processes for the development, review and communication of safety plans and:</p> <p>4.1.1 ensures that preventative programming and instructional interventions are implemented to respond to unsafe student behaviours;</p> <p>4.1.2 ensures that staff, permanent and occasional, are provided with the required information and instruction related to a Safety Plan to work with students with a potential of unsafe behaviour;</p> <p>4.1.3 may arrange for teaching staff, particularly SERTS, to provide the necessary instruction to occasional staff regarding safety plans;</p> <p>4.1.4 ensures the personal protective equipment (PPE) if required is provided, monitored and used properly;</p> <p>4.1.5 promotes staff awareness and acceptance of BMS principles;</p> <p>4.1.6 encourages all staff to approach behaviour improvement the same way we approach improvement in academic skills – gather information, plan, implement, review progress, modify plans, establish long term goals;</p> <p>4.1.7 refer to the Principal’s Action Plan (APPENDIX A).</p> <p>4.2 It is the responsibility of all staff to follow safety procedures in the school and as outlined in the Individual Education Plans and Safety Plans for exceptional and other students. All staff are also required to bring safety concerns to the attention of the principal.</p> <p>4.2.1 the Teacher is responsible for leaving copies of Safety Plans and Individual Education Plans as part of the daybook for occasional teachers;</p> <p>4.2.2 the Occasional Teacher is responsible for ensuring that Safety Plans and Individual Education Plans are read, understood and followed as part of the instructional program. Occasional staff must sign the Occasional Staff Safety Plan Record to indicate that safety plans and the necessary instruction has been provided;</p> <p>4.2.3 the Educational Assistant or Child and Youth Worker is responsible for leaving a binder that contains a clear schedule and instructions, including safety plans, where appropriate, for use by other staff during absences;</p>
A1440	Physical Containment: Guidelines for Responding to Injurious and Self-Injurious Student Behaviour	This guideline for Physical Containment Techniques provides a consistent response to injurious and self-injurious student behaviour. This guideline recognizes that when safety is an issue there may be situations where physical containment (a last resort) may be necessary to ensure safety for all.	Deals with physical containment principles; training, safety plans, parent/guardian involvement; etc.
A7100		Not provided or on SCDSB website.	

Simcoe County District School Board
Special Education Advisory Committee (SEAC)
Letters received by SEAC from Individuals,
Families, Community Partners, and Associations

My thoughts on blockers.

Hello. I am a fourteen year old whose parents are deeply involved in this issue. Now I believe people may be saying "I'm just a child who doesn't know what he is talking about." That's where they are completely wrong. I may be 14, however, I have Asperger's and I have a sister with Down syndrome. So when it comes to issues involving people with developmental disabilities, it really hits home with me.

Now as a person with Asperger's who is voicing their opinion, I would like my voice to be heard. My opinion on these blockers is that I believe that (for me) anyone who is using force to get me to do something I won't like. If it gets to a point of MY safety being threatened I will defend myself. That is the main reason I believe that the blockers that are supposedly "keeping EA's (Education Assistants) safe" is more of a case of bigotry.

I am well aware of the things that are going on. If the EA's need to use these blockers for safety they are nothing more than people who think that the students are causing their lives to be miserable. I believe that the EA's, if their going through some bad times should not be projecting their frustration and anger on these children. I say children, despite the fact that some of the students who are affected are older than me, because it makes my point better recognized than saying "these teenagers". Teenagers don't have the best reputation and aren't viewed with the compassion children are. Many of these people are basically big kids, not teens and please remember teenagers are still minors.

Any EA's who says they need blockers to be safe are foolish and are not educated in how to properly handle these situations. There are classes, programs and booklets that teach people how deal with individuals who have developmental disabilities who may become not be able to control their emotions. I hear all about what has been going on in this situation for some time now. My initial response was outrage and what I was outraged at (and what I still think is correct)

is that if anyone followed me around with these blockers, I would feel that they would be compromising my safety not theirs. They would be safer not having them because they would provoke me to become violent in order to defend myself.

In conclusion, I believe that the use of these blockers is uncalled for and unnecessary. They cause more harm than they do good, they are singling out children like screaming "hey look here I have a disability and need people to watch my every step". Not all people with autism look like they have autism or act violently. I have had the same reaction every time people find out that I have Asperger's and that is that you couldn't tell, but if the special education teacher walked around with a blocker then everyone would know. The use of blockers are not only a bad idea, but an idea that if the use of them remains, it will cause physical and emotional harm to the students that are affected by this. If they remain, they will eventually cause even more outrage on the subject and cause a label to be given to whoever supports this. So instead of saying there have been no major problems yet, I say remove it before there are.

Sincerely,

Jacob Bryan

Advocates Voice of Power, Toronto:

Dear media, educational assistants and union, teachers, principals, superintendents, board members, students, parents, agency staff and community members.

We are terribly worried to see in the newspaper that you are treating students with autism in such discriminatory ways. We are a group of Self-Advocates in Toronto. We are adults between the age of 21 and 45 and we do not agree with this. We have all been bullied and teased in schools. We have faced the negativity of teachers and fellow students. You should walk in our shoes and see what it's like for us.

The reasons people get aggressive need to be understood with more compassion and creativity. Autism is an experience of movement and communication challenges. You are acting like this is about "aggressive behaviour", but you don't seem to understand. Maybe they can't help it. Maybe you should show some respect and support them to have ways of communicating so they can feel better and tell you what is going on for them. Maybe other kids in the class are making noises or doing things that are really hard for the autistic students to deal with. Have you thought of this? Why aren't you trying harder to help them? You are already separating out kids who are so unique and important to our communities. We want them to be safe and supported in school and to be able to make friends so that all kids learn from and support each other. Now you have separated them apart even more and they are not going to be able to make friends.

This makes us sad. It is barbaric. We all have things to work on but we do not need to be fixed. Stop trying to control us and treat us like we are broken, we are born different and born unique. Why are you taking this away from us? How can we grow as individuals if you treat us like animals!

We are asking the directors and teachers and e.a.s how would you feel if it was you being treated like you are dangerous to be around? We want you to stop this, right now, and apologize to all of the students that you have hurt by using these blockers. All students who have witnessed this in the school are hurt by what you have done.

If you do not, you need to know how much you are hurting the future. When we have to put up with this kind of harsh treatment, our hatred grows. When people treat us different like this, we learn to despise the people who have done things like this to us. We learn that nobody believes in us and we can't trust anyone. We try so hard to stay positive even though so many hard things have happened in our lives.

You should be trying harder too. Just because some people have autism doesn't mean we deserve this kind of disrespect. Stop bullying people with autism: it's not right. WE deserve so much more. Don't just look and see what someone can't do. Look at us as human beings with potential and feelings and needs, and help us become the best people we can be.

Advocates Voice of Power, Toronto: Maria, Ryan, Bryce, Nadia, Kelly, Tony, Maya, Laurie.

Contact: Leah, Community Network Facilitator at Options Family Service Toronto.

leahdo@familyservicetoronto.org. (416) 971-6326



Autism Ontario - Simcoe County

11 Ferris Lane, Suite 300
Barrie, ON L4M 5N6
Phone (705) 252-7429
Fax (705) 252-7431

March 6, 2012

Dear Ms. Kathi Wallace, Director of Education, SCDSB,

This letter is being written in response to the use of 'red foam blocking shields' by Board staff who has involvement with children diagnosed with special needs and behavioural issues.

