# Report to TDSB SEAC from SEAC Chair David Lepofsky for the June 13, 2016 TDSB SEAC Meeting

Date: June 8, 2016

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

Chair

Toronto District School Board Special Education Advisory Committee

## Introduction

Our June 13, 2016 TDSB SEAC meeting, our last before the summer, will be a full and busy one. Here is information to help in preparation for it.

## Bringing to a Vote the Four Motions Recommending a First Batch of Reforms to the Delivery of Education at TDSB to Students with Special Education Needs

The results of many months of work at SEAC will all come together at our June 13, 2016 meeting. It is hoped that SEAC will vote on the package of four motions which we discussed at length at our May 2, 2016 meetings. I am circulating a revised text of these motions. It incorporates the feedback received at our May 2, 2016 TDSB SEAC meeting, as well as feedback which SEAC members shared after that meeting via email.

In most cases, the feedback was incorporated into the wording of the actual recommendations. In a few cases, points of feedback were more suitably incorporated into the background text which precedes each recommendation. The points of feedback were added to the background text only where it enhanced the description of why reform is needed, rather than adding to the actual actions that SEAC’s motions would call on TDSB to take.

Because we have had such a full and great discussion of these motions at our May 2, 2016 TDSB SEAC meeting, and over email since then, it is my hope that we can proceed to a vote on these motions themselves. However, in the interest of ensuring that we have given one and all a chance for any input they wish to share, I will invite any final comments before we proceed to a vote. I would ask, however, that if anyone has any last-minute changes they want, please share them with us via email before our next meeting, so we can try to deal with them in advance. While it is of course open to any SEAC member to offer any feedback they wish, I would encourage you to only raise new points if they are very important. I am eager for us to get these recommendations to TDSB before the summer, if at all possible.

Of course, this is not the final word from SEAC on the issues addressed in these four motions. Over the next months, there will be ample opportunity for us to formulate further recommendations to TDSB, including any additions to these motions. I also look forward to TDSB working with SEAC on these motions, should they be passed by SEAC.

After any discussion at the meeting on the motions, as for the vote itself, I ask you to review the revised text of the four motions. Decide for yourself if you support each, one at a time. I propose that for each motion, I invite SEAC to decide if you would like to vote on that motion as a whole. If there is sufficient support for it, we can vote for the motion as a whole. If there is a need to break it down for voting purposes, that can be considered as well. I would like to proceed in a way that makes best use of our time, and that also ensures that people can have their say on issues they want to address.

I am delighted to tell you that during my recent trip to Israel, I had the chance to give a speech to an Israeli community coalition that advocates for inclusive education in that country. Among other things, I highlighted SEAC’s work in this area, including the four motions we are now considering.

## Ombudsman Idea

The idea of a TDSB ombudsman has been raised at times by trustees at TDSB, and has also come up from time to time at SEAC. You will see on our June 13, 2016 agenda that, on the helpful recommendation of SEAC member Dick Winters, we will hear about experiences at the City of Toronto with an ombudsman-like role. This is being scheduled to help us start a longer discussion on this topic. We are indebted to Dick Winters for both raising this issue and finding a presenter to discuss it with us. This is not meant to take away from or replace our Motion #2’s proposal of an internal appeal route within TDSB regarding education services and supports for students with special education needs. Dick Winters has advised me that this is meant as a separate item for us to consider and explore over the next months, if SEAC wishes.

1. **A SEAC Success Story**

It is timely that SEAC will consider at its June 13, 2016 meeting a motion, among the four motions just discussed, dealing with the physical accessibility of the built environment at TDSB. I received word from a parent whom I know, Ms. Deb Stoch, that she had advocated some years ago to get an accessible washroom included in a TDSB school to which TDSB was adding a new addition. She had a difficult time in this effort. Eventually, the TDSB agreed to include an accessible washroom in the school. It commendably had an automatic door opener. However, the button to operate it was only *inside the washroom. There was no automatic door opener outside the washroom.*

Ms. Stoch recently summarized her experience in an email to me. I had her permission to share it. A few weeks ago, I forwarded it to Mr. Angelos Bacopoulos for his feedback. Commendably, Mr. Bacopoulos had this problem rectified in short order. I set out the key parts of the email exchange at the end of my report.

This example illustrates the need for TDSB to strengthen efforts in this area, the potential for SEAC to have an impact, and the potential for a fix to be quickly made.

I wish to thank Ms. Stoch for pursuing this issue so tenaciously, and Mr. Bacopoulos for resolving it so promptly when I raised it with him.

