

Part H.

Appendices

DETAILED CONTENTS

PART H. APPENDICES

Appendix 1: Minister’s Advisory Council on Special Education: Representation	H3
Appendix 2: Organizations Involved With Special Education . . .	H5
Appendix 3: Ministry of Education District Offices	H11
Appendix 4: Sample Agenda for an In-School Team Meeting . . .	H13
Appendix 5: Parent-Teacher Meetings	H15
Appendix 6: Examples of School Board Consent Forms	H17
Appendix 7: A Sample Parents’ Guide to Special Education	H21
Appendix 8: Synopsis of Statutory Powers Procedure Act	H29
Appendix 9: Elements of an Agreement Between a Facility and a District School Board	H31
Appendix 10: Regulation 181/98 and Regulation 464/97	H33

APPENDIX 1: MINISTER'S ADVISORY COUNCIL ON SPECIAL EDUCATION: REPRESENTATION

Exceptionality/Community of Interest Represented

Exceptionalities

- Emotional/behaviour disorder
- Pervasive developmental disorder
- Deaf and hard of hearing
- Learning disabilities, all exceptionalities (Chair)
- Gifted
- Developmental disability
- Blind and low vision
- Physical disability
- Multiple disabilities
- Students/Youth
- Native persons

Educator Groups

- Trustees
- Supervisory officers (Vice-chair)
- Principals
- Teachers
- Educational assistants

Professional Support

- Medical
- Psychologists
- Social workers
- Speech-language pathologists

Non-voting

- Ministry of Community and Social Services
- Ministry of Health and Long-Term Care
- Ministry of Training, Colleges and Universities
- Integrated Services for Children Division

Two of the voting members are representatives of the Roman Catholic Community.

Two of the voting members (one of whom is from the educator group) are representatives of the Franco-Ontarian community.

APPENDIX 2: ORGANIZATIONS INVOLVED WITH SPECIAL EDUCATION

Emotional/Behavioural Disorders

Ontario Association of Children's
Mental Health Centres
40 St. Clair Avenue East, Suite 309
Toronto, Ontario
M4T 1M9
Tel.: (416) 921-2109
Fax: (416) 921-7600

Ontario Council for Children with
Behaviour Disorders
R.R. #1
Sunderland, Ontario
L0C 1H0

Tel.: (905) 324-5300, ext. 157 (Bus.);
(905) 852-9289 (Res.)

Ontario Mental Health Foundation
365 Bloor Street East, Suite 1708
Toronto, Ontario
M4W 3L4
Tel.: (416) 920-7721
Fax: (416) 920-0026

Tourette Syndrome Foundation
of Canada
c/o 194 Jarvis Street, Suite 206
Toronto, Ontario
M5B 2B7
Tel.: (416) 861-8398 or
1-800-361-3126
Fax: (416) 861-2472

Pervasive Developmental Disorders

Autism Society Ontario
1 Greensboro Drive, Suite 306
Etobicoke, Ontario
M9W 1C8
Tel.: (416) 246-9592
Fax: (416) 246-9417

Geneva Centre for Autism
250 Davisville Avenue, Suite 200
Toronto, Ontario
M4S 1H2
Tel.: (416) 322-7877
Fax: (416) 322-5894

Learning Disabilities

ADD0 Toronto
66 Rykert Crescent
Toronto, Ontario
M4G 2S9
Tel.: (416) 813-6858
Fax: (416) 488-3743

Canadian Association of
Independent Living Centres
350 Sparks Street, Suite 1004
Ottawa, Ontario
K1R 7S8
Tel.: (613) 563-2581
Fax: (613) 235-4497

Council for Exceptional Children
Ontario Subdivision for Children's
Communication Development
c/o Huron-Superior District
Catholic School Board
Special Education Department
90 Ontario Avenue
Sault Ste. Marie, Ontario
P6B 6G7
Tel.: (705) 945-5677
Fax: (705) 945-5681

Council for Exceptional Children
Ontario Subdivision for Learning
Disabilities
1 Norma Crescent
Toronto, Ontario
M6P 3G9
Tel.: (416) 766-0163 (Res.)

Learning Disabilities Association
of Ontario
365 Bloor Street East, Suite 1004
P.O. Box 39
Toronto, Ontario
M4W 3L4
Tel.: (416) 929-4311
Fax: (416) 929-3905

Ontario Association for Families of
Children with Communication
Disorders
13 Segal Drive
Tillsonburg, Ontario
N4G 4P4
Tel.: (519) 842-9506
Fax: (519) 842-3228

Regroupement des groupes
francophones d'alphabétisation
populaire de l'Ontario
20 Nelson Street West, Suite 303
Brampton, Ontario
L6X 2M5
Tel.: (905) 457-7884
Fax: (905) 457-0411

Spina Bifida and Hydrocephalus
Association of Ontario
69 Yonge Street, Suite 500
Toronto, Ontario
M5E 1K3
Tel.: (416) 214-1056 or
1-800-387-1575
Fax: (416) 214-1446

Training Coordinating Group for
Linkup Employment Services
for Persons with Disabilities
1075 Bay Street, Suite 801
Toronto, Ontario
M5S 2B1
Tel.: (416) 413-4922
TTY: (416) 413-4926
Fax: (416) 413-4927

Deaf/Hard of Hearing

Bob Rumball Centre for the Deaf
2395 Bayview Avenue
North York, Ontario
M2L 1A2
Tel.: (416) 449-9651
TTY: (416) 449-2728
Fax: (416) 449-8881

Canadian Association of the Deaf
251 Bank Street, Suite 203
Ottawa, Ontario
K2P 1X3
Tel.: (613) 565-2882
TTY: (613) 565-8882
Fax: (613) 565-1207

Canadian Hard of Hearing
Association
2435 Holly Lane, Suite 205
Ottawa, Ontario
K1V 7P2
Tel.: (613) 526-1584 (Voice mail)
TTY: (613) 526-2692
Toll-free: 1-800-263-8068

Canadian Hearing Society
271 Spadina Road
Toronto, Ontario
M5R 2V3
Tel.: (416) 964-9595
TTY: (416) 964-0023
Fax: (416) 928-2506

Ontario Association of the Deaf
c/o 489 College Street, Suite 407
Toronto, Ontario
M6G 1A5
Tel.: (416) 413-0944
TTY: (416) 513-1893 or
(416) 513-1894
Fax: (416) 413-4822
E-mail: oad@globalserve.net

Coordonnateur
Programme de la surdicécité
Ministère de l'Éducation
Centre Jules-Léger
281, rue Lanark
Ottawa, Ontario
K1Z 6R8
Tel.: (613) 761-9300
TTY: (613) 761-9302
Fax: (613) 761-9301

Association ontarienne des sourdes
et des sourds francophones
20, chemin Sainte Anne, Local 219
Sudbury, Ontario
P3C 5N4
Tel.: (705) 670-2705
TTY: 1-800-855-0511
Fax: (705) 670-9320

VOICE for Hearing Impaired
Children
161 Eglinton Avenue East,
Suite 701
Toronto, Ontario
M4P 1G5
Tel.: (416) 487-7719
Fax: (416) 487-7423