Children with autism often have anxiety over social situations, breaks in routine and may exhibit sensitivity to loud noise, lighting (bright or dim), textures and touch. Such children may respond unacceptably because of an anxious situation or a sensory issue. It is crucial to identify the child's needs and sensitivities and communicate with them through non-violent methods. It appears that parents were not consulted about the policy, management or training on the practice of employing 'blocking shields' in the handling of their children. It is felt that authorizing educators to utilize 'red foam blockers' in their supervision of students with ASD could potentially lead to a number of negative outcomes.

The presence of highly conspicuous blocking shields cannot help but draw the scrutiny of other students to the children with ASD. The likelihood of ridicule, derisive comments and outright mockery of the ASD children by their student peers should be readily evident. It is fully recognized that staff safety and protection is paramount. However, it is respectfully requested that involved Board personnel develop strategies and procedures of a less intrusive nature than the red blocking shields currently being employed. PPM-140 was implemented to provide direction to school boards to support their use of applied behaviour analysis (ABA) as an effective instructional approach in the education of many students with autism spectrum disorders (ASD). This memorandum establishes a policy framework to support incorporation of ABA methods into school boards' practices... This memorandum is intended to strengthen collaborative working relationships between parents, schools, and the community. This collaboration is *essential* for supporting positive learning for students with ASD.*

Autism Ontario's mission is to ensure that each individual with ASD is provided the means to achieve quality of life as a respected member of society. Alienating a child because they may have a negative outburst is demeaning. Our organization is very concerned about the depiction of children with ASD in the school system and community at large and asks that the Simcoe County District School Board removes the use of 'red foam blockers' by Board personnel as a protective shield.

Yours Respectfully,

Erin Nightingale

President

Autism Ontario – Simcoe County Chapter

cc: Marg Spoelstra, Executive Director – Autism Ontario

cc: Susan Clough – SEAC Representative – Autism Ontario Simcoe County

cc: The Special Education Advisory Committee

*Citing <http://www.edu.gov.on.ca/extra/eng/ppm/140.html>

March 21, 2012

Ms. Kathi Wallace
Director of Education
Simcoe County District School Board
1170 Hwy 26
Midhurst, ON L0L 1X0

Dear Ms. Wallace:

I am writing to you on behalf of the board of directors and members of Integration Action for Inclusion in Education & Community (Ontario). Integration Action for Inclusion is a non-profit charitable organization dedicated to educational inclusion and community living for people who need support for their disabilities. We believe that all children have the right to quality education that will prepare them for a full and productive life in their community. It is our belief that the best way to prepare children with disabilities for community life is to educate them alongside their peers in the regular classroom. This can be achieved through differentiated programming and support that respects the dignity of all children.

It has come to our attention that the Simcoe County District School Board has implemented the practice of school staff using "Blocker Shields" to protect themselves from students whose behaviour is sometimes threatening to the personal safety of the staff who support their program. It is our belief that such strategies do not respect the dignity of the students and result in increased incidents and severity of abusive behaviour. They are never effective for changing the way children behave.

The use of shields and other force sends a clear message to the students with disabilities about how their contribution to the school community is valued and respected. But even more dangerously it sets an example for their peers about how we as adults value the contribution of students with disabilities to the school community. It is this example of a lack of respect for the dignity of these students from school administration that leads to bullying.

The board of directors of Integration Action for Inclusion in Education & Community (Ontario) ask that the Simcoe County District School Board reconsider the use of Blocker Shields and look to alternative strategies that respects the dignity of both the students and staff and sets an example of respect for the inclusion of all students.

Sincerely,

Clayton Eaton
President
Integration Action for Inclusion
113 Second Concession Road
Princeton, Ontario
N0J 1V0



Catulpa Community Support Services

165 Ferris Lane, Barrie, Ontario, L4M 2Y1
Telephone: (705) 733-3227 Fax: (705) 735-6826
Website: www.catulpa.on.ca

March 21, 2012

Ms. Kathi Wallace
Director of Education
Simcoe County District School Board
1170 Hwy 26
Midhurst, ON L0L 1X0

Dear Ms. Wallace:

I am writing to you in my capacity as the Executive Director of Catulpa Community Support Services. Catulpa has provided support services to families with children and adults with special needs since 1973. Our principles are very much based on inclusiveness, respect and dignity for the person.

As an agency which must also comply with the Ministry of Labour legislation, we understand the difficulties we all have in ensuring our staff are provided with a safe working environment while we maintain our principles of respect and dignity for all.

It has come to our attention that the Simcoe County District School Board has implemented the practice of staff using "Blocker Shields" to protect themselves from students whose behaviour is at times threatening to their personal safety. Members of our Board, our staff and those we serve are very upset about this practice. It singles out our special needs children and denies them their right to respect and dignity.

We are asking you to reconsider this practice and work with us to find an alternative way to meet legislation while at the same time protecting the rights of our special needs children.

Sincerely,

Margaret Gallow
Executive Director

cc. Robert North, Chairperson, Board of Trustees, SCDSB
Angie Bridekirk, Chair, Special Education Advisory Committee



SIMCOE COMMUNITY SERVICES

Preschool Services Simcoe



Community Living Simcoe

March 23, 2012

Simcoe County District School Board
Education Centre
1170 Highway 26
Midhurst, Ontario
L0L 1X0

Attention: Mr. Peter Gumbrell, Principal of Special Education

Dear Mr. Gumbrell:

I am writing this letter as an expression of concern about the practice of utilizing "blocker shields" in the Special Education Program at Barrie North. I recently became aware of this practice and find it to be a most unacceptable intervention when working with students who have self management issues.

We are an organization that supports individuals of all ages and abilities and we believe in community inclusion and valuing the people we support as equal citizens in our community. We understand that there are some individuals who require therapeutic interventions to assist them in managing their behaviors, but this is done through training our staff members in the most effective way to react and respond to situations. We utilize non-violent crisis intervention training; it meets with an inclusive model and is most respectful towards the person supported. We understand the need to ensure safety for staff members and also understand the concerns that employers have with Ministry of Labor standards, but there are other ways to meet this need.

The intervention the school is utilizing, and apparently approved by the School Board, is in my opinion, completely unacceptable and degrading for the students who are being subjected to this method of treatment. The use of "blocker shields" suggests that if the professional, trained staff members who are supporting the students do not feel safe enough to be in their company, one can only imagine that a community member would feel frightened of the students as well. We have come so far in educating community members about the right to belong and the importance of community inclusion and respect for people of all abilities, and an act like this one has the potential to take us back to a time when people with special needs were feared and locked away in institutions.

39 Fraser Court
Barrie, Ontario, L4N 5J5

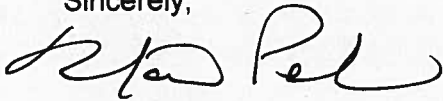
tel: (705) 726 9082
fax: (705) 726 6875
www.simcoecommunityservices.ca



The students I saw in the photos were high school aged. In a few short years, they will leave the school system, and as a service provider to adults, Simcoe Community Services will become active in assisting in their transition to adult services in the community. This is a significant concern to our organization as we would never condone a form of behavior intervention which involves the use of the "blockers" and find this practice to be discriminating, and even abusive.