## Reinforcing TDSB’s Inclusion Strategy

For students with special education needs to succeed in the mainstream classroom, it is important that students without disabilities are receptive to their inclusion. It is also important that TDSB’s classroom curriculum be designed to make it as easy as possible for inclusion to take place.

To that end, it is helpful for SEAC to consider what TDSB is doing, and what TDSB might do, to create welcoming classrooms into which students with special education needs can be mainstreamed.

I have asked TDSB to bring to our June, 2013 meeting a staff member who can address the following questions:

1. What is TDSB doing to include principles of universal design in learning UDL in curriculum in mainstream classes, to enable students with special education needs to be able to be mainstreamed as much as possible? How is this measured or monitored?

2. For students with special education needs to be able to fully participate in our schools, especially in the mainstream classroom or recess, students without disabilities need to be given curriculum on disability and inclusion. What is TDSB doing to educate students without disabilities about people with disabilities, students with special education needs and inclusion?

As in other areas we have addressed, this is the beginning of a longer conversation. After we have had this initial discussion, we can allot time in the fall to further explore it, brainstorm ideas, seek further input, and, if SEAC wishes, formulate recommendations for TDSB.

Because our agenda is again rather jam-packed, I will invite us to view this as a preliminary discussion, which can extend into later meetings.

## Impact of the TDSB Learning Centres on Special Education

I have also asked Executive Superintendent Uton Robinson to update SEAC at our June meeting on the impact on students with special education needs of the new TDSB restructuring, including the new “Learning Centres” that are being set up.

7**. Correspondence received:**

1. Email dated April 25, 2016 from Deb Stoch re Exchange Re Built Environment Accessibility Issue
2. Email dated May 3, 2016 on behalf of Executive Superintendent Sandy Spyropoulos repeating an invitation to Advisory Committee Co-chairs to send representatives to the Focus Group session on May 24 at 7:00 p.m. in the board room, for public consultation on a review of policy P024 Educational Programming Partnerships (formerly “External Partnerships”).
3. Email dated May 9, 2016 from Clayton Eaton, President, Board of Directors for Integration Action for Inclusion re application for Association Membership on SEAC and nomination of representative
4. Email dated May 28, 2016 from Sue Gowans re: Follow-up on staff report to SEAC re gifted presentation to PSSC.

**Notes on Built Environment Accessibility Issue –** Key Email Exchange

### April 25, 2016 Email from Deb Stoch to SEAC Chair David Lepofsky

Dear Mr. Lepofsky,

Five years ago, when I was the co-chair of the parent council at Keele Street Public School (KSPS) we learned of the plan to build extensions on KSPS and Swansea School. At the time I proposed to Irene Atkinson (then the Trustee for Ward 7) that middle school students in High Park should travel by TTC or be bussed to under-enrolled schools slated for closure in a nearby ward to relieve the population pressure. This would also free up millions of dollars for urgent maintenance and retrofitting to meet the 2020 deadline of the AODA.

The initial plans for the building did not include any new washrooms. David Percival, Senior Manager in Building Design for the TDSB advised a parent meeting that the existing school washrooms were sufficient to serve the expected student population. Parents rejected this claim as many of the washrooms unavailable to the students (i.e. in kindergarten rooms and the community centre); they voiced their concerns through community meetings and letters to the TDSB. The final design included two powder rooms on the second floor of the three storey addition. I argued that a wheelchair user on the first or third floor could not easily reach the second floor when the only elevator is located in the original building. I was assured that students in the new classrooms would have use of existing washrooms. I noted that these washrooms are not accessible due to a variety of issues including small spaces, inaccessible sinks, narrow entryways, heavy doors and insufficient turning spaces. I was told that they would be made barrier-free.

The new extension was opened in January 2016 but the existing washrooms have not been renovated. When I raised this concern with Robin Pilkey, Trustee for Ward 7 and Chair of the TDSB, she explained in an email dated February 29, 2016, that AODA requirements do not apply to existing buildings:

As it has been explained to me, it does not mean that existing spaces, which are not being retrofited, [sic] need to made barrier free.

With regards to the specific issues at Keele, I believe the washrooms in the new section are barrier free, which is the only area where we were required to do this. No changes were required to be made in the older section.

The main floor washrooms in the school have recently had automatic door opening systems installed on the inside of the washrooms but not on the outside. Vice Principal Chris Hoisak advised parents at the April 21, 2016 council meeting, that the TDSB building department assured him this meets standards for barrier-free design.

