

## Persons with Disabilities Procedure

### RATIONALE:

Hamilton-Wentworth District School Board (HWDSB) is committed to the principles of equity through inclusive programs, curriculum, services, and operations, in accordance with the Canadian Charter of Rights and Freedoms, the Ontario Human Rights Code and the Education Act.

### TERMINOLOGY:

*Accessibility:* A general term for the degree of ease that something (e.g., device, service, physical environment and information) can be accessed, used and enjoyed by persons with disabilities. The term implies conscious planning, design and/or effort to make sure something is barrier-free to persons with disabilities. Accessibility also benefits the general population, by making things more usable and practical for everyone, including older people and families with small children.

*Accessibility Plan:* Refers to a plan which outlines an organization's strategy to prevent and remove barriers and meet its requirements under the Accessibility for Ontarians with Disabilities Act (2005) and Ontario Regulation 191/11: Integrated Accessibility Standard.

*Accessible:* Does not have obstacles for people with disabilities – something that can be easily reached or obtained; a facility that can be easily entered; information that is easy to access.

*Accommodations:* Special teaching and assessment strategies, human supports, and/or individualized equipment required to enable a student to learn and to demonstrate learning. The provincial curriculum expectations for the grade are not altered for a student receiving accommodations.

*Disability:* There are two common ways of looking at what disability is. One way is to see a disability as a medical condition that a person has. From this perspective, disability covers a broad range and degree of conditions, some visible and some not visible. A disability may have been present from birth, caused by an accident, or developed over time. There are physical, mental, cognitive and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities and other conditions.

A newer way of looking at disability is that it is not something a person has. A person with a medical condition is not necessarily prevented (or disabled) from fully taking part in society. If society is designed to be accessible and include everyone, then people with medical conditions often don't have a problem taking part. From this point of view, disability is a problem that occurs when a person's environment is not designed to suit their abilities.

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*Individual Education Plan (IEP):* A written plan describing the special education program and/or services required by a particular student, including a record of the particular accommodations needed to help the student achieve his or her learning expectations. An IEP must be developed for a student who has been identified as exceptional by an Identification, Placement, and Review Committee (IPRC), and may also be developed for a student who has special education needs but has not been identified as exceptional. An IEP is a working document that identifies learning expectations that may be modified from or alternative to the expectations given in the curriculum policy document for the appropriate grade and subject or course. It outlines the specific knowledge and skills to be assessed and evaluated for the purpose of reporting student achievement.

*Identification, Placement and Review Committee (IPRC):* A committee that decides whether or not a child should be identified as exceptional, identifies the areas of a student's exceptionality according to the categories and definitions of exceptionalities provided by the ministry, decides an appropriate placement for a student, and reviews the identification and placement at least once in each school year.

*Mitigating Factors:* Include whether a student is able to control his or her behaviour or understands the consequences of the behaviour.

"Other factors" include the age and history of the student, whether the behaviour was in response to harassment, and, in the cases of special education students, whether the behaviour was a manifestation of a disability identified in the student's individual education plan.

*Persons with Disabilities:* Persons with one or more long-term or recurring disability (see disability).

### PROCEDURES:

HWDSB is committed to:

#### 1.0 Policies, Guidelines and Practices

##### Commitment to Equity

- 1.1 Clearly articulating, through existing and new policies, guidelines and operating practices, a commitment to the principles (standards) of accessibility for all persons with disabilities by providing services that are free of barriers and biases, ensuring that the key principles of independence, respect, dignity, integration and equality of opportunity are reflected and valued in the learning and working environment, and continually improving access to board facilities, programs and services.

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- 1.2 Establishing policies, practices and procedures that will ensure compliance with its policy of equity for persons with disabilities and make sure the policy is accessible to all employees, students, parents/guardians, advocates, and the community at large.
- 1.3 Creating policies, practices and procedures to ensure compliance with the Equity Policy Procedure: Persons with Disabilities.
- 1.4 Examining policies/procedures as they are developed and/or revised with regards to accessibility and programs and services that respect the independence and dignity of persons with disabilities.

