# Supplemental Report

# To: Toronto District School Board Special Education Advisory Committee

# From: SEAC Chair David Lepofsky for the September 12, 2016 TDSB SEAC Meeting

Date: September 9, 2016

By: David Lepofsky, CM., O.Ont,

Chair

Toronto District School Board Special Education Advisory Committee

Proposed Additional Agenda Item for Our September 12, 2016 Meeting – Serious Transportation Problems at TDSB

TDSB provides bussing services to and from school for certain students i.e. those who don't live sufficiently close to the school where they will study. The population that receives these bussing services includes many students with special education needs. For example, students with special education needs in a segregated class or school may have to travel to get to the school where their class is offered.

The media has reported this week on serious problems with the delivery of bussing services this week at TDSB.

This falls squarely within SEAC's mandate. Our children are a precious cargo. Parents must be able to have confidence that their transportation is safe, reliable and on time.

This also raises AODA considerations. The Integrated Accessibility Standards Regulation, enacted under the AODA, includes this in s. 75:

"75 (1) This section applies to every school board that provides transportation services for its students. O. Reg. 191/11, s. 75 (1).

 (2) School boards to which this section applies shall,

(a) ensure that integrated accessible school transportation services are provided for their students; or

(b) ensure that appropriate alternative accessible transportation services are provided for students with disabilities, where in the opinion of the board integrated accessible school transportation services are not possible or not the best option for a student with a disability because of the nature of the disability or safety concerns. O. Reg. 191/11, s. 75 (2).

(3) School boards to which this section applies shall, in consultation with parents or guardians of students with disabilities,

(a) identify students with disabilities before the commencement of each school year or during the school year, based on the needs of the student with a disability;

(b) develop individual school transportation plans for each student with a disability that,

(i) detail student assistance needs for each student with a disability, and

(ii) include plans for individual student boarding, securement and deboarding; and

(c) identify and communicate to the appropriate parties the roles and responsibilities of the transportation provider, the parents or guardians of the student with the disability, the operator of the vehicle used to transport the student, appropriate school staff and the student with the disability. O. Reg. 191/11, s. 75 (3).

 (4) School boards to which this section applies shall meet,

(a) the requirements of subsection (2) by July 1, 2011; and

(b) the requirements of subsection (3) by January 1, 2014. O. Reg. 191/11, s. 75 (4).

 (5) In this section,

* “school board” means a board as defined in subsection 1 (1) of the Education Act; (“conseil scolaire”)
* “transportation provider” includes an entity or person that has entered into an agreement with a board for the transportation of students under subsection 190 (6) of the Education Act; (“fournisseur de services de transport”)
* “transportation services” means transportation that a board provides under section 190 of the Education Act. (“services de transport”) O. Reg. 191/11, s. 75 (5)."

Because our September 12, 2016 agenda is jammed, I do not propose that we hold an extensive discussion about this issue. I do want to put it on our October meeting agenda, for a fuller discussion.

However, I propose a short discussion for our September meeting, aimed at ensuring that TDSB properly includes SEAC in the review of the current mess that inevitably must occur. For example, if TDSB trustees set up or assign a committee to look into this, I propose that the SEAC chair be included as a member of that committee. I do not know TDSB protocol, but if some by-law precludes the SEAC chair from being a voting member, then I propose that this be a non-voting but speaking position. We need more than a mere 5 minute deputation to be heard and included.

This is not unprecedented. I understand that another school board includes a SEAC member on its Board Budget Committee.

I encourage you to share your thoughts via email between now and our meeting on September 12, 2016. Consider the following motion that I propose to present for a vote. I am open to consider changes to it, based on feedback via email over the weekend, and of course, at the meeting itself.

**Proposed Motion**

***Whereas significant problems with TDSB bus transportation services have been reported as of the beginning of school this fall,***

***And whereas students with special education needs are a key population that receive TDSB bus transportation services,***

***And whereas students with special education needs can be in an especially vulnerable position when receiving TDSB bus transportation services:***

***The Special Education Advisory Committee of the Toronto District School Board recommends as follows:***

***1. TDSB staff and trustees should fully include and consult with the Special Education Advisory Committee on any inquiry into and discussion of resolution of the current problems with TDSB bus transportation services, and***

***2. If the Board of the TDSB assigns a committee to review or discuss the current problems with TDSB bus transportation services, the chair of the Special Education Advisory Committee of the TDSB should be included as a member of that Committee for purposes of addressing the bus transportation services, as a voting member if permitted, and if not so permitted, then as a member with speaking privileges.***