Gifted

Association for Bright Children
c/o 2 Bloor Street West,
P.O. Box 156, Suite 100
Toronto, Ontario
M4W 2G7
Tel.: (416) 925-6136 (Voice mail)

Douance-Ontario
Université d'Ottawa
Pavillon Lamoureux
c/o Gilles Clouthier
145, rue Jean-Jacques Lussier
Ottawa, Ontario
K1N 6N5
Tel.: (613) 562-5800, poste 4148

Developmental Disabilities

Council for Exceptional Children
Ontario Subdivision for
Individuals with Developmental
Challenges
52 Barr Crescent
Brampton, Ontario
L6X 2L2
Tel.: (905) 840-5442 (Bus.);
(905) 840-0288 (Res.)
Fax: (905) 840-0102

Down Syndrome Association of
Ontario
P.O. Box 215
Freelton, Ontario
L0R 1K0
Tel.: (905) 659-3946
Fax: (905) 659-3946 + Star 51

Ontario Association for
Community Living
240 Duncan Mill Road, Suite 403
Toronto, Ontario
M3B 1Z4
Tel.: (416) 447-4348
Fax: (416) 447-8974

Ontario Association for
Developmental Education
(OADE)
P.O. Box 32
8 Wilson Street
Tottenham, Ontario
L0G 1W0
Tel.: (905) 936-9102

Ontario Coalition for Inclusive
Education
13 Birchcliffe Crescent
R.R. # 4
Orillia, Ontario
L3V 6H4
Tel.: (705) 329-3316
Fax: (705) 329-0479

People First of Ontario
75 The Donway West, Suite 140
Toronto, Ontario
M3C 2E9
Tel.: (416) 441-1805
Fax: (416) 441-3059

The Roeher Institute
York University
Kinsmen Building
4700 Keele Street
North York, Ontario
M3J 1P3
Tel.: (416) 661-9611
Fax: (416) 661-5701

Blind/Low Vision

Blind Adults Learning About
Normal Community
Environments (BALANCE)
4920 Dundas Street West, Suite 302
Etobicoke, Ontario
M9A 1B7
Tel.: (416) 236-1796
Fax: (416) 236-4280

BOOST Niagara (Blind of Ontario
Organized with Self-help Tactics)
29 Eastwood Drive
Welland, Ontario
L3C 6W3
Tel.: (905) 732-9746
Fax: (905) 732-9558

Canadian Council of the Blind,
Ontario Division
207 North Christina Street
P.O. Box 2323
Sarnia, Ontario
N7T 5V1
Tel.: (519) 337-3606 or
1-888-818-4845
Fax: (519) 337-6502 + Star 51

Canadian National Institute for the
Blind, Ontario Division
Director, Rehabilitation
1929 Bayview Avenue
Toronto, Ontario
M4G 3E8
Tel.: (416) 486-2500
Fax: (416) 480-7503

John Milton Society for the
Blind in Canada
40 St. Clair Avenue East, Suite 202
Toronto, Ontario
M4T 1M9
Tel.: (416) 960-3953
Fax: (416) 921-7478

Low Vision Association of Ontario
180 St. Clair Avenue East
Toronto, Ontario
M4T 1N8
Tel.: (416) 486-3442
Fax: (416) 486-3442

Ontario Foundation for Visually
Impaired Children Incorporated
P.O. Box 1116, Station "D"
Toronto, Ontario
M6P 3K2
Tel.: (416) 767-5977
Fax: (416) 767-5530

VIEWS for Visually Impaired
95 Wareside Road
Etobicoke, Ontario
M9C 3B5
Tel.: (416) 620-1410
Fax: (416) 620-1472

Physical Disabilities

Bloorview MacMillan Centre
350 Rumsey Road
Toronto, Ontario
M4G 1R8
Tel.: (416) 425-6220
Fax: (416) 425-6591

Bloorview School
25 Buchan Court
Willowdale, Ontario
M2J 4S9
Tel.: (416) 425-6220
Fax: (416) 494-9985

Canadian Paraplegic Association
Ontario Division
520 Sutherland Drive
Toronto, Ontario
M4G 3V9
Tel.: (416) 422-5644
Fax: (416) 422-5943

Easter Seal Society
1185 Eglinton Avenue East,
Suite 800
Toronto, Ontario
M3C 3C6
Tel.: (416) 421-8377
Fax: (416) 696-1035

Handicapped Action Group
Incorporated
1201 Jasper Drive, Suite A
Thunder Bay, Ontario
P7B 6R2
Tel.: (807) 343-0414
Fax: (807) 344-6140

Hugh MacMillan School
25 Buchan Court
Willowdale, Ontario
M2J 4S9
Tel.: (416) 425-6220
Fax: (416) 494-9985

Muscular Dystrophy Association
of Canada
2345 Yonge Street, Suite 900
Toronto, Ontario
M4P 2E5
Tel.: (416) 488-0030
Fax: (416) 488-7523

Ontario Association of Children's
Rehabilitation Services
350 Rumsey Road
Toronto, Ontario
M4G 1R8
Tel.: (416) 424-3864
Fax: (416) 467-7083

Ontario Brain Injury Association
Executive Director
P.O. Box 2338
St. Catharines, Ontario
L2R 7R9
Tel.: (905) 641-8877 or
1-800-263-5404
Fax: (905) 641-0323

Ontario Division for Physical and
Health Disabilities
President
c/o Bloorview MacMillan Centre
25 Buchan Court
Toronto, Ontario
M2J 4S9
Tel.: (416) 425-6220
Fax: (416) 494-4754

Ontario Federation for Cerebral
Palsy
1630 Lawrence Avenue West,
Suite 104
Toronto, Ontario
M6L 1C5
Tel.: (416) 244-9686
Fax: (416) 244-6543

Ontario March of Dimes
10 Overlea Boulevard
Toronto, Ontario
M4H 1A4
Tel.: (416) 425-3463
Fax: (416) 425-1920

Spina Bifida and Hydrocephalus
Association of Ontario
69 Yonge Street, Suite 500
Toronto, Ontario
M5E 1K3
Tel.: (416) 214-1056 or
1-800-387-1575
Fax: (416) 214-1446

Multiple Disabilities

Easter Seal Society
1185 Eglinton Avenue East,
Suite 800
Toronto, Ontario
M3C 3C6
Tel.: (416) 421-8377
Fax: (416) 696-1035

Ontario Association of Children's
Rehabilitation Services
350 Rumsey Road
Toronto, Ontario
M4G 1R8
Tel.: (416) 424-3864
Fax: (416) 467-7083

Ontario Brain Injury Association
Executive Director
P.O. Box 2338
St. Catharines, Ontario
L2R 7R9
Tel.: (905) 641-8877 or
1-800-263-5404
Fax: (905) 641-0323

Spina Bifida and Hydrocephalus
Association of Ontario
69 Yonge Street, Suite 500
Toronto, Ontario
M5E 1K3
Tel.: (416) 214-1056 or
1-800-387-1575
Fax: (416) 214-1446