### **Accountability**

- 1.5 Establishing a review process and timeframe to monitor and assess the effectiveness of the Equity Policy Supporting Guidelines: Persons with Disabilities which will include community consultation. Hamilton-Wentworth District School Board is currently committed to an annual review of its Accessibility Plan.

## **2.0 Leadership**

### **Commitment to Equity**

- 2.1 Demonstrating understanding and promote an awareness of issues and opportunities regarding persons with disabilities throughout the Board's jurisdiction.

### **Professional Development**

- 2.2 Providing learning opportunities regarding equity for persons with disabilities on an annual basis.

### **Removal of Barriers**

- 2.3 Identifying and removing inequities and barriers related to all aspects of accessibility in accordance with provincial and federal legislation.
- 2.4 Identifying and removing inequities and barriers related to the daily operations of the Board in accordance with provincial and federal legislation.
- 2.5 Continuing to identify, remove, and prevent barriers for persons with disabilities through the following processes: architectural, physical, information/communication, attitudinal, systemic, and technology.

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### 3.0 School Community Partnership

#### Commitment to Equity

- 3.1 Promoting and maintaining open dialogue with parents/guardians to increase awareness and understanding of the issues and processes related to students with disabilities in order for them to make informed decisions.
- 3.2 Promoting and maintaining open dialogue with community groups/organizations to increase awareness and understanding of the issues and processes related to persons with disabilities in order for them to make informed decisions.

#### Communication

- 3.3 Recognizing the communication needs of all members of the school community. Interpretive services will be used to facilitate communication including alternative forms of communication and assistive materials and/or equipment for all students, staff, parents/guardians, and the community.

#### Removal of Barriers

- 3.4 Opening channels of communication to enable persons with disabilities and their advocates to be involved in the development, implementation and review of the Board's policies, guidelines and operating practices.
- 3.5 Ensuring that school staff, school councils and school parent groups encourage community contribution and participation in planning activities/programs to accommodate the needs of all students, staff, parents/guardians, and the community.
- 3.6 Establishing procedures that facilitate access by persons with disabilities to the services and facilities of the Board.

### 4.0 Curriculum

#### Commitment to Equity

- 4.1 All elements in the process of curriculum review, development and implementation addressing the needs and strengths of persons with disabilities.

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- 4.2 Providing all needed accommodations and/or modifications for the purpose of instruction and reporting to assist students with disabilities in accessing the curriculum, and provide access and use of assistive technologies for students with disabilities to support achievement and success.
- 4.3 Providing students with opportunities to critically examine issues of exclusivity/inclusivity, bias, and discrimination based on ability and disability.
- 4.4 Promoting awareness of the contributions of persons with disabilities to society.

### **5.0 Student Languages/Communications**

#### **Commitment to Equity**

- 5.1 Respecting and valuing all cultures and languages.
- 5.2 Ensuring that appropriate resources in an accessible format are available to schools and departments to enable effective communications with staff, students, parents/guardians and the community at large.
- 5.3 Providing a continuum of special education supports and services including specialized programming, resources, assistive materials and/or equipment, and cultural interpreters that will allow students with disabilities from all language backgrounds the opportunity to reach their full potential.

### **6.0 Student Assessment, Evaluation, Reporting and Placement**

#### **Commitment to Equity**

- 6.1 Identifying, reviewing and changing practices to ensure equity of opportunities for students with disabilities for full participation in their community.
- 6.2 Ensuring that its assessment, evaluation, reporting, placement and programming practices take into account the students' previous education and life experiences, and will be designed to meet the needs and strengths of students with disabilities.
- 6.3 Providing consistent monitoring of the progress of students who are on Individual Education Plans.

