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Report No. 04-17-3101

**TORONTO DISTRICT SCHOOL BOARD**

**REVIEW OF P083, ACCESSIBILITY FOR PERSONS WITH DISABILITIES  
POLICY – Policy Review (Phase 1)**

**TO** Governance and Policy Committee 26 April 2017

**RECOMMENDATION** **IT IS RECOMMENDED that the Policy Review Work Plan for policy P083, Accessibility for Persons With Disabilities, as presented in the report, be approved.**

**STRATEGIC  
DIRECTION**

- Make every school an effective school
- Identify disadvantage and intervene effectively

**RATIONALE**

The Accessibility for Persons with Disabilities Policy (P083) (the “Policy”) is being reviewed in accordance with the Policy Review Schedule approved by the Board of Trustees on 23 November 2016 and the Policy Review Process.

The current Accessibility for Persons with Disabilities Policy (see Appendix A) is in compliance with the *Accessibility for Ontarians with Disabilities Act*. However, due to some changes including the consolidation of *Ontario Regulation 429/07 – Accessibility Standards for Customer Service* and *Ontario Regulation 191/11 – Integrated Accessibility Standards*, the following amendments are recommended by staff:

- Add the definitions of guide dog, support person and service animal as set out in the *Accessibility for Ontarians with Disabilities Act* and related regulations;
- Update the definition of ‘disability’ with a statement, referencing that the conditions listed are as set out in the *Accessibility for Ontarians with Disabilities Act*;
- Expand policy statement 4.6 to make all documents available in an accessible format upon request, except where it is not practical to do so;
- Include reference to the newly amalgamated policy which combines the statements of former policies on Integrated Accessibility Standards and Accessibility Standards for

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- Customer Service; and
- Ensure alignment with the TDSB’s Integrated Equity Framework; and
- Ensure alignment with the Board’s Policy Template.

The proposed revisions would ensure the Board’s policies on accessibility are in alignment and compliant with the legislation, as well as provide greater understanding and clarity around the roles and responsibilities of the system in preventing discrimination and improving accessibility to goods, services, facilities, employment, accommodation and buildings for persons with disabilities.

**RESOURCES** N/A

**IMPLEMENTATION AND REVIEW** Based on the Governance and Policy Committee’s input, the Accessibility for Persons with Disabilities Policy will be reviewed in accordance with the Policy Review Work Plan (see Appendix B) and subsequently presented to the Governance and Policy Committee for consideration and recommendation.

**APPENDICES** Appendix A: *Accessibility for Persons with Disabilities Policy (P083) – Current Policy*

Appendix B: Policy Review Work Plan

Appendix C: Scan of Selected Ontario School Boards

**FROM** Angelos Bacopoulos, Associate Director, Facilities, Sustainability and Employee Services

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**APPENDIX A**

**Toronto District School Board**

Policy P083

Title: **ACCESSIBILITY FOR PERSONS WITH DISABILITIES**

Adopted: 12 February 2014

Revised:

Reviewed:

**1.0 OBJECTIVE**

To establish the framework for the Board's compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

**2.0 RESPONSIBILITY**

Associate Director  
Manager, Occupational Health and Safety

**3.0 DEFINITIONS**

*Accessibility* means anything that prevents a person with a disability from fully participating in all aspects of the services of the Board. This includes, but is not limited to, a physical barrier, an architectural barrier, information or communications barrier, an attitudinal barrier, and/or a technological barrier.

*Disability* means (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,

(b) a condition of mental impairment or a developmental disability,

(c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,

(d) a mental disorder, or

(e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*; ("handicap").

Policy P083  
Accessibility for Persons with Disabilities

**4.0 POLICY**

- 4.1. The Toronto District School Board is committed to maintaining a learning and working environment which actively promotes and supports human rights.
- 4.2. As part of this commitment, the Board will make reasonable efforts to ensure that all policies, practices and procedures from the date of this policy forward are consistent with the principles of independence, dignity, integration and equality of opportunity for persons with disabilities.
- 4.3. The Board is committed to meet the accessibility needs of persons with disabilities in a timely manner.
- 4.4. The Board will make reasonable efforts to provide goods, services, and facilities that are accessible to all parents/guardians, the public, and staff, including but not limited to:
  - Customer Service
  - Employment
  - Information and Communication
  - School Transportation
  - Design of Public Spaces
- 4.5. The Board will strive to ensure that the principles of equity of opportunity are reflected and valued in the learning and working environment.
- 4.6. The Board will provide copies of all policies and accessibility plans required under the AODA in an accessible format upon request.

**5.0 SPECIFIC DIRECTIVES**

The Director has authority to issue operational procedures to implement this policy.