Students/Youth

Council for Exceptional Children
Ontario Federation of Chapters
President
480 Mary Street
Pembroke, Ontario
K8A 5W9
Tel: (613) 735-0151 (Bus.);
(613) 732-9336 (Res.)
Fax: (613) 732-1898

Fédération de la jeunesse franco-
ontarienne
839, rue Quinlan
Ottawa, Ontario
K1G 1R8
Tel: (613) 260-8055
Fax: (613) 260-5346

National Educational Association
of Disabled Students
Unicentre, Room 426
Carleton University
Ottawa, Ontario
K1S 5B6
Tel.: (613) 526-8008
Fax: (613) 520-3704

Ontario Catholic Student Council
Federation
4001 Don Mills Road, Unit 139
North York, Ontario
M2H 3J8
Tel.: (416) 499-8547

Ontario Secondary School
Students' Association
507 Gibson Street
P.O. Box 1979
Walkerton, Ontario
N0G 2V0
Tel.: (519) 881-2541

Medical

The College of Family Physicians
of Canada
2630 Skymark Avenue
Mississauga, Ontario
L4W 5A4
Tel.: (905) 629-0900
Fax: (905) 629-0893

Psychology

Ontario Psychological Association
730 Yonge Street, Suite 221
Toronto, Ontario
M4Y 2B7
Tel.: (416) 961-5552
Fax: (416) 961-5516

Social Work

Ontario Association of Social
Workers
410 Jarvis Street
Toronto, Ontario
M4Y 2G6
Tel.: (416) 923-4848
Fax: (416) 923-5279

Speech and Language Pathology

Ontario Association of Speech-
Language Pathologists and
Audiologists (OASLA)
410 Jarvis Street
Toronto, Ontario
M4Y 2G6
Tel.: (416) 920-3676
Fax: (416) 920-6214

Educational Assistants

Canadian Union of Public
Employees, Ontario Division
305 Milner Avenue, Suite 902
Scarborough, Ontario
M1B 3V4
Tel.: (416) 299-9739
Fax: (416) 299-3480

Dufferin-Peel Educational
Resource Workers' Association
5805 Whittle Road, Suite 106
Mississauga, Ontario
L4Z 2J1
Tel.: (905) 501-1622
Fax: (905) 501-1623

Ontario Teachers' Federation
1300 Yonge Street, Suite 200
Toronto, Ontario
M4T 1X3
Tel.: (416) 966-3424
Fax: (416) 966-5450

Associations Franco-Ontariennes en Éducation

Association des agentes et agents
de supervision franco-ontariens
290, rue Dupuis
Vanier, Ontario
K1L 1A2

Tél.: (613) 746-3613
Fax: (613) 746-3618

Association des conseillères et des
conseillers des écoles publiques
de l'Ontario (ACEPO)

140, rue Genest, pièce 009
Vanier, Ontario
K1L 7Y9

Tél.: (613) 742-7365
Fax: (613) 742-0264

Association des enseignantes et
des enseignants franco-
ontariens

681, chemin Belfast
Ottawa, Ontario
K1G 0Z4

Tél.: (613) 244-2336
Fax: (613) 563-7718

Association franco-ontarienne des
conseils scolaires catholiques
(AFOCSC)

110 Drewry Avenue
North York, Ontario
M2M 1C8

Tél.: (416) 250-1754
Fax: (416) 250-7025

Association ontarienne des
sourdes et des sourds
francophones

20, chemin Sainte Anne, Local 219
Sudbury, Ontario
P3C 5N4

Tél.: 1-800-855-0511
TTY: (705) 670-2705
Fax: (705) 670-9320

Centre de leadership en éducation
290, rue Dupuis
Vanier, Ontario
K1L 1A2

Tél.: (613) 747-7021
Fax: (613) 747-7277

Direction-Jeunesse
497, rue St. Phillippe
Alfred, Ontario
K0B 1A0

Tél.: (613) 679-4932
Fax: (613) 679-2577

Douance-Ontario
c/o Gilles Clouthier
Université d'Ottawa
Pavillon Lamoureux
145, rue Jean-Jacques Lussier
Ottawa, Ontario
K1N 6N5

Tél.: (613) 562-5800, poste 4148

Fédération des enseignantes/
enseignants des écoles sec-
ondaires de l'Ontario

60 Mobile Drive
Toronto, Ontario
M4A 2P3

Tél.: (416) 751-8300
Fax: (416) 751-3394

Parents partenaires en éducation
1173, chemin Cyrville, pièce 302
Gloucester, Ontario
K1J 7S6

Tél.: (613) 741-8846
Fax: (613) 741-7322

Regroupement des parents
d'enfants sourds et de leurs amis
C.P. 250
Clarence Creek, Ontario
K0A 1N0

Tél.: (613) 488-2618
Fax: (613) 488-2730

Roman Catholic

Association des directions et des
directions adjointes franco-
ontariennes

1493, rue Maxime
Ottawa, Ontario
K1B 4E7

Tél.: (613) 744-5566
Fax: (613) 741-2761

Catholic Principals' Council of
Ontario

110 Eglinton Avenue East,
Suite 603

Toronto, Ontario
M4R 2Y1

Tel.: (416) 483-1556
or 1-888-621-9190
Fax: (416) 483-2554

Ontario Association of Parents in
Catholic Education

2275 Wellesley Avenue
Windsor, Ontario
N8W 2G1

Tel.: (519) 258-4459
Fax: (519) 258-5455

Ontario Catholic School Trustees'
Association

20 Eglinton Avenue West,
Suite 1804

P.O. Box 2064
Toronto, Ontario
M4R 1K8

Tel.: (416) 932-9460
Fax: (416) 932-9459

Ontario Catholic Student Council
Federation

4001 Don Mills Road, Unit 139
North York, Ontario
M3H 3J8

Tel.: (416) 499-8547

Ontario Catholic Supervisory
Officers' Association

40 Matheson Boulevard West
Mississauga, Ontario
L5R 1C5

Tel.: (905) 890-0708, ext. 4211
Fax: (905) 890-4028

Ontario English Catholic Teachers' Association
65 St. Clair Avenue East, Suite 400
Toronto, Ontario
M4T 2Y8
Tel.: (416) 925-2493
Fax: (416) 925-7764

General

The Canadian Council for Exceptional Children
P.O. Box 56012, Fiesta Mall
Stoney Creek, Ontario
L8G 5C9
Tel.: (905) 643-0451
Fax: (905) 643-8925

Centre for Integrated Education and Community
24 Thome Crescent
Toronto, Ontario
M6H 2S5
Tel.: (416) 658-5363
Fax: (416) 658-5067

Council for Exceptional Children, Ontario Federation
9 Elston Court
Richmond Hill, Ontario
L4C 8A6
Tel.: (905) 884-7933 (Bus.)
Fax: (905) 770-9377

Ethno Racial People with Disabilities Coalition of Ontario
2 Carlton Street, Suite 64
Toronto, Ontario
M5B 1J3
Tel.: (416) 657-2211
or 1-888-988-3999

Ontarians with Disabilities Issues
700 Bay Street, 10th Floor
Toronto, Ontario
M4G 2K1
Tel.: (416) 326-0011
Fax: (416) 326-2546