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- 6.4 Assessment, evaluation, reporting, placement and programming practices are differentiated in order to provide all students with the opportunity to effectively demonstrate their knowledge and skills regardless of their abilities and disabilities.
- 6.5 Formal assessments including psychological testing and other assessment tools and practices are bias free and provided in a timely manner.
- 6.6 Ensuring a transparent process in which students, parents/guardians will be informed and have the opportunity to be involved in the processes of assessment, evaluation, reporting and placement, including the Identification, Placement and Review Committee (IPRC) process. Students and/or parents/guardians will be supported in understanding the processes in order to participate in a meaningful manner and to make informed decisions that maximize students' achievement.
- 6.7 Placement decisions being re-examined as required in order to maximize each student's educational and career opportunities.
- 6.8 Collaborating with students, parents/guardians to implement strategies to ensure that the abilities and goals of students are not under - or over - estimated on the basis of disabilities. This collaborative process must also consider the interconnections of disabilities to other equity factors and respect the rights of students with disabilities to independence and dignity.

### **7.0 Counseling/Guidance/Support Services**

#### **Commitment to Equity**

- 7.1 All counselling, guidance, and support services being delivered in a manner that reflects students' individual needs; their previous education and personal experiences; and is free of stereotyping based on abilities and disabilities in order for students to develop their full potential.
- 7.2 Counseling, guidance, and support services being able to identify and access appropriate community services and programs available to meet the needs of students with disabilities when appropriate.
- 7.3 Programs and services for students being developed and reviewed in partnership between the school and home and may include community, business, industry, and organizations which support persons with disabilities.
- 7.4 Communication strategies being in place to facilitate parent/guardian involvement in students' academic achievement, social and emotional development, discipline, and future direction.

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These strategies may include accommodations for disabilities as well as cultural and language interpretation services as needed.

### **8.0 Harassment**

- 8.1 Every individual having the right to be free from harassment because of disability. Effective policies and procedures will be in place for identifying, reporting, responding to and resolving incidents of harassment towards persons with disabilities. Reports of incidents of harassment of students with disabilities shall be made without fear of reprisal and every complaint shall be investigated confidentially as may be permitted by law in order to protect the rights of all individuals.

#### **Accommodations and Supports**

- 8.2 Ensuring that appropriate and effective accommodations and supports are in place to assist persons with disabilities and support in identifying and reporting incidents of harassment.
- 8.3 Considering all mitigating factors regarding suspensions and/or expulsion of students with disabilities. Mitigating factors to be considered may include the special education needs of the student, information documented in an Individual Education Plan, as well as the circumstances under which the behaviour has occurred.

#### **Staff Development**

- 8.4 Providing staff with the knowledge, skills, and resources to effectively identify, report, respond to and resolve incidents of harassment.
- 8.5 Providing information to all trustees, employees, parents, volunteers, students and the community at large, in respect to Hamilton- Wentworth District School Board's Harassment Policy and Safe Schools Policy.

#### **Accountability**

- 8.6 Ensuring that processes for addressing harassment towards persons with disabilities is enforced, and that a process of accountability is in place for all trustees, employees, parents, volunteers, students and the community at large.

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### 9.0 Employment Practices

#### Commitment to Equity

- 9.1 Endeavouring to provide recruitment, interview, selection, training, mentoring, placement, and promotion practices and procedures that are inclusive and that do not discriminate against persons with disabilities.

#### Removal of Barriers

- 9.2 Endeavouring to identify and eliminate systemic barriers related to persons with disabilities in all of its employment practices.
- 9.3 Trying to provide interview teams that have an understanding and sensitivity towards persons with disabilities.
- 9.4 The procedures for progressive discipline, performance appraisal, review and reporting will not include stereotypical assumptions based on disability.

#### Accommodations and Supports

- 9.5 Providing reasonable accommodations to support staff/employees with disabilities.

### 10.0 Staff Development

#### System Level

- 10.1 Identifying staff development needs for staff and service providers to increase their knowledge, skills and sensitivity in working with persons with disabilities.
- 10.2 Implementing professional development programs based on identified needs to enable trustees and staff to understand, identify and address bias, stereotyping, prejudice and discrimination based upon disabilities.
- 10.3 Providing staff with the knowledge, skills, and resources needed to teach, work and learn from a perspective that is free from stereotypical assumptions based on disabilities. This would include assessment, evaluation, reporting and placement.