**6.0 REFERENCE DOCUMENTS**

*Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*  
*Accessibility Standard for Customer Service, Ontario Regulation 429/07*  
*Integrated Accessibility Standards, Ontario Regulation 191/11*  
*Human Rights Code*  
*Ontarians with Disabilities Act, 2001*  
P037 Equity Foundation  
P031 Human Rights Policy

Policy P083  
Accessibility for Persons with Disabilities

PR657 Human Rights Procedure  
P069 Accessibility Standards for Customer Service  
PR604 Use of Service Animals by the General Public  
PR 605 Use of Support Persons by the General Public  
PR 606 Use of Assistive Devices by the General Public  
P084 Integrated Accessibility Standards Policy

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**Appendix B**

**POLICY REVIEW WORK PLAN**

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All policies will be reviewed to ensure consistency with the TDSB’s *Mission and Value (P002)* policy, including the principles within the TDSB’s Integrated Equity Framework that promote equity and inclusion.

Date: [April 10, 2017](#)

**POLICY INFORMATION**

Policy Title and Policy Number:     **[Accessibility for Persons with Disabilities \(P083\)](#)**

Review during fiscal year:           2016/17

Last reviewed: [February 12, 2014](#)

Executive Council member responsible for this Policy review: **[Associate Director, Facilities, Sustainability and Employee Services](#)**

**Phase I.     PLANNING AND OBTAINING DIRECTIONS**

This Policy Review Plan has been discussed with the Policy Coordinator:

Yes  
 No

This Policy Review Plan will be discussed at the Governance and Policy Committee meeting held on: [April 26, 2017](#)

**Phase II.     REVISIONS**

**Formatting Changes**

The Policy will be reformatted to ensure alignment with the current Policy Template (see Operational Procedure PR501, Policy Development and Management):

Yes  
 No

**Content Changes**

The Policy requires content revisions:

Yes  
 No

The content changes are due to the following reason(s):

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Legislation

- Accessibility for Ontarians with Disabilities Act – some regulations have been revoked and amendments have occurred.

Government directives/policies

Board decisions

Operational requirements

Simplify and/or update using plain language

Additional information on the scope of the content changes:

- Add the definitions of guide dog, support person and service animal as set out in the *Accessibility for Ontarians with Disabilities Act* and related regulations;
- Include in the definition of 'disability' a statement which references that the conditions listed are as set out in the *Accessibility for Ontarians with Disabilities Act*;
- Expand policy statement 4.6 to make all documents available in an accessible format upon request, except where it is not practical to do so;
- Include reference to the newly amalgamated policy which combines the statements of former policies on Integrated Accessibility Standards and Accessibility Standards for Customer Service (revoked in 2016);
- Ensure alignment with the TDSB's Integrated Equity Framework;
- Reformat the Policy to align with the Board's Policy Template.

A review of leading practices for similar policies across jurisdictions has been completed and is included with this Work Plan.

**Phase III. INTERNAL REVIEWS AND SIGN-OFFS**

The Policy review will include TDSB divisions affected by the Policy:

- Equity and Achievement
- Facilities, Sustainability and Employee Services
- Finance and Operations

In addition, the following departments will be required to sign-off on the proposed Draft Policy:

- Legal Services
- Governance and Board Services
- Government, Public and Community Relations

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A sign-off from the Director of Education will be obtained before proceeding with external consultations and/or Committee/Board approval.

Director of Education

**Phase IV. EXTERNAL CONSULTATIONS**

Are external consultations applicable to this Policy?

Yes

No (*Ministry of Education mandated policy or corporate policy without external stakeholders*)

Mandatory external consultations will include, at a minimum:

1. Posting of the working draft Policy on TDSB website for public feedback (30 days minimum)
2. Extending invitations for consultation to all Advisory Committees of the Board and conducting consultations with the Advisory Committees that expressed interest (either individually with each interested committee or collectively with representatives of all interested committees): **September to November 2017**
  - Aboriginal Community Advisory Committee
  - Alternative Schools Advisory Committee
  - Black Student Achievement Advisory Committee
  - Community Use of Schools Advisory Committee
  - Early Years Advisory Committee
  - Environmental Sustainability Community Advisory Committee
  - Equity Policy Advisory Committee
  - French as a Second Language Advisory Committee
  - Inner City Advisory Committee
  - Parent Involvement Advisory Committee (PIAC)
  - Special Education Advisory Committee (SEAC)
  - Student Nutrition Advisory Committee

In addition to mandatory consultations, other external participants and projected dates of consultation(s) include:

- Student SuperCouncil
- School Councils
- Other:



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The following methods will be applied in the external consultations:

- Public meeting
- Facilitated focus group
- Call for public delegations
- Expert panel discussion
- Survey
- Posting on the TDSB website
- Other: Email correspondence

**Phase V. COMMITTEE/BOARD APPROVALS**

Following external consultations and revisions, the working draft Policy will be presented to the Governance and Policy Committee on the following date: [September to November 2017](#)

Following recommendation by the Governance and Policy Committee, the revised Policy will be presented to the Board on the following date: [October to December 2017](#)

Once approved, the revised Policy will replace the existing policy on the TDSB website.