Ontario Federation of Home and School Associations
240 Bay Street, Suite 206
Toronto, Ontario
M5R 2A7
Tel.: (416) 924-7491
Fax: (416) 924-5354

Provincial Parent Association
Advisory Committee on Special Education Advisory Committees
12 Courtwood Place
Willowdale, Ontario
M2K 1Z9
Tel.: (905) 221-6697
Fax: (905) 221-9371

APPENDIX 3: MINISTRY OF EDUCATION DISTRICT OFFICES

**Field Services Branch,
Ministry of Education**

Director's Office
Mowat Block, 12th Floor
900 Bay Street
Toronto, Ontario
M7A 1L2

Tel.: (416) 325-2588
Fax: (416) 325-2517

**Barrie District Office,
Ministry of Education**

20 Rose Street, 2nd Floor
Barrie, Ontario
L4M 2T2

Tel.: (705) 725-7627; 1-800-471-0713
Fax: (705) 725-7635; 1-800-471-2584

**London District Office,
Ministry of Education**

217 York Street, Suite 207
London, Ontario
N6A 5P9

Tel.: (519) 667-1440; 1-800-265-4221
Fax: (519) 667-9769

**North Bay/Sudbury District
Office, Ministry of Education**

North Bay Site

447 McKeown Avenue, Suite 211
North Bay, Ontario
P1B 9S9

Tel.: (705) 474-7210; 1-800-461-9570
Fax: (705) 497-6896; 1-800-461-9570

Sudbury Site

199 Larch Street, 2nd Floor,
Suite 203
Sudbury, Ontario
P3E 5P9

Tel.: (705) 474-7210
Fax: (705) 564-4233

**Ottawa District Office,
Ministry of Education**

1580 Merivale Road, Suite 504
Nepean, Ontario
K2G 4B5

Tel.: (613) 225-9210; 1-800-267-1067
Fax: (613) 225-2881

**Thunder Bay District Office,
Ministry of Education**

435 James Street South, Suite 336
Thunder Bay, Ontario
P7E 6S9

Tel.: (807) 475-1571; 1-800-465-5020
Fax: (807) 475-1550

**Toronto and Area District
Office, Ministry of Education**

880 Bay Street, 2nd Floor
Toronto, Ontario
M7A 1N3

Tel.: 1-800-268-5755
Fax: (416) 325-4190/4153

APPENDIX 4: SAMPLE AGENDA FOR AN IN-SCHOOL TEAM MEETING

An in-school team meeting usually proceeds in an informal yet orderly manner, with a prepared agenda. Team members:

- welcome the referring teacher to the team, ask the teacher to describe the issue or concern, and review the current level of support;
- ask the resource teacher or other support personnel to contribute additional information from informal observation and assessment;
- ask clarifying questions and decide if there is enough information to begin problem solving;
- ensure that there is consensus on the nature of the problem;
- discuss, evaluate, and refine suggestions and possible interventions;
- ask the referring teacher to choose interventions for an initial trial;
- determine the support needed to implement the chosen interventions;
- define the criteria for evaluating the success of the action plan;
- decide what additional input is needed, if any;
- set the date for follow-up to assess the effectiveness of the outlined interventions for this pupil.

APPENDIX 5: PARENT-TEACHER MEETINGS

To achieve a successful outcome in meetings between teachers and parents of students with special needs, all participants should:

- focus on the best interests of the pupil;
- respect others' perceptions of the pupil's strengths and needs;
- commit the time and energy required to understand the views of the other participants, and ask for clarification when necessary;
- identify ways in which they can contribute to the development of an educational plan for the pupil;
- openly express appreciation for the efforts of other participants;
- focus on determining a positive course of action rather than on assigning blame;
- develop an action plan that sets out the responsibilities of parents and teachers;
- decide how to monitor the implementation of the action plan;
- use information from monitoring as the basis for the next parent-teacher meeting.

Teachers should be aware that parents of pupils encountering difficulties in school may feel shock, anger, denial, or frustration about the situation. Teachers should always be sensitive to parents' emotions. The following guidelines should be observed:

- begin the conference with a positive comment about the pupil;
- avoid the use of jargon and help parents understand what their child is experiencing;
- try to avoid comparing the pupil to siblings or classmates;
- focus on the pupil's strengths and needs;
- give adequate notice to participants about the time, location, and purpose of the meeting;
- prepare necessary documents in advance and share them with parents;
- make sure that all those participating in the meeting have been introduced and that their roles have been defined;
- become informed about the educational history of the pupil;
- provide support and do not assign blame;
- describe the pupil's achievement in positive, specific terms;
- concentrate on one or two issues of concern or interest;
- avoid a focus on policy and funding issues;
- recognize and respect the parents' role as advocates for their child;
- ask for and listen to the parents' ideas and opinions;

- find out how the pupil interacts at home and in the community in order to gain a better understanding of him or her;
- identify and build on the effective strategies used by parents;
- explain to families their rights and responsibilities;
- present a variety of educational suggestions and options for consideration;
- provide suggestions for community resources the family may wish to avail themselves of;
- keep a record in the action plan of parent and teacher responsibilities;
- follow up on the plan.

APPENDIX 6: EXAMPLES OF SCHOOL BOARD CONSENT FORMS

The following forms are examples only. It is up to school boards to determine the types of consent forms needed for various situations. Please note that "Form 14" is not an appropriate form to use for the release of personal information from an Ontario Student Record. Form 14 is a form for the release of clinical records from facilities designated under the Mental Health Act. School boards should devise their own consent forms for the release of student information.

Example (a)

Consent for Individual Academic Assessment

Student's Name _____ **Grade** _____

School _____ **Gender** **F** **M**

I/We understand that school personnel recommend that our child _____
be given an individual academic assessment to obtain more information for developing a program to meet his/her needs.

I/We understand the reason(s) for this recommendation. I/We are in agreement that it will involve the special education teacher and may involve Program Consultant (Special Education) Multilingual Services

It is understood that:

- the initial assessment may take place in the classroom and/or on a withdrawal basis
- an interpretation of the progress of the academic assessment will be provided to me/us within three months and on a regular basis until the assessment report is written
- the written academic assessment report will be shared with me/us within one year from the date of consent and will be filed in the documentation section of the Ontario Student Record Folder
- this consent remains in effect for one year from date of completion

I/We therefore agree that an individual academic assessment will be given to our child.

Date _____

Parent Guardian

Principal

Classroom Teacher

Special Education Teacher

I/We do not wish an individual academic assessment.

Date _____

Parent Guardian

File in Ontario Student Record Folder – Documentation File

Example (b)

Consent to the Release of Confidential Information*

I(We) _____
(Print full name: First Name, Last Name)

of _____
(Address)

hereby consent to the release of the following information:

Psychiatric information, Psychological information, Social Work information, Speech-Language information

and/or Other: _____ (cross out those that do not apply)
(Specify)

compiled or prepared by _____
(Name of institution, agency, or person)

(Address)

with respect to _____ (Name of student) _____ (Date of Birth: yyyy/mm/dd)

(Student ID#) _____ (School)

to _____
(Name of institution, agency, or person, e.g., DSB)

(Address)

for the purpose of Educational Planning, Co-ordination of Services, and/or

Other: _____ (cross out those that do not apply).
(Specify)

Special Instructions: _____

Signature _____ **Witness** _____

(Relationship to student)

Dated this _____ **day of** _____, _____.