I have attempted to contact you by email and left two telephone messages last week in an effort to discuss this with you. In the absence of a response, I am writing to request that you discontinue this practice immediately and issue an apology to the students who endured this practice.

Sincerely,

A handwritten signature in black ink, appearing to read "Marion Peck". The signature is fluid and cursive, with the first name "Marion" and last name "Peck" clearly distinguishable.

Marion Peck
Chief Executive Officer

MP/jma

c.c. Kathi Wallace, Director of Education, SCDSB
Robert North, Chairperson, SCDSB Board of Trustees

March 25, 2012

Ms. Kathi Wallace and Mr. Robert North
Simcoe County District School Board
1170 Hwy 26
Midhurst, ON LOL 1X0

Dear Director Wallace and Chair North,

I am writing this letter to you in my role as Executive Director of Geneva Centre for Autism in Toronto.

It has come to our attention that large red blocker shields are being used as protective equipment for staff when working with students with ASD. It is of great concern to GCA that these blocker shields are being used throughout the day with several students.

Geneva Centre for Autism (GCA) understands the need to balance the instructional needs of children and youth with ASD and worker safety. Bill 168 legislation impacts many sectors including our developmental services sector. However, introduction of new prevention/intervention strategies must be discussed with parents as part of the consultation process on Individual Education Plans, Behaviour Intervention Plans, and Safety Plans. In order to develop individualized planning, including prevention and intervention strategies, ongoing data gathering through Functional Behaviour Assessments and other assessments is necessary. Proper training, protocols and procedures must be developed in consultation with SEAC prior to any implementation process.

GCA's position is that the dignity of each individual must be preserved when balancing health and safety concerns. Introduction of blocker shields only serves to promote fear of students who are already at great risk of marginalization and social exclusion. The indiscriminate use of the red blocker shields as protective gear throughout the school day may in fact trigger more "aggressive acts" from students with ASD.

GCA invites you to collaborate with us to explore alternatives to the red blocker shields that would respect the human rights of individuals, collective health and safety issues and legislation, and promote authentic inclusion in your schools.

Respectfully,



Lindy Zaretsky, Ph.D.
Executive Director, Geneva Centre for Autism

c.c. Angie Bridekirk, SEAC Chair
Jim Hall, SEAC Vice Chair

March 26, 2012

Ms. Kathi Wallace

Director of Education

Simcoe County District School Board

1170 Hwy 26

Midhurst, ON L0L 1X0

Dear Ms. Wallace:

I am writing to you on behalf of the Education Committee of Community Living Ontario, an association whose goal is "That all persons live in a state of dignity, share in all elements of living in the community, and have the opportunity to participate effectively." We believe in inclusiveness, respect and dignity for persons with intellectual and developmental disabilities. We hold that everyone has a right to belong and to contribute to the community.

It has come to our attention that the Simcoe County District School Board has implemented the practice of staff using "Blocker Shields" to protect themselves from students whose behaviour may sometimes threaten their personal safety.

While we appreciate the importance of safety in schools, we believe that there is an overriding need to adhere to the principles of respect and dignity for all students without singling out any particular group of them. Such a practice is a blatant form of discrimination toward children with special needs, and denies them their right to respect and dignity.

To understand our reaction at seeing photographs of instructors proceeding to class with shields for protection from students, one need only imagine public reaction if all teachers went to classes carrying shields as part of the "Safe Schools Policy". Since we all know that violent incidents in schools are not limited to special needs classes, we would surely see public outrage if teachers routinely dealt with aggressive behaviour in this manner.

We ask you to reconsider this practice, and invite you to work with our Association to seek better ways of addressing safety concerns.

Sincerely,

Salvatore Amenta, PhD

Co-Chair, Education Committee

Community Living Ontario



Ontario
LEGISLATIVE ASSEMBLY

COPY

SYLVIA JONES, M.P.P.
Dufferin-Caledon

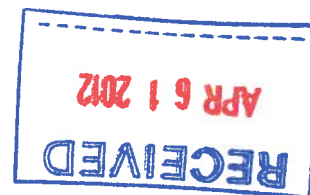
April 12, 2012

Hon. Laurel Broten
Ministry of Education
22nd Floor, Mowat Block
900 Bay Street
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244 Broadway
Orangeville, Ontario
L9W 1K5
Tel: (519) 941-7751
Fax: (519) 941-3246

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Tel: (905) 951-9382
Fax: (905) 951-1807

1-800-265-1603
E-mail: sylvia.jonesco@pc.ola.org



Minister Broten,

After reading and watching a CTV news article about the situation that is currently taking place at Barrie North Collegiate, where teachers of special needs children are issued pad blockers when escorting students with special needs, I was appalled that this is happening in Ontario in 2012.

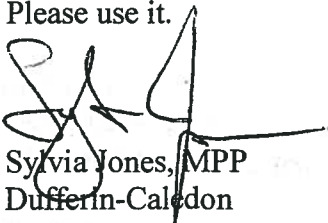
I was proud to support the move to finally close the last three institutions that once housed individuals with a developmental disability. I am proud to support the inclusion of students with special needs in our schools and workplaces. The practice that is happening at Barrie North Collegiate goes against every statement of inclusion and participation that politicians from all three political parties espouse.

Why would students feel safe approaching a student with special needs in their classroom after seeing this appalling activity? Why would an employer hire a student with special needs after watching these students 'escorted' in such a way?

When we made your office aware of what was happening, your response was dismissive and quite frankly disappointing. To tell me it is the decision of the school board is abdicating your responsibilities as the Minister of Education for *all* Ontario students.

I urge you to show the leadership that is necessary to ensure this practice is stopped immediately. You have the power to direct school boards with Policy/ Program Memoranda (PPM) that would prevent this situation from continuing.

Please use it.



Sylvia Jones, MPP
Dufferin-Caledon

cc Minister Eric Hoskins, Minister of Children and Youth Services
cc Minister John Milloy, Minister of Community and Social Services
cc Alan McWhorter, Interim Executive Director, Community Living Ontario
cc Kory Earle, President, People First Ontario



April 21, 2012

Mr. Garfield Dunlop
MPP Simcoe-North
482 Elizabeth St., Midland

I write this in hopes of gaining your support in the efforts to have the use of blocker shields removed from the Simcoe County District School Board schools. By now I'm sure you've heard much about this issue and I intend to share some insight into how our group feels about this. My name is Mary Madaleno, I live at Orr Lake and I belong to the group "Integration Action for Inclusion" (IAI). Back in April 2005, you were kind enough to come and welcome people to the conference we held at Horseshoe Valley Resort. Our group believes inclusion is not a privilege but a right for all no matter what their disability is.