Accessibility in general has been a long standing concern of mine during the 10 years my children have attended KSPS. When I have pursued this issue I have often been told that students who require physical accommodations have access to other schools within the TDSB which can meet their needs. I believe the AODA requires that all students should have safe and equitable use and access to their local schools, and all community spaces. It is shameful that after spending many millions of dollars retrofitting KSPS, we have still failed to do so.

Thank you for your time and attention to this matter.

Sincerely,

Debra Stoch

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* **April 30, 2016 Email from Angelos Bacopoulos to TDSB SEAC Chair David Lepofsky**

Hi David

David Percival reviewed this issue and provided the following response:

"Automatic door operators have been added to the multi-stall bathrooms in the existing building to bring to compliance with the OBC. Ms Stoch is correct that operators were not installed on the exterior as this was not a code requirement (ie. in the corridor adequate space exists at the latch side of the door for wheelchair users to manually push the door open). Barrier Free stalls and sinks are present.

In addition to the 2 single student bathrooms referenced by Ms Stoch, we also created a new barrier free bathroom on the 1st floor (Grade level with Barrier Free entrance from Mountview Ave). This provision exceeded minimum requirements, but space planning on the 1st Floor, and the project budget, allowed us to include it with minimal redesign. I believe the parents were generally satisfied with the outcome."

Hopefully this provides the feedback you required.

Angelos

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From: Bacopoulos, Angelos

Sent: April-29-16 1:22 PM

To: David Lepofsky

Cc: Brown, Alexander; Robinson, Uton; Percival, David; Broadbent, Chris

Subject: RE: Keele Street Public School

Hi David

Staff will review and provide a response on Monday of next week.

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From: David Lepofsky

Sent: April-29-16 12:31 PM

To: Bacopoulos, Angelos

Cc: Brown, Alexander; Robinson, Uton

Subject: FW: Keele Street Public School

On the issue of accessibility of renovations at TDSB, a parent brought the information below to my attention. I would welcome your feedback on this, at your convenience. This can help inform SEAC’s discussion of the draft motions that are on our agenda.

*(Original Deb Stoch email, set out above, is omitted here)*

### May 1, 2016 Email from Deb Stoch to TDSB SEAC Chair David Lepofsky

Hi David,

Thank you for forwarding this information. I am not surprised that the TDSB believes their bathroom adaptation is sufficient for this is the reply I received from the vice principal at our parent council meeting in April.

I have reviewed the OPS guidelines for accessibility and nowhere is it stated that an automatic door opener is only required when pulling the door, and if there is insufficient space to manoeuvre a chair. This rational actually contravenes the basic principles of barrier free design which is to accommodate all people. I know many adult people who use wheelchairs who could turn the handle and push open the door (despite the additional weight of the automatic door mechanism) but this does not consider the needs of other people such as:

- a young person who does not have the upper extremity strength to propel the chair through the door

- a person with weakness on one side who could not simultaneously turn the handle and propel the chair forward

- a walker or crutch user who needs to have both hands available to maintain balance safely

- a person who may be carrying supplies for bowel or bladder management and therefore cannot keep hands free to manipulate the door

If the TDSB standard for accessibility differs from the province, I believe this is a serious problem which needs to be addressed. I suspect that the people in TDSB building and maintenance department have simply misinterpreted the guidelines as they do not have sufficient experience with adapting spaces to meet the needs of a variety of people.

I have attached the OPS Guidelines for your reference.

Thanks again for your time and attention to the needs of the students at Keele Street Public School.

Sincerely,

Deb Stoch

* **May 5, 2016 Email from Angelos Bacopoulos to TDSB SEAC Chair David Lepofsky**

Hi David

Staff have reviewed the situation at Keele Street Public School and we have found some dollars in our budget to extend the controls for the 6 existing door operators to the corridor side of the washroom doors on the 3 floors of the older part of the building. David Percival and his staff will design the controls required and our construction folks will install them.

Angelos

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From: David Lepofsky

Sent: May-01-16 12:05 PM

To: Bacopoulos, Angelos

Cc: Brown, Alexander;

Subject: FW: FW: Keele Street Public School

Thanks so much for your feedback on this building design issue. I think it can help to focus our attention together on how to ensure new construction meets accessibility needs.

I shared your feedback with Ms. Stoch. Below is her response, which, I must say, includes design accessibility thoughts that make a great deal of sense to me. If there is to be an automatic door opener inside the bathroom, there should be one on the outside as well.

I also accept that provincial design standards may be insufficient, as they too often are in the accessibility field.

*(Earlier email from Deb Stoch, set out above, omitted here)*

### May 6, 2016 Email from TDSB SEAC Chair David Lepofsky to Angelos Bacopoulos

Thank you for both responding on this issue, and taking prompt action on it.