This consent remains valid until:** _____ (maximum one year from date of signature)
(yyyy/mm/dd)

* Please refer to the accompanying "Instructions for Ensuring Informed Consent for the Release of Confidential Information" when filling out this form.

** Authorizing person(s) may cancel or change the above authorization in writing at any time prior to the expiry date, unless action has already been taken on the basis of the authorization.

Instructions for Ensuring Informed Consent for the Release of Confidential Information

These instructions accompany the Consent to the Release of Confidential Information form. To complete this consent, a parent, guardian, or student (aged 16 or over) must be fully informed. This means that the parent, guardian, or student (aged 16 or over) understands the following:

- **what specific information is to be disclosed.** Specific pieces of information should be indicated: Attendance Services' information, Psychiatric information, Psychological information, Physiotherapy information, Occupational Therapy information, Social Work information and/or Speech-Language information. Parents, guardians, or students (aged 16 or over) have the right to determine which information is to be released and need to be informed about which information is relevant for the purpose specified (see below). They also need to be aware that limiting access to pertinent information can make it difficult to meet the student's needs appropriately.
- **to whom the information will be disclosed.** The institution, agency, or person to receive the information should be specified on this line (e.g., *District School Board*). The address should also be indicated (e.g., *Student and Community Services*, at the appropriate district office of the Ministry of Education).
- **for what purpose it is to be disclosed.** The information may be used for educational planning and/or the co-ordination of services. Other purposes can also be specified. When releasing information to an outside agency or institution, the information may be used for the provision of their services.

Under "Special Instructions", the parent, guardian, or student (aged 16 or over) may wish to indicate other specific instructions about the disposition of the confidential information. For example, they may wish to have a copy of the confidential information placed in the student's Ontario Student Record. They may wish the information to remain in confidential psychological files (i.e., files supervised by a registered Psychologist). They may wish a copy of the information to be placed in both locations. They may wish to indicate that the confidential information must be destroyed after a specified time period (bearing in mind that legislation may stipulate a period of time during which the information must be retained). Any of these conditions should be noted on the line as a "special instruction".

The signed consent is time-limited. The consent to release the information is valid for no more than one year and may be specified to be less than a year. The consent includes a statement indicating that it may be rescinded or amended at any time. This request must be made in writing and would rescind or amend the consent except where action has already been taken in reliance on the original authorization.

The authorizing signature on the consent indicates the parent's, guardian's, or student's (aged 16 or over) agreement to the disclosure of the specified confidential information, to the specified institution/agency/person, for the specified purpose, and under a specific set of conditions.

Finally, parents, guardians, or students (aged 16 or over) should be given a copy of the original signed consent form to keep for their own records.

APPENDIX 7: A SAMPLE PARENTS' GUIDE TO SPECIAL EDUCATION

District School Board Name
Mission Statement of the Board [optional]
Philosophy of the Board [optional]

Notes:

1. If you wish to receive this parents' guide in Braille, large print, or audio-cassette format, please contact the board at the address or telephone number shown on the last page of this guide.
2. When used in this guide, the word "parent" includes guardian.

The Education Act requires that school boards provide, or purchase from another board, special education programs and services for their exceptional pupils. The purpose of this parents' guide is to provide you with information about the Identification, Placement and Review Committee (IPRC), and to set out for you the procedures involved in identifying a pupil as "exceptional", deciding the pupil's placement, or appealing such decisions if you do not agree with the IPRC.

If, after reading this guide, you require more information, please see the board's list of contacts at the end of the document.

What is an IPRC?

Regulation 181/98 requires that all school boards set up IPRCs. An IPRC is composed of at least 3 people, one of whom must be a principal or a supervisory officer of the board.

[School boards may list the members, identifying the member who is a principal or a supervisory officer.]

- 1.
- 2.
- 3.

Parents are invited and encouraged to attend the meeting.

What is the role of the IPRC?

The IPRC will:

- decide whether or not your child should be identified as exceptional;
- identify the areas of your child's exceptionality, according to the categories and definitions of exceptionalities provided by the Ministry of Education;
- decide an appropriate placement for your child [*here the board should list the full range of placement options offered by the board*]; and
- review the identification and placement at least once in each school year.

Who is identified as an exceptional pupil?

The Education Act defines an exceptional pupil as "a pupil whose behavioural, communicational, intellectual, physical or multiple exceptionalities are such that he or she is considered to need placement in a special education program...." Students are identified according to the categories and definitions of exceptionalities provided by the Ministry of Education.

What is a special education program?

A special education program is defined in the Education Act as an educational program that:

- is based on and modified by the results of continuous assessment and evaluation; and
- includes a plan (called an Individual Education Plan or IEP) containing specific objectives and an outline of special education services that meet the needs of the exceptional pupil.

What are special education services?

Special education services are defined in the Education Act as the facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

What is an IEP?

The IEP must be developed for your child – if he or she has been identified as an exceptional student – in consultation with you. It must include:

- specific educational expectations;
- an outline of the special education program and services that will be received;
- a statement about the methods by which your child's progress will be reviewed; and
- for students 14 years and older (except those identified as exceptional solely on the basis of giftedness), a plan for transition to appropriate postsecondary school activities, such as work, further education, and community living.

The IEP must be completed within 30 days after your child has been placed in the program, and the principal must ensure that you receive a copy of it.

How is an IPRC meeting requested?

The principal of your child's school:

- must request an IPRC meeting for your child, upon receiving your written request;
- may, with written notice to you, refer your child to an IPRC when the principal and the child's teacher or teachers believe that your child may benefit from a special education program.

Within 15 days of receiving your request, or giving you notice, the principal must provide you with a copy of this guide and a written statement of approximately when the IPRC will meet.

May parents attend the IPRC meeting?

Regulation 181/98 entitles parents and pupils 16 years of age or older:

- to be present at and participate in all committee discussions about your child; and
- to be present when the committee's identification and placement decision is made.

Who else may attend an IPRC meeting?

- the principal of your child's school;
- other resource people such as your child's teacher, special education staff, board support staff, or other professionals, who may provide further information or clarification;
- your representative – that is, a person who may support you or speak on behalf of you or your child; and
- an interpreter, if one is required. (You may request the services of an interpreter through the principal of your child's school.) *[Boards may wish to list the types of interpreters available, e.g., sign language, oral, specific language.]*

Who may request that they attend?

Either you or the principal of your child's school may make a request for the attendance of others at the IPRC meeting.

What information will parents receive about the IPRC meeting?

At least 10 days in advance of the meeting, the chair of the IPRC will provide you with written notification of the meeting and an invitation to attend as an important partner in considering your child's placement. This letter will notify you of the date, time, and place of the meeting, and it will ask you to indicate whether you will attend.

Before the IPRC meeting occurs, you will receive a written copy of any information about your child that the chair of the IPRC has received. This may include the results of assessments or a summary of information.