When the image surfaced of students being escorted around the school and community by education staff holding red blocker shields, we were shocked. We strive to promote respect and dignity. These shields were presenting a negative threatening image to school peers and the community, creating the impression that these exceptional students were a threat. Even more shocking was the fact that the parents of these students had not been informed nor had the issue of using blocker shields been discussed with the Special Education Advisory Committee (SEAC). SEAC is a mandated committee that advises the School Board on Special Education programs, services and the Special Education budget. The safety of the staff and students is not at issue here. We understand the necessity to keep everyone safe but using blockers shields is not the answer. In fact the blockers may be escalating the behavior. Students with disabilities have difficulty processing sensory information. They become confused which makes them feel insecure and unsafe, which brings on the behaviour. Blocker shields won't make the students feel any safer. In fact it will make them feel more threatened which leads to more behaviour. The answer is for schools to develop appropriate educational programs for these students. In fact this is the commitment that has been made by the Ministry of Education (PPM 140).

To summarize, the issues and our concerns are as follows;

Lack of respect and dignity for the exceptional students.

Our Character education teaches all students integrity, responsibility, cooperation, caring, respect, optimism, honesty, empathy, courage, inclusiveness. When we use large red blocker shields towards students with disabilities, we are not being respectful of our own character education. Using blocker shields send an irresponsible and disrespectful social message about individuals living with disabilities; that most cannot manage their behaviour and are prone to violent outbreaks. This is the consequence of using the blocker shields. It makes everyone with autism into a dangerous offender that the public needs to be protected from. It incites fear and leads to discrimination and the isolation of people with disabilities from the community. We are now hearing stories of families worried about the safety of their non-disabled children. Another story about a very pleasant young man with autism who was doing a co-op placement where he was required to interact with elderly people. He had been doing this co-op for some time and was

receiving positive responses from everyone he was involved with but now they are afraid of him and he isn't wanted there anymore.

Parents not informed that the blockers were being used.

The use of blocker shields was not included in the students IEP (Individual Education Plan) nor in a Safety Plan. This goes against the SCDSB's APM A1435 Management Process for Student Behaviors which states;

Safety Plan (SP) – A pre-determined plan of action developed by staff, in consultation with parents. A Safety Plan must be written for students whose behaviour poses a risk-of-injury to themselves and/or others. The Safety Plan documents emergency, non-physical prevention and intervention strategies, and the physical intervention required to prevent or minimize injury, if and when appropriate and necessary. A current copy of the Safety Plan must be kept in the OSR.

SEAC was not consulted when blocker shields were being considered and are not getting answers to their questions from the board.

On March 19th at a SEAC meeting the following motion was put forth;

“SEAC recommends that the Board ceases use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion.”

On March 28th SEAC's motion went to a board meeting and following their delegation, the board came pre-prepared with their own motion as follows:

Trustees APPROVED the following motion:

That the Board refer the issue identified by the SEAC motion as set out in Report No. D-3-a, Special Education Advisory Committee – Time Sensitive Motion – March 19, 2012, to senior staff to review the concerns raised regarding the use of blocker shields with students, to consult with SEAC, parents, staff, and the Joint Health and Safety Committee, and to seek input from community partners and to prepare a report updating the Program Standing Committee in June 2012.

Following the March 19th meeting, SEAC submitted 25 questions to board senior administration. To date, not one question has been answered.

At SEAC's meeting on April 16th, board staff and trustees took the position that students living with disabilities are highly aggressive and a threat to students without disabilities. The board staff are determined to continue with the blocker shields. SEAC could not get a proper answer without having to pry it from administration. When a SEAC member asked 'how many schools are the shields in', the answer was "RED blocker shields are in two schools". The SEAC member picked up on the word 'red' and asked "how about other colours" and the answer was "black ones are in four more school". It is evident that the board is not willing to work with SEAC on this matter. In fact, the Principal of Special Education lectured SEAC for their cooperation with the media. Obviously this board doesn't want the public to know what's been going on in their schools.

So SEAC, with support of several community associations and IAI is hosting a community consultation. SEAC's hope is to deliver a report to the school board, incorporating the results of consultation and feedback from community partners. We hope to show the Board there are alternative approaches to be used that address safety concerns and respects the dignity of the students. I have attached an invitation for you to attend SEAC's facilitated working session regarding the use of blocker shields within the Simcoe County District School Board. It will be held on Wednesday May 2nd at Simcoe Community Services, 39 Fraser Court, Barrie. Registration begins at 6:00 pm, workshop 6:30 to 8:30 pm

We were encouraged to see support from Premiere McGuinty when he spoke about the blocker shields and his message confirmed what SEAC has been saying.

As quoted from an article in the Barrie Advance (by Laurie Watt) April 17, 2012

He added Ontario values the integration of students – regardless of their disabilities, and a photo of Barrie North educational assistants carrying riot-style blockers in an excursion with students with Autism has raised concerns not only across Ontario, but also across Canada. “I’m pleased the (school) board has instructed staff to rethink this and explore all alternatives. Our schools are more than just a place for learning,” McGuinty said. “As a parent, you like to think the school is an extension of home. You want your kids to be accepted, respected and treated fairly.”

And also by Rod Jackson in his letter of April 13, 2012 to Hon. Laurel Broten urging her to ‘do the right thing and intervene with immediate action’.

Integration Action for Inclusion members, families and advocates strive to create inclusive opportunities for all individuals living with disabilities. Demonstrating and using blocker shields prevents inclusion in school and community and sets us back with disregard to the work of supporters and advocates and all others who have worked so hard to promote the diversity of community.

We would very much appreciate your support.

Respectively yours

Mary Madaleno
Integration Action for Inclusion, Simcoe County Chapter
1911 Moonstone Rd. W.
Elmvale, 705 322-1648

April 25, 2012

SENT ON BEHALF OF KAREN FORBES - Message from Karen Forbes, Senior Superintendent - Special Education & Section Programs

Although I was unable to attend the April SEAC meeting, I am aware that the issue of Blocker Shields was discussed at the meeting. I also understand that System Superintendent Cindy Burley committed to look into the issue and report back at the May SEAC. Since then, at least one of the membership is receiving numerous questions and concerns from parents that she would like to address. We were not able to address the concerns in the minutes because they must reflect the actual meeting and a fulsome response was not available at that time. I do understand, however, the need to address parents' concerns sooner rather than later. As a result, attached is the information that we are able to provide at this time and that you can share with parents.

RE: Follow up to April SEAC Meeting - Blocker Shields

Minutes from the April Special Education Advisory Committee (SEAC) meeting have been posted and you will see staff's commitment to look into whether or not blocker shields are being used in TDSB schools and to report back to SEAC in May.

That commitment remains. However, I know that parents are coming to you now with questions so I can give you a brief update which you can share about the matter. Schools have been surveyed by central staff to discover if blocker shields are being used.

The following has been found:

1. Blocker shields are not being used in the TDSB.
2. There was an incident last year where a blocker shield was used with a student without the parent's knowledge, but central staff informed the principal that the blocker shield could not be used and its use was terminated immediately.
3. Equipment that is being used to protect staff and/or students from risk of injury must be itemized on the safety plan.
4. Parents and, where appropriate, students are expected to be participants in the development of the safety plan and their names recorded.
5. Parents must sign the safety plan indicating awareness of its contents.
6. Staff are trained in the use of any equipment and/or strategies listed in the safety plan.

We have prepared and distributed a message to be communicated to all staff regarding the TDSB stance on blocker shields to ensure system understanding. I trust this will assist you in answering questions in the short term. We will provide any further updates at the next meeting.