**Phase VI. IMPLEMENTATION**

Following Board approval, the final revised Policy will be communicated through:

- Posting of the revised Policy on the TDSB website through the Policy Coordinator
- Sharing with staff through the System Leaders' Bulletin

Policy implementation will include:

- Conducting information/training sessions to TDSB staff affected by the Policy

The projected time period for conducting information/training sessions to staff will be:

- Review of accompanying *policies and* procedures: [Equity Foundation \(P037\)](#), [Human Rights \(P031\)](#), [Human Rights \(PR657\)](#), [Accessibility Standards for Customer Service \(P069\)](#), [Use of Service Animals by the General Public \(PR604\)](#), [Use of Support Persons by the General Public \(PR605\)](#), [Use of Assistive Devices by the General Public \(PR606\)](#), [Integrated Accessibility Standards \(P084\)](#).

**Appendix C**

**Scan of Selected Ontario School Boards:  
Accessibility Related Policies (P069, P083, P084)**

The 7 school boards included in this scan (see the list below) have policies and procedures on integrated accessibility standards and/or accessibility for persons with disabilities. Most of the policies have been revised or reviewed within the last two years to ensure compliance with the amendments contained in the Accessibility for Ontarians with Disabilities Act, 2005 ("AODA") and Ontario Regulation 165/16.

The AODA establishes a framework for the development of mandatory accessibility standards with compliance deadlines for each of the standards until 2021. The goal of the AODA is to make Ontario accessible to persons with disabilities by the year 2025. Ontario Regulation 165/16, which took effect on July 1, 2016, is a regulation under the AODA that consolidates all accessibility standards into one single Integrated Accessibility Standards Regulation. While the TDSB's Accessibility for Persons with Disabilities Policy (P083) complies with the legislation, consolidation of the Accessibility Standards for Customer Service Policy (P069) and the Integrated Accessibility Standards Policy (P084) will ensure alignment with recent legislative amendments.

Although the TDSB's policy framework is similar to comparative policies of Ontario school boards due to the prescriptive nature of the AODA and related regulations, about half of the boards scanned have one single accessibility related policy accompanied by a suite of procedures. The other half has multiple accessibility related policies in place with operational procedures (see below).

*Bluewater District School Board*

- Accessibility Standards Policy

*Hamilton Wentworth District School Board*

- Integrated Accessibility Standards Policy
- Barrier-Free Learning Environments Policy
  - Persons with Disabilities Procedure

*Hamilton (City of)*

- Accessibility for Ontarians with Disabilities Act 2005, Integrated Accessibility Standards and Customer Service Standard Handbook
- Communication Policy
- Disruption Notice Policy
- Service Animals Policy
- Support Persons for Persons with Disabilities Policy
- Resident and Visitor Feedback and Complaints Policy
- Training Policy

*Thames Valley District School Board*

- Accessibility Standards for Customer Service Policy
  - Monitoring/Feedback on Accessibility Standards for Customer Service Procedure

**Appendix C**

- Notification of Disruption of Service Procedure
- Training on Accessibility Standards for Customer Service Procedure
- Use of Service Animals by General Public Procedure
- Use of Service Dogs by Students and Staff Procedure
- Use of Support Persons Procedure

*Toronto Catholic District School Board*

- Accessibility Standards Policy
- Accessibility Standards for Services and Facilities Policy

*Upper Grand District School Board*

- Accessibility Standards Policy
  - Accessibility Standards Procedures Manual

*York Region District School Board*

- Accessibility Policy
  - Accessibility Standards for Customer Service: Use of Assistive Devices by General Public Procedure
  - Accessibility Standards for Customer Service: Use of a Support Person by the General Public Procedure
  - Accessibility Standards for Customer Service: Use of Service Animals by the General Public Procedure
  - Accessibility: Monitoring and Feedback Procedure
  - Accessibility Standards for Customer Service: Notification of Disruption of Service Procedure

**Policies Scanned:** Bluewater District School Board, Hamilton Wentworth District School Board, City of Hamilton, Thames Valley District School Board, Toronto Catholic District School Board, Toronto District School Board, Upper Grand District School Board and York Region District School Board.

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