What if parents are unable to make the scheduled meeting?

If you are unable to make the scheduled meeting, you may:

- contact the school principal to arrange an alternative date or time; or
- let the school principal know you will not be attending. As soon as possible after the meeting, the principal will forward to you, for your consideration and signature, the IPRC's written statement of decision noting the decision about identification and placement and any recommendations regarding special education programs and services.

What happens at an IPRC meeting?

- The chair introduces everyone and explains the purpose of the meeting.
- The IPRC will review all available information about your child. The members will:
 - consider an educational assessment of your child;
 - consider, subject to the provisions of the Health Care Consent Act, 1996, a health or psychological assessment of your child conducted by a qualified practitioner, if they feel that such an assessment is required to make a correct identification or placement decision;
 - interview your child, with your consent if your child is less than 16 years of age, if they feel it would be useful to do so; and
 - consider any information that you submit about your child or that your child submits if he or she is 16 years of age or older.
- The committee may discuss any proposal that has been made about a special education program or special education services for the child. Committee members will discuss any such proposal at your request or at the request of your child, if the child is 16 years of age or older.
- You are encouraged to ask questions and join in the discussion.
- Following the discussion, after all the information has been presented and considered, the committee will make its decision.

What will the IPRC consider in making its placement decision?

Before the IPRC can consider placing your child in a special education class, it must consider whether placement in a regular class with appropriate special education services will:

- meet your child's needs; and
- be consistent with your preferences.

If, after considering all of the information presented to it, the IPRC is satisfied that placement in a regular class will meet your child's needs and that such a decision is consistent with your preferences, the committee will decide in favour of placement in a regular class with appropriate special education services.

If the committee decides that your child should be placed in a special education class, it must state the reasons for that decision in its written statement of decision.

What will the IPRC's written statement of decision include?

The IPRC's written statement of decision will state:

- whether the IPRC has identified your child as exceptional;
- where the IPRC has identified your child as exceptional,
 - the categories and definitions of any exceptionalities identified, as they are defined by the Ministry of Education;
 - the IPRC's description of your child's strengths and needs;
 - the IPRC's placement decision; and
 - the IPRC's recommendations regarding a special education program and special education services;
- where the IPRC has decided that your child should be placed in a special education class, the reasons for that decision.

What happens after the IPRC has made its decision?

- If you **agree** with the IPRC decision, you will be asked to indicate, by signing your name, that you agree with the identification and placement decisions made by the IPRC.
- If the IPRC has identified your child as an exceptional pupil and if you **agree** with the IPRC identification and placement decisions, the board will promptly notify the principal of the school at which the special education program is to be provided of the need to develop an Individual Education Plan (IEP) for your child.

Once a child has been placed in a special education program, can the placement be reviewed?

- A review IPRC meeting will be held at least once in each school year, unless the principal of the school at which the special education program is being provided receives written notice from you, the parent, dispensing with the annual review.
- You may request a review IPRC meeting any time after your child has been in a special education program for 3 months.

What does a review IPRC consider and decide?

- With your written permission, the IPRC conducting the review will consider the progress your child has made in relation to the IEP. It will consider the same type of information that was originally considered by the IPRC, as well as any new information.
- The IPRC will review the placement and identification decisions and decide whether they should be continued or whether a different decision should now be made.

What can parents do if they disagree with the IPRC decision?

- If you **do not agree** with either the identification or the placement decision made by the IPRC, you may:
 - within 15 days of receipt of the decision, request that the IPRC hold a second meeting to discuss your concerns; or
 - within 30 days of receipt of the decision, file a notice of appeal with *[boards should fill in the name and address of the secretary of the board]*.
- If you **do not agree** with the decision after the second meeting, you may file a notice of appeal within 15 days of your receipt of the decision.

If you do not consent to the IPRC decision but you do not appeal it, the board will instruct the principal to implement the IPRC decision.

How do I appeal an IPRC decision?

If you disagree with the IPRC's identification of your child as exceptional or with the placement decision of the IPRC, you may, within 30 days of receipt of the original decision or within 15 days of receipt of the decision from the second meeting described above, give written notification of your intention to appeal the decision to *[boards should fill in the name and address of the secretary of the board]*.

The notice of appeal must:

- indicate the decision with which you disagree; and
- include a statement that sets out your reasons for disagreeing.

What happens in the appeal process?

The appeal process involves the following steps:

- The board will establish a special education appeal board to hear your appeal. The appeal board will be composed of three persons who have no prior knowledge of the matter under appeal, one of whom is to be selected by you, the parent.
- The chair of the appeal board will arrange a meeting to take place at a convenient time and place, but no later than 30 days after he or she has been selected (unless parents and board provide written consent to a later date).
- The appeal board will receive the material reviewed by the IPRC and may interview any persons who may be able to contribute information about the matter under appeal.
- You, the parent, and your child, if he or she is 16 years old or over, are entitled to be present at, and to participate in, all discussions.
- The appeal board must make its recommendations within 3 days of the meeting's ending. It may:
 - agree with the IPRC and recommend that the decision be implemented; or
 - disagree with the IPRC and make a recommendation to the board about your child's identification or placement or both.

- The appeal board will report its recommendations in writing, to you and to the school board, providing the reasons for its recommendations.
- Within 30 days of receiving the appeal board's written statement, the school board will decide what action it will take with respect to the recommendations (boards are not required to follow the appeal board recommendations).
- You may accept the decision of the school board or you may appeal to a Special Education Tribunal. You may request a hearing by writing to the secretary of the Special Education Tribunal. Information about making an application to the tribunal will be included with the school board's decision.

What special education programs and services are provided by the board?

[This section should indicate the extent to which the board provides special education programs and services and the extent to which it purchases them from another board or boards.]

What organizations are available to assist parents?

Many parent organizations are available to provide information and support to parents of exceptional children.

[Boards should list here the local associations eligible for membership on their SEAC. Some boards may need to include the provincial office of a major exceptionality group if there is no local association for that group in the community.]

What are the ministry's Provincial and Demonstration Schools?

The ministry operates Provincial and Demonstration Schools throughout Ontario for deaf, blind, deaf-blind, and severely learning-disabled students, including those whose learning disabilities are associated with attention deficit hyperactivity disorder (ADHD). Residential programs are offered at the schools from Monday to Friday, for students who live too far from school to travel daily.

Demonstration Schools for English-speaking students with severe learning disabilities, including learning disabilities associated with ADHD

Amethyst School
1090 Highbury Avenue
London ON N5Y 4V9
Telephone: (519) 453-4408

Sagonaska School
350 Dundas Street West
Belleville ON K8P 1B2
Telephone: (613) 967-2830

Trillium School
347 Ontario Street South
Milton ON L9T 3X9
Telephone: (905) 878-8428

Schools for the deaf

Ernest C. Drury School
255 Ontario Street South
Milton ON L9T 2M5
Telephone: (905) 878-2851
TTY: (905) 878-7195

Robarts School
1090 Highbury Avenue
P.O. Box 7360, Station "E"
London ON N5Y 4V9
Telephone and TTY: (519) 453-4400

Sir James Whitney School
350 Dundas Street West
Belleville ON K8P 1B2
Telephone and TTY: (613) 967-2823

School for the blind and deaf-blind

W. Ross Macdonald School
350 Brant Avenue
Brantford ON N3T 3J9
Telephone: (519) 759-0730

French-language school for the deaf, blind, and deaf-blind, and Demonstration School for French-speaking students with severe learning disabilities, including learning disabilities associated with ADHD

Centre Jules-Léger
281, rue Lanark
Ottawa ON K1Z 6R8
Telephone: (613) 761-9300
TTY: (613) 761-9302 and 761-9304

Where can parents obtain additional information?