SIMCOE COMMUNITY SERVICES

Preschool Services Simcoe



Community Living Simcoe

May 7, 2012

Simcoe County District School Board
Education Centre
1170 Highway 26
Midhurst, Ontario
L0L 1X0

Attention: Ms. Janice Medysky, Associate Director of Education

Dear Ms. Medysky:

On March 23, I wrote Mr. Peter Gumbrell expressing my concern over the use of "blocker shields" in the Special Education Program at Barrie North Collegiate. I now understand that other schools may be using these shields as well.

We are an organization that supports individuals of all ages and abilities. We believe in community inclusion and valuing the people we support as equal citizens in our community. We are also a member of SEAC and are represented on that Committee by Susan Downing. We are in support of the SEAC recommendation that: "that the Board ceases use of all Blocker Shields with students as they negatively impact on the dignity and human rights of the students and create a negative social message which promotes fear and exclusion."

We also share SEAC's concerns:

- That there was no parental knowledge/involvement or consent
- That there was no SEAC knowledge/involvement/advice sought
- That this use of blocker shields is not in individual education plans or safety plans
- That this use is not "prescribed" by health care practitioners
- That there are no guidelines/rules/policies governing this type of widespread daily, all-day use

39 Fraser Court
Barrie, Ontario, L4N 5J5

tel: (705) 726 9082
fax: (705) 726 6875
www.simcoecommunityservices.ca



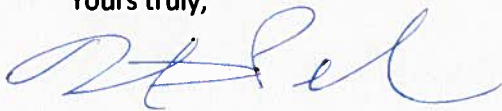
We share SEAC's concern that this type of intervention is unacceptable and degrading for the students. We are also concerned about the message this gives to other students and the community at large. The use of "blocker shields" suggests that if the professional, trained staff members who are supporting the students do not feel safe enough to be in their company, a community member would feel frightened of the students as well. We have come so far in educating community members about the right to belong and the importance of community inclusion and respect for people of all abilities; however an act like this one has the potential to take us back to a time when people with special needs were feared and locked away in institutions.

We understand that there are some individuals who require therapeutic interventions to assist them in managing their behaviours, but this is done through training our staff members in the most effective way to react and respond to situations. We utilize non-violent crisis intervention training; it meets with an inclusive model and is most respectful towards the person supported. While we understand the need to ensure safety for staff members and students alike, and also understand the concerns that employers have with Ministry of Labor standards, we believe that there are other ways to meet this need. We have developed protocols that must be used if any form of intrusive measure is put in place, and would be glad to share these with you.

As a current and potential future service provider for several of these youth, this issue is a significant concern to our organization as we would never condone a form of behavior intervention which involves the use of the "blockers", and find this practice to be discriminating, and even abusive. And while we acknowledge that some of their behaviour can be challenging, we have found other less intrusive measures to support these individuals.

We strongly encourage you to work with SEAC and your community partners to develop alternative measures to both support the students and provide a safe environment for the staff, so that staff do not need to rely on blockers and other intrusive measures. We are prepared to be a part of that process and look forward to working with you to provide an environment that is welcoming and inclusive of all students.

Yours truly,

A handwritten signature in blue ink, appearing to read 'M. Peck', written in a cursive style.

Marion Peck
Chief Executive Officer

MP/jma

c.c. Angie Bridekirk, SEAC Chairperson



May 10, 2012

Janice Medysky, Associate Director
Simcoe County District School Board (SCDSB)
1170 Highway 26
Midhurst, ON L0L 1X0

Re: Public Consultation on the Use of Protective Equipment to Ensure the Safety of Students and Staff

Dear Janice and colleagues,

On behalf of Autism Ontario's provincial members, staff and Board of Directors, I would like to thank you for providing an opportunity for public consultation on the use of blocker shields and other protective equipment in the SCDSB. The implications of this matter affect the local SCDSB community, other Boards of Education in Ontario and Ontario students of all abilities; however, for the purposes of this response, Autism Ontario will focus its attention on the educational needs of students with Autism Spectrum Disorders (ASD).

As a trained Special Education Teacher and as a professional who has worked in various institutional settings, school boards and in community program and advocacy settings in the United States and Canada with children and adults with disabilities for over 35 years, seeing the photos of the blocker shields in the community with staff and students with disabilities definitely had an immediate emotional impact on me and on hundreds of people who also saw the photos. It felt as if we'd gone back in time as a society before the human rights motivated U.S. Public Law 94-182 and Ontario's Bill 82 regarding the education of all children was implemented.

Together with Autism Ontario, I was also dismayed to think with all the positive steps that have taken place to improve the educational environment for students with ASD, such as the Joint Ministers' Reference Group on Students with ASD, the "From Evidence to Action" report", PPM-140, the Connections Program, the School Support Program for Students with ASD, and many other relevant resources and training that has been provided to schools in Ontario, that we had moved well beyond the circumstances that led to the use of the blocker shields.

Although the blocker shields are what the media, parents, staff and the general public are focusing their attention on, in reality the shields are a symptom of a more serious issue, which is about the effective education for students with ASD and the quality of educational supports in a safe environment for all concerned. As such, our response to this situation requires us to move beyond an initial emotional response to one of understanding that leads to positive change.

The question that stays with me is "how did a decision to implement the use of blocker shields occur in the first place?" The behaviour of people – educators, families and students – never occurs in a vacuum, but in response to conditions present or absent in a particular environment and context. Educational professionals who work with students with learning exceptionalities choose this field because they wish to work with our most vulnerable children and to make a positive difference in the lives of those particular students by giving them the learning tools that will enable them to be as independent as possible now and as they become contributing adult citizens in local communities.

The current Ontario Education policies and practices require key decision making processes to be in place for determining the development and implementation of IPRCs, IEPs, Behaviour and Communication and Student Safety Plans in collaboration with parents and professionals. As well, programs for students with ASD must be driven by evidence-based assessment and data that informs those choices that are least intrusive and most effective in an educational setting. It would be hard to imagine that the use of blocker shields emerged as an appropriate response when these systems and communications are in place.

Certainly difficult behaviours may be exhibited by students with ASD. When students with ASD present with challenging behaviour, the first thing that needs to occur is a Functional Behaviour Assessment and Analysis by trained professionals under the supervision of other trained professionals in Applied Behaviour Analysis and ASD. This information would be integrated with the IEP goals in full communication with parents and any educational staff who have contact with the individual student. The goal of all this information is to prevent unfortunate situations while maximizing the student's learning outcomes.

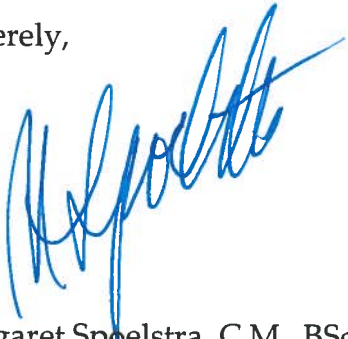
In Ontario's school boards, educational assistants with the least amount of professional training and support staff are often placed in a position to provide the most direct support for the most demanding students. It is vital that explicit training for EAs and direct supervision by staff with strong behaviour credentials (ideally staff with Board Certified Behaviour Analyst credentials) be readily available in conjunction with assessments and supports by trained Teachers, Speech Language Pathologists, Psychologists, Occupational Therapists and other community supports such as Psychiatrists and other health professionals as needed.

