

Individual Education Plans (IEPs) Responding to Parent Concerns

**SEAC Presentation
June 2024**



Individual Education Plans (IEPs): Legislative Requirements - *Education Act*

- *O. Reg 181/98 - Identification and Placement of Exceptional Pupils*
- IEP must include:
 - Specific educational expectations for the pupil
 - Outline of special education programs/services to be provided
 - Methods by which pupil's progress will be reviewed
 - Where pupil 14+ years of age, transition plan to post-secondary
- In developing IEP, Principal shall consult with parent and consider IPRC and Tribunal recommendations



IEP Development

- The opportunity to consult with parent/guardian/caregiver and/or student is offered at the beginning of the IEP development process and also anytime the IEP is being updated and/or reviewed. A parent/guardian/caregiver (or student as applicable) may request a discussion at any time.
- Any parent/guardian/caregiver or student input must be given due consideration as the IEP is being written. Students younger than 16 years of age may also be involved as appropriate. Where the student is working with agency personnel and written parental/guardian/caregiver permission is given, the consultation process should include the agency staff as well.
- The standard TDSB consultation letter and response form is sent home within the first two weeks of a new school year or a student's placement in a new program. Completed consultation response forms are to be attached to the IEP and stored in the student's Ontario Student Record (OSR).
- A parent/guardian/caregiver can indicate that they would like a meeting consultation.
- While development of the IEP is a collaborative process, there are sometimes disagreements about what is written in the IEP.

“Although the IEP is developed collaboratively, the principal is ultimately responsible for each student's plan. The principal must sign the IEP to indicate their assurance that the plan is appropriate to the student's strengths and needs and that it meets all of the standards outlined in this document” (IEPs: Standards for Program Planning and Implementation (2000)).

What if I disagree with the final content of the IEP?

What if the contents of the IEP are not being implemented?

- Collaborative problem solving – Ministry of Education - Shared solutions: A Guide to Preventing and Resolving Conflicts regarding Programs and Services for Students with Special Education Needs
- If parent/guardian/caregiver disagrees with what is in the IEP or how the IEP is being implemented, they have 2 options:
 1. Parent Concern Protocol (PR505)
 2. Workplace Harassment Prevention and Human Rights Procedure (PR515)

Note: Parent/Guardian/Caregiver can appeal to Special Education Appeal Board and Ontario Special Education Tribunal if they disagree with IPRC

Parent Concern Protocol Steps

Steps

Step 1 – Classroom Teacher

Step 2 – School Principal

Step 3 – Superintendent/Executive Superintendent

Step 4 - Trustee

Parent Concern Protocol (PR505)

Classroom Concerns Brought to Principal

- Advise parent to discuss with teacher
- Gather information
- Discuss information with teacher and advise and inform parent of outcome
- Meet jointly with teacher and parent to discuss concern
- Consult with SOE, Board staff, legal where required
- Refer concern to SOE if parent does not agree
- SOE will consult with parent and Principal and render final decision

PR505: Parent Concern Protocol

School Concerns Brought to Principal

- Contact parent to discuss and resolve concern
- Gather information
- Consult with SOE, Board staff, legal where required
- Refer matter for school council discussion and advice as appropriate
- Refer concern to SOE if parent does not agree
- SOE will consult with parent and Principal and render final decision
- If policy/program matter, Principal refers to appropriate staff

PR505: Parent Concern Protocol

School Concerns Brought to Superintendent of Education

- Refer to Principal when this has not yet taken place
- Gather information
- Consult with Principal and advise/recommend options and inform parent of outcome
- Make final decision in consultation with Principal
- Consult with Executive SOE where appropriate
- If concern brought to central manager, manager takes action if in their area or refers concern to appropriate Principal/SOE/staff

PR505: Parent Concern Protocol

School Concerns Brought to Director or Chair of the Board

- Refer to SOE or Trustee for attention

PR505: Parent Concern Protocol

Includes:

- Guidelines for Staff
- Guidelines for Trustees
- Guidelines for Parents

Human Rights Policy, P031

To protect, promote and advance the human rights of all TDSB members to learn, function and work in an equitable, accessible, respectful and inclusive environment free of discrimination and harassment on the basis of the protected grounds of discrimination specified in the Policy and protected under the Ontario Human Rights Code.

To ensure TDSB meets its positive human rights obligations, including to proactively identify, address, and prevent all forms of discrimination, including individual and systemic discrimination.

Protected Grounds

- Age
- Ancestry
- Citizenship
- Colour
- Creed
- Disability
- Ethnic origin
- Family status
- Gender expression
- Gender identity
- Marital status
- Place of origin
- Race
- Sex
- Sexual orientation
- Socio-economic status
- Record of offences (in employment only)

Includes

- Association with a person identified by a ground listed above

Human Rights Policy

- Right to equality
- Duty to Accommodate means the legal obligation to make adjustments, provide support, or make exceptions in order to avoid discrimination on the basis of a protected ground so as to ensure fair and equitable access, treatment, and inclusion, and for individuals to be able to participate equally and perform to the best of their abilities in the learning environment, workplace, or other TDSB environment.
 - When there is a duty to accommodate, accommodation is required up to the point of undue hardship, which is a very high threshold.
 - The procedural duty to accommodate requires that the accommodation process be transparent, collaborative and respectful. Requests for accommodation cannot be ignored.

Student Human Rights Complaints Workplace Harassment Prevention and Human Rights Procedure, PR515

Student Complaints

Student complaints against administration should be forwarded to the Board's Human Rights Office.

Possible Procedures

The matter may be addressed through

- I. Caring and Safe Schools Procedures
- II. The Parent Concern Protocol, PR505
- III. The Human Rights Procedure, PR515

For Systemic Concerns

The Human Rights Office may refer to the matter to an external investigator.

Complaints

1. Complaints against administrators can be addressed by those with supervisory responsibilities or by the Human Rights Office
2. Can obtain the student complaint form
3. Contact HumanRightsOffice@tdsb.on.ca
4. Website: <https://www.tdsb.on.ca/About-Us/Human-Rights>
5. Annual reports
 - Complaints based on disability
 - Incidents of racism, bias and hate