Additional information can be obtained from:

- the school principal *[provide name, school address, and school telephone number]*; or
- *[provide the name, address, and telephone number of a contact at the district school board]*.

APPENDIX 8: SYNOPSIS OF STATUTORY POWERS PROCEDURE ACT

The following synopsis is intended to give parents and school board officials a quick overview of the principal provisions of the Statutory Powers Procedure Act, under which the Ontario Special Education Tribunal operates. This synopsis has no official status and should not be cited as an authority. Readers are advised to refer to the act itself for original wording. The bracketed numbers in the text refer to the sections and subsections of the Statutory Powers Procedure Act, consolidated as of May 4, 1998.

This synopsis is limited to those sections that relate directly to the two parties' preparation and presentation of their respective cases to the tribunal.

Note: The two parties in a hearing before the Ontario Special Education Tribunal are the parent(s) and the school board.

The parties may represent themselves at a tribunal hearing or may be represented by an "agent" (or advocate) or by a lawyer (10). However, to ensure order and prevent abuse of its processes, a tribunal may exclude from the hearing any agent whom it considers to be not competent properly to represent or advise his or her client, or who, in the opinion of the tribunal, does not properly understand his or her role as agent (23[3]). This subsection does not apply to lawyers qualified to practise in Ontario.

If either party intends to raise allegations as to the good character, propriety of conduct, or competence of the other party, the other party is entitled to receive reasonable information about these allegations prior to the hearing (8).

At a tribunal hearing, the parties may call witnesses and present evidence and submissions (10.1[a]). They may also cross-examine witnesses "reasonably required for a full and fair disclosure of all matters relevant to the issues in the proceeding". The tribunal may limit further examination or cross-examination when it is satisfied that the examination or cross-examination has been sufficient to disclose fully and fairly all matters relevant to the issues in the proceeding (23[2]).

A tribunal may require any person, including a party, by summons, (a) to give evidence on oath or affirmation at an oral or electronic hearing; and (b) to produce in evidence at an oral or electronic hearing documents and things specified by the tribunal relevant to the subject matter of the proceeding and admissible at a hearing (12[1]). A witness who refuses to appear before the tribunal or refuses to testify may be tried in an Ontario Divisional Court and (if found guilty) punished as if he or she had been guilty of contempt of court (13).

Witnesses normally give evidence to the Ontario Special Education Tribunal under oath. The tribunal has the power to administer oaths (22).

Witnesses are entitled to advice from their own lawyer or advocate but must speak for themselves (i.e., the lawyer or advocate may not speak for them at the hearing), unless otherwise permitted by the tribunal (11[1]). Nothing that would be inadmissible in a court by reason of privilege under the laws of evidence is admissible in evidence at the tribunal [15(2)]. Evidence given by a witness before the tribunal cannot subsequently be used to incriminate the witness (except in the case of perjury) (14[1]).

If one of the parties does not attend the hearing, the hearing may proceed in the party's absence and the non-attending party is not entitled to further notice in the proceeding (7).

Either party may request an adjournment of a hearing. The tribunal decides whether or not to adjourn and for how long (21).

Hearings are open to the public unless the tribunal is of the opinion that it deals with matters of public security or intimate financial or personal matters, in which case the tribunal may order the hearing to be closed to the public (9[1]).

The decision of the tribunal is binding on both parties (Education Act, subsection 57[5]). Either party or the tribunal itself may file the tribunal's decision with the Ontario Court (General Division). The tribunal decision shall consequently be deemed to be a court order and is enforceable as such (19[1]).

An application for judicial review does not operate as a stay of the tribunal decision (25[2]).

APPENDIX 9: ELEMENTS OF AN AGREEMENT BETWEEN A FACILITY AND A DISTRICT SCHOOL BOARD

District school boards and facilities should consult with their own legal counsel when preparing their agreements. However, the following may serve as a guide to components of an agreement:

Heading and Introduction

- a. names of facility or agency and local district school board;
- b. name of act under which facility/agency is licensed;
- c. type of clientele, referral sources, catchment area, location of program (address), number of pupils per teacher, total number of children/youth;
- d. duration of agreement and timelines for review or termination of agreement;
- e. philosophy of care, treatment, custodial, or correctional facility program in conjunction with the district school board's educational program;
- f. geographic area serviced by facility.

Responsibilities of the Facility/Agency

- a. admitting children/youth to care, treatment, custodial, or correctional facility;
- b. providing appropriate accommodation for the educational program (identify location);
- c. providing care, treatment, or therapeutic support services during school hours (nature and frequency of services should be specified);
- d. assigning professionals to address the care/treatment needs of the children/youth (number and type of professionals should be specified);
- e. supervising the care and/or treatment program (name and title of person responsible should be given);
- f. providing a care and/or treatment program for the children/youth (description of program should be given);
- g. developing a treatment or care plan for each pupil;
- h. providing a copy of site plan (physical location);
- i. developing a timetable for educational program (to be kept on file at the facility);
- j. providing security.

Responsibilities of the District School Board

- a. hiring teachers, under the terms of the district school board's teachers' collective agreement, for the provision of an educational program in the care, treatment, custodial, or correctional facility;
- b. supervising the educational program and teacher;
- c. providing furniture, equipment, and instructional supplies;
- d. developing a schedule for operating the educational program within the facility/agency;
- e. providing professional development for educational staff;
- f. assessing and evaluating students' educational achievement;
- g. maintaining the daily attendance record;
- h. providing a detailed description of the educational program;
- i. developing procedures for selecting educational staff.

Shared Responsibilities

- a. ensuring a multidisciplinary cooperative approach to planning of child/youth's program;
- b. maintaining confidentiality;
- c. developing a process for conflict resolution;
- d. defining the roles of educational and facility supervisory personnel;
- e. providing and maintaining equipment;
- f. outlining the process for the student's transition from the facility's educational program to a community school;
- g. interpreting the Occupational Health and Safety Act and determining each party's role in carrying out its provisions;
- h. designing, reviewing, and evaluating individual programs;
- i. adapting programs to specific local conditions;
- j. developing a violence-prevention policy, as required.

Signatures

- a. signatures of signing officials of each party.

For further information, school board officials are advised to contact an official in the appropriate district office of the Ministry of Education.