In addition to the above observations and recommendations, Autism Ontario is deeply concerned about the stigma placed on students with ASD and their families by association with blocker shields in the community. There are less intrusive and less stigmatizing options that would allow for a safe educational environment. It is also possible that the very presence of such shields could become the very prompt to a student to exhibit the challenging behaviour that staff may be trying to avoid. We are confident that this would never be the desired outcome for their use, but in the absence of data to the contrary, it is entirely possible. Furthermore, the shields themselves could unintentionally cause additional harm to students and staff when none was intended. Our province already has documented cases of harm to individuals with exceptionality when inappropriate use of restraint or blocking is used.

It is our hope that this public consultation plus a careful analysis of the circumstances that led to the use of the blocker shields, a review of the educational and scientific literature on the use of such practices along with the encouraging research on the use of Positive Behaviour Supports in school settings (see research by Dr. Robert Horner and others) will result in the discontinuation of their use and improvements to the SCDSB's capacity to safely educate students with ASD in their school community.

Autism Ontario would welcome the opportunity to participate in further dialogue, support for training opportunities with the SVDSB and with other Boards across Ontario.

Sincerely,



Margaret Spoelstra, C.M., BSc. Special Education
Executive Director
marg@autismontario.com
416-246-9592 x 222

Copy:

Leah Miltchin, Board President, Autism Ontario
Tanya Stephenson, President, Autism Ontario – Simcoe Chapter
Susan Clough, SCDSB SEAC Representative, Autism Ontario – Simcoe Chapter

SCDSB Public Consultation: The Use of Protective Equipment to Ensure Safety for Staff and Students

Submission by: Glen Newby, CEO
New Path Youth and Family Services

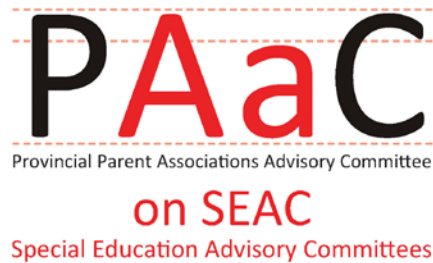
I would first off like to thank the Simcoe County District School Board for engaging its stakeholders in a public consultation regarding the safety of students and staff through the use of protective equipment.

I have been at New Path in Simcoe County for twenty years now and have seen my fair share of significantly challenging behaviors of children, youth, and young adults experiencing serious mental health and developmental issues, especially in our Residential programs. I am also very cognizant of the moral and legal obligations to ensure safety for those we serve and for those we employ to provide that service.

It is my belief that it takes an entire community to raise a child, and that a student's community includes much more than his/her school. It must necessarily include parents and guardians, school staff, and the various community based agencies that are most likely also involved with most of the students identified with special needs. We know from years of experience in the mental health field that there are very effective approaches to assist in de-escalating potential safety issues, and most often, these strategies need to be individualized for special needs students. The individualization is based upon a number of factors including the strengths, limitations, and constitutional attributes of the particular student. I believe that we, the community, must all share responsibility for the safety of students and school staff. I would suggest a County wide process to share our collective knowledge about de-escalation strategies, and the emerging evidence base of effective, least intrusive approaches to ensuring safety of student and staff. The Simcoe County Coalition of Child Youth and Family Services, which the SCDSB is very active and also a founding member, would be a vehicle to facilitate such ongoing professional development for staff, not only for the School boards but also the community based agencies. This way, effective approaches can be used consistently across a range of services.

The use of protective equipment to ensure student and staff safety is only one of many, many strategies and options that should, or perhaps should not, be available. It is, without exception, always less traumatic and more effective to utilize the least intrusive measures to ensure a safe learning environment for students, and a safe working environment for staff. However, there will always be those times when some form of a physical intervention is necessary. The question is really what type or form should that intervention take? Unfortunately, a significantly noticeable type of intervention, such as a blocker shield (size, color, how it is worn, etc), may actually serve as an unintentional "cue" for staff and students to default to that particular intervention rather than implementing other less intrusive methods to ensure safety.

I would like to emphasize that all of us involved with special needs children and youth here in Simcoe County have advocated very hard in ensuring their inclusion in the community, and specifically in our school settings. In previous times, and in some other school boards currently in the province, special needs students are often excluded from their schools, peers, and communities, and are removed. This is stigmatizing, often discriminatory, and generally fails at any successful re-integration. This is not what we want in our Simcoe County communities and it is my opinion that the SCDSB is well ahead of the pack in furthering the concept of inclusion. Both professionally and personally, I know that teachers and school administrators have worked tirelessly to meet increasing multiple, and sometimes contradictory, demands from various stakeholders and legislative requirements. There have been, and will continue to be certain challenges regarding the contradictions of both the practice of inclusion and the assurance of student and staff safety, and I do not believe that it is related to the single issue of the use of a blocker shield. Rather, it is working together towards the identification and integration of a range of strategies and options to reduce those times when any kind of physical intervention is required to ensure student and staff safety. New Path is committed to collaboratively working towards this end.



Hon. Laurel Broten
Minister of Education
22nd Floor, Mowat Block
900 Bay Street
Toronto, ON
M7A 1L2

May 11, 2012

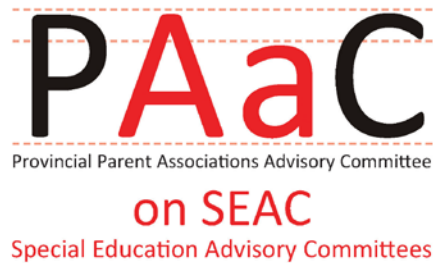
Dear Minister:

We are writing on behalf of the Provincial Parent Association Advisory Committee on Special Education Advisory Committees (PAAC on SEAC) to request clarification about the role of Special Education Advisory Committees specifically as it applies to the “Right to be heard” and their role in the development of policies and procedures related to students and staff rights and safety.

PAAC is the only group in Ontario that brings together provincial parent associations to communicate and co-operate on issues pertaining to Special Education Advisory Committees. By involving more provincial association members, PAAC has been strengthening its extensive communication network. Through our member associations, PAAC can quickly and efficiently reach SEAC reps in a majority of the province’s school boards. Our provincial parent associations are valuable resources not only to each other and to SEACs but also to the Ministry of Education, school board officials, service providers, parents and the community at large.

Under Regulation 464/97 Section 11, “*A special education advisory committee of a board may make recommendations to the board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board.*” It is to be expected that SEAC recommendations will sometimes call for change or present challenges. We have recently heard about resistance to SEAC participation from the Simcoe Country District School Board, and are concerned lest misunderstandings about the issues undermine such work across Ontario. The Simcoe County SEAC events have revealed questions concerning rights and responsibilities, and policies, procedures and processes.

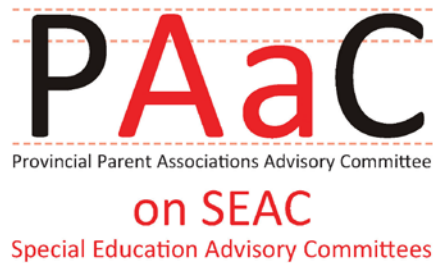
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We ask for clarification regarding the following issues:

1. According to Regulation 464/97 Section 11(2), SEAC members have the right to be heard before the board and before any committee of the board to which a SEAC recommendation is referred. This section of the Regulation reads as follows:
“Before making a decision on a recommendation of the committee, the board shall provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred.”
 - Is SEAC required to apply to speak to the Trustees regarding a SEAC motion?
 - Must a standing committee of a school board follow the board’s process to speak as a “delegation”?
 - Can a school board refuse to let SEAC speak to trustees about a SEAC motion?
2. At <http://www.edu.gov.on.ca/extra/eng/ppm/145.html> the Ministry states that SEACs must be involved concerning “Progressive Discipline and Promoting Positive Student Behavior”:
Policy Development - *“Boards should draw upon evidence-based practices that promote positive student behaviour. In revising their policies, boards must consult with school councils. They should also consult with parents, principals, teachers, and non-teaching staff (including staff in social work, child and youth work, psychology, and related areas, and educational assistants), as well as students, their Parent Involvement Committee, their Special Education Advisory Committee, community partners, social service agencies, members of Aboriginal communities (e.g., Elders), and other appropriate community groups.”*
Communication - *“For a progressive discipline approach to be effective, it is important that all members of the school community, including teachers, students, and parents, understand and support the progressive discipline approach. Boards must actively communicate policies and procedures to all students, parents, staff members, their Special Education Advisory Committee, and school council members.”*
Evaluation – *“Boards must continue to monitor, review, and evaluate the effectiveness of board policies and procedures through indicators that were established in consultation with teachers, non-teaching staff, students, parents, school councils, their Special Education Advisory Committee, their Parent Involvement Committee, and service providers in the community. Boards will also conduct a cyclical review of their policies and procedures in a timely manner.”*

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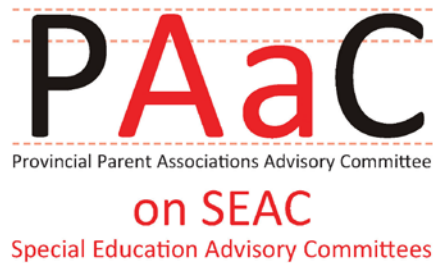
- Are there any consequences or enforcement mechanisms if SEACs are not consulted in the development, communication or evaluation of such school board policies and practices.
 - What can SEAC members do to make sure their input and advice is considered?
3. Are there Ministry policies or guidelines regarding school staff use of personal safety equipment with a student with special education needs?
- Should that use be documented in Individual Education Plans and student Safety Plans?
4. Could you please clarify whether parents and older students must be informed and involved in decisions about use of personal safety equipment?
- According to Regulation 181 Sections 6 and 7, schools must “consult with” parents and older students in the development of Individual Education Plans.
 - In “Caring and Safe Schools in Ontario”, the Ministry defined a Safety Plan as: *“a plan developed for a student whose behaviour is known to pose an ongoing risk to him or herself, other students, staff, or other people in general. It can serve as a crisis-response plan that outlines the roles and responsibilities of the staff in dealing with specific problem behaviours. The development of a safety plan involves all staff who work on an ongoing and daily basis with a student, as well as parents and the representatives from any community agencies working with the student/family.”*

Since 1983, PAAC member groups have worked together to promote better education for Ontario’s students with special education needs by improving SEAC effectiveness and communication. Since 2005, Ontario’s Parent Engagement Policy, outlined at <http://www.cpco.on.ca/ResourceLibrary/Ministry/ParentEng.pdf>, has promoted the roles parents can play to improve education, including participation on SEACs. Your clarification of these issues can encourage that contribution and help PAAC on SEAC, and its provincial parent association members, continue to encourage valuable partnerships among trustees, educators, voluntary organizations and parents.

Thank you.

Yours sincerely,

Association for Bright Children • Community Living Ontario • Down Syndrome Association of Ontario • Easter Seal Society • Fetal Alcohol Syndrome Disorder Ontario Network of Expertise • Integration Action for Inclusion in Education and Community • Learning Disabilities Association of Ontario • Ontario Association for Families of Children with Communication Disorders • Ontario Brain Injury Association • Ontario Federation for Cerebral Palsy • Parents for Children’s Mental Health • Spina Bifida and Hydrocephalus Association of Ontario • Tourette Syndrome Foundation of Canada • VIEWS Supports and Advocates for Children Who are Blind or Have Low Vision • VOICE for Hearing Impaired Children



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Co-Chair
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cc.

George Zegarac, Deputy Minister
Barry Finlay, Director, Special Education Policy and Programs Branch
Paul Grogan, Education Officer, Special Education Policy and Programs Branch

Association for Bright Children • Community Living Ontario • Down Syndrome Association of Ontario • Easter Seal Society • Fetal Alcohol Syndrome Disorder Ontario Network of Expertise • Integration Action for Inclusion in Education and Community • Learning Disabilities Association of Ontario • Ontario Association for Families of Children with Communication Disorders • Ontario Brain Injury Association • Ontario Federation for Cerebral Palsy • Parents for Children's Mental Health • Spina Bifida and Hydrocephalus Association of Ontario • Tourette Syndrome Foundation of Canada • VIEWS Supports and Advocates for Children Who are Blind or Have Low Vision • VOICE for Hearing Impaired Children



ldasc • Learning Disabilities Association of Simcoe County

76 Mulcaster Street, 2nd Fl., Barrie ON L4M 3M4

Phone: (705) 726-5553 FAX: (705)730-1416

Email: info@ldasc.com

May 16, 2012

To Whom it Concerns,

In response to the request for information about what position LDASC takes on the use of blocker shields within school settings, the board of LDASC would like to make the following statement.

LDASC does not maintain a position on the use of blocker shields. However, LDASC expects that the school board will follow regulations governing SEAC processes when considering changes to board policies, procedures or staff-delivered strategies that affect the delivery of Special Education. This includes providing clear outlines of any new programs or policies and meaningful consultation that addresses any concerns that SEAC members may put forth on behalf of students with special needs. To our knowledge this process was not followed in regard to introduction of use of blocker shields in Simcoe County schools.

LDASC supports a collaborative and transparent process to determine best practice for children with disabilities within the school system.

Sincerely,

Anita Pal, M. Sc., RMFT

President, Learning Disabilities Association of Simcoe County

May 17, 2012

Janis Medysky, Associate Director, Simcoe County District School Board

Dear Ms. Medysky,

Further to my comments at the Public Consultation meeting on May 10, 2012 I wish to provide the following as my formal input into the consultation process.

I object to any Simcoe County District School Board measures that call for the use of blocker shields for any students deemed to constitute a physical threat to staff, themselves or other students without a full consideration of:

- the range of behavioural interventions available;
- and the legislative requirements of not only the Occupational Health and Safety Act, but the Education Act, the Ontario Human Rights Code, the Privacy Act and ultimately the Charter of Rights and Freedoms; and,
- Unique circumstances involving the staff and student involved.

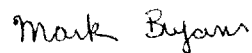
The educational attainment and well-being of students and the safety concerns of staff and students need to be balanced. A well thought out process using evidence based research and appropriate documentation is necessary. I would hope that where a blocker shield is being considered, it is only as a last resort and that no other course of action is available. As indicated by the Board, IPRC meetings and the IEP process are to be used to determine accommodations and safety plans for students with exceptionalities. My question to the Board then is as follows – was the use of blocker shields discussed with parents and staff at IPRC meetings? Are there any IEPs or safety plans with provisions concerning blocker shields? Or has the Board chosen a simplistic ‘all encompassing’ solution, developed without adequate consideration to the rights of all involved, to deal with potential non-compliance with the OHSA. Under what circumstances did the Board deem this to be a wise course of action? Why was this kind of information not conveyed at the public consultation?

It is unconscionable that the Board has chosen to frame the blocker shield matter as an Occupational Health and Safety Act issue which then pits the rights of Educational Assistants, and other staff, to be safe from personal injury, against parents and students with exceptionalities. The Board’s biased presentation came off as a mere defense for a poorly chosen course of action. I find it disappointing that the Board would chose to define the interaction between Education Assistants and children in the terms of the OHSA as if they were workers dealing with tools, machinery, hazardous substances or environmental issues such as heat stress. It is interesting that the section in the OHSA that deals with workplace violence does not mention personal protective equipment. Surely the Board doesn’t define all potentially negative interactions between students and teachers in a limited way. What about the Safe Schools Act? What about the Code of Conduct? What about Character Education? Are these not

to be the governing documents for interactions between people in the Education System? Are these documents being applied to all students?

The Board owes it to all students, Education Assistants and other staff placed in this awkward situation to do better. A good first step would be to apologize to all involved for the lack of transparency and thoughtfulness. A good second step would be to assess the risks associated with teaching the children who have been singled out for this demeaning approach and determine the range of interventions possible. Staff could then be informed and trained in state of the art responses that give them reasonable protection while not undermining the self-esteem, educational attainment and well-being of students. Maybe there are some situations in which the demands being placed on EAs are excessive and unrealistic. Perhaps specialists or partnerships with relevant community agencies need to be considered. At any rate – the Board can do better.

Yours truly,

A handwritten signature in black ink that reads "Mark Bryan". The signature is written in a cursive style with a loop at the end of the name.

Mark Bryan (Mark.Bryan@044@gmail.com)

Concerned parent with children in the SCDSB system

May 18, 2012

To whom it may concern,

It is with a great concern that I write this letter to express my disappointment with how the issue of the use of blockers is being dealt with by the Simcoe County Board of Education. This is absolutely NOT about the safety of the staff since all staff AND students have the right to be safe in their schools. This is about HOW to make it safe while being respectful of the rights, dignity and privacy of all individuals in the situation. It is about ALL legislation including the Education Act, the Ontario Human Rights Code, the Privacy Act and ultimately the Charter of Rights and Freedoms. It is about the duty of the Board to consult with and get consent from parents while developing safety plans, individual education plans, and strategies for behaviour management.

As a parent, I thought we were part of the same team working toward the same goals. The so called "consultation" being led by the board, evaluated by the board, and written by the board was biased in its presentation to school councils and at a public meeting. There is no question that staff and students need to be safe, but I have taken courses on crisis prevention intervention and the use of blockers is contraindicated. Having anything but an open stance with empty hands may be interpreted as a threat and heighten someone in an agitated state. It will aggravate the situation and increase the likelihood of a physical, reactionary response.

They are NOT being used on an individual basis, but as a general, first defense measure. This was illustrated in the photo with 7 adults accompanying 3 students out in the community. They are being used without consult to external community agencies that specialize in behaviour management of people with disabilities and exceptionalities, without consult to the families who know these children well, without medical consult to rule out biological, physical reasons for the behaviour. It would be like prescribing antipsychotic medication to all Alzheimer's patients who might become violent as their dementia increases. You cannot have one solution for all situations. You cannot act in isolation of all people responsible for that child's health and well-being. You cannot centre out children who are Autistic by carrying weapons without sending the message to the community that these kids are animals who need to be herded like cattle with an electric prong.

An alternative solution MUST be explored. Further training for board staff by agencies that have experts who can increase safety for all by educating staff on appropriate responses and measures to be taken in certain situations. I work in Long term care where personal support workers are at risk as well, but best practice is to determine the cause for behaviour, consult with family, the doctor, and finally consultants who are called in for extreme cases. There is no such thing as an unprovoked behaviour. At a medical conference I was at yesterday, I asked the doctor who specializes in people with developmental delays and disabilities if it is possible for

behaviour to come “out of the blue”. The answer was very clear: NO! Behaviours are a form of communication and it is up to those around the individual to determine WHY they are occurring. Four areas were given: medical, social, environmental, and psychological.

There ARE guidelines for dealing with behaviours for people with development disabilities. Using a blocker shield just in case they get mad is not one of them. I am not surprised this is the only school board in the province to employ this strategy. There is a REASON they aren’t used elsewhere and it involves more effective strategies which our Board is obviously not exploring because it is too busy defending a bad decision. It is time to move forward and part of that would be for an EXTERNAL consultative process and review. It would include partnerships with community agencies with the expertise so desperately needed in the schools. This whole issue has left me distrustful of the Board, special education, and has created the atmosphere of “us” vs “them” being staff vs families. This is counterproductive to all involved and disregards the boards own policies and promotion of charter education. It is a step backward in how we view and treat people who are different. It is about declining humanity and it’s sad and disheartening. I sincerely hope you take the letters, emails, and statements from these “consultations” and share them with your principals and frontline staff to provide them with insight as they begin further training and professional development which will allow them to be partners in education-multidisciplinary teams whose goals are to problem-solve for children who cannot communicate their distress.

Sincerely

A handwritten signature in black ink that reads "Kim Bryan". The signature is written in a cursive, flowing style with a long, sweeping tail on the letter "n".

Kim Bryan, B.A.Sc. RD



Catulpa Community Support Services

165 Ferris Lane, Barrie, Ontario, L4M 2Y1
Telephone: (705) 733-3227 Fax: (705) 735-6826
Website: www.catulpa.on.ca

May 31, 2012

Janis Medysky
Simcoe County District School Board

Dear Ms. Medysky:

I am writing on behalf of the Board, staff and families we serve to ask the Simcoe County District School Board to re-consider the use of Blocker Shields for our special needs children.

We certainly understand the Board's position as it attempts to meet legislation that ensures a safe workplace for the school's employees. However we can not support interventions that demonstrate lack of respect for our special needs students. Those of us who have supported their right to inclusion are very concerned that this type of intervention can only lead to "Bullying" and to segregation. As the former Administrator of the Huronia Regional Centre and a passionate advocate for inclusion, the use of Blocker Shields is for me personally a reminder of the past. Our lack of knowledge and overcrowding in large facilities led us to similar intrusive initiatives. Progress has made them a thing of the past.

We would like to work with you to find more respectful ways to deal with the issues you are facing, to share our knowledge and experiences and those of the families we serve in finding a respectful solution that creates a safe environment for both teachers and students.

Respectfully submitted,

Margaret Gallow
Margaret Gallow
Executive Director

cc. Phyllis Hill