APPENDIX 10: REGULATION 181/98 AND REGULATION 464/97

Ontario Regulation 181/98 as amended by Ontario Regulation 137/01 made under the Education Act

O. Reg. 181/98 filed: April 30, 1998

O. Reg. 137/01 filed: May 2, 2001

Identification and Placement of Exceptional Pupils

Part I. General

1. (1) In this Regulation,
“committee” means a special education identification, placement and review committee established under Part II and includes a committee established under Regulation 305 of the Revised Regulations of Ontario, 1990;
“designated representative” means,
(a) in relation to a board that has a director of education, the director of education of the board, and
(b) in relation to a board that does not have a director of education, the secretary or equivalent of the board;
“parent” includes a guardian;
“special education appeal board” means a special education appeal board established under Part VI.
(2) In this Regulation, a reference to the category and definition of an exceptionality is a reference to the category and definition of the exceptionality as established under subsection 8 (3) of the Act.
2. Where the time limited by this Regulation for doing anything expires or falls on a school holiday within the meaning of Regulation 304 of the Revised Regulations of Ontario, 1990, the time so limited extends to and the thing may be done on the next day following that is not a school holiday.
3. (1) Subject to subsection (2), mail shall be deemed to have been received by the person to whom it was sent on the fifth day after the day on which it was mailed.
(2) If the fifth day is a school holiday within the meaning of Regulation 304 of the Revised Regulations of Ontario, 1990, the mail shall be deemed to have been received by the person to whom it was sent on the first day after the fifth day that is not a school holiday.
4. A person or body required by this Regulation to communicate in writing to a parent or pupil shall, at the request of the parent or pupil, use a braille, large print or audio-cassette format for the communication.
5. (1) A parent of a pupil and, where the pupil is 16 years of age or older, the pupil, are entitled,
(a) to be present at and participate in all committee discussions about the pupil; and
(b) to be present when the committee’s identification and placement decisions are made.
(2) A parent of a pupil and, where the pupil is 16 years of age or older, the pupil, are entitled to be present at and participate in all discussions about the pupil at the meeting held by the special education appeal board under section 28.
(3) A person who has a right under subsection (1) or (2) to participate in a discussion also has the right to have a representative present at the discussion, to speak on behalf of the person or otherwise support the person.
(4) A person who has a right under clause (1) (b) to be present also has the right to have a representative present to support the person.
(5) At least 10 days in advance of a meeting of a committee or special education appeal board, the chair of the committee or board shall give written notice of the time and place of the meeting to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.
6. (1) Subsection (2) applies when,
(a) a board implements a placement decision under section 20;
(b) a board implements a placement decision under section 31 following an appeal to a special education appeal board in respect of a committee decision under Part IV; or
(c) a board implements a placement decision following an appeal to the Special Education Tribunal in respect of a committee decision under Part IV.

(2) The board shall promptly notify the principal of the school at which the special education program is to be provided of the need to develop an individual education plan for the pupil in consultation with the parent and, where the pupil is 16 years of age or older, the pupil.

(3) The individual education plan must include,
(a) specific educational expectations for the pupil;
(b) an outline of the special education program and services to be received by the pupil; and
(c) a statement of the methods by which the pupil's progress will be reviewed.

(4) Where the pupil is 14 years of age or older, the individual education plan must also include a plan for transition to appropriate post-secondary school activities, such as work, further education and community living.

(5) Subsection (4) does not apply in respect of a pupil identified as exceptional solely on the basis of giftedness.

(6) In developing the individual education plan, the principal shall,
(a) consult with the parent and, where the pupil is 16 years of age or older, the pupil; and
(b) take into consideration any recommendations made by the committee or the Special Education Tribunal, as the case may be, regarding special education programs or special education services.

(7) In developing a transition plan under subsection (4), the principal shall consult with such community agencies and post-secondary educational institutions as he or she considers appropriate.

(8) Within 30 school days* after placement of the pupil in the program, the principal shall ensure that the plan is completed and a copy of it sent to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.

- 7.** (1) Subsection (2) applies when,
(a) a board implements a change in placement under section 25;
(b) a board implements a change in placement under section 31 following an appeal to a special education appeal board in respect of a committee decision under Part V;

- (c) a board implements a change in placement in accordance with a decision of the Special Education Tribunal following an appeal to the Special Education Tribunal in respect of a committee decision under Part V;
(d) an existing placement is confirmed in a statement of decision under Part V and a parent of the pupil consents in writing to the decision or the time period provided in section 31 for filing a notice of appeal from the decision expires without a notice of appeal being filed;
(e) an existing placement is confirmed in a decision under subsection 30 (1) and a parent consents in writing to the decision or the time period provided in section 31 expires without an appeal being commenced;
(f) an existing placement is confirmed in a decision under subsection 30 (1), an appeal from the decision is made under section 57 of the Act to the Special Education Tribunal and the appeal is dismissed or abandoned; or
(g) an existing placement is confirmed in an order of the Special Education Tribunal granting an appeal under section 57 of the Act.

(2) The board shall promptly notify the principal of the school at which the special education program is to be provided of the need to review the pupil's individual education plan to determine whether it needs to be updated.

(3) In reviewing the plan, the principal shall,
(a) consult with the parent and, where the pupil is 16 years of age or older, the pupil; and
(b) take into consideration any recommendations of the committee or the Special Education Tribunal, as the case may be, regarding special education programs or special education services.

(4) Where an individual education plan does not include a plan for transition to appropriate post-secondary school activities and the pupil has attained the age of 14 or will attain the age of 14 within the school year, the principal shall ensure that a transition plan is developed and included in the individual education plan.

(5) Subsection (4) does not apply in respect of a pupil identified as exceptional solely on the basis of giftedness.

(6) In reviewing an individual education plan that includes a transition plan or in developing a transition plan under subsection (4), the principal shall consult with such community agencies and post-secondary educational institutions as he or she considers appropriate.

* Ontario Regulation 137/01, which was filed on May 2, 2001, amends the phrase "within 30 days", which appears in subsections 6(8) and 7(7) of Ontario Regulation 181/98, to "within 30 school days". (There are no other amendments to Regulation 181/98.)

- (7) Within 30 school days* of an implementation of a change in placement or, where the placement is confirmed, within 30 school days* of receiving the notice under subsection (1), the principal shall ensure that,
- (a) the plan has been reviewed and updated as appropriate;
 - (b) a transition plan has been added to the individual education plan where required by subsection (4); and
 - (c) a copy of the individual education plan has been sent to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.
8. The principal shall ensure that the individual education plan for a pupil is included in the record kept in respect of the pupil under clause 265 (d) of the Act, unless a parent of the pupil has objected in writing.
9. (1) In accordance with requirements under the *Education Act*, no pupil is to be denied an education program pending a meeting or decision under this Regulation.
- (2) Where an education program is provided to a pupil pending a meeting or decision under this Regulation,
- (a) the program must be appropriate to the pupil's apparent strengths and needs;
 - (b) the placement for the program must be consistent with the principles underlying section 17; and
 - (c) appropriate education services must be provided to meet the pupil's apparent needs.

Part II. Establishment of Committees and Committee Procedures

10. Each board shall, in accordance with section 11, establish one or more committees for the identification and placement of exceptional pupils, determine the jurisdiction of each committee and establish the manner of selecting the chair of each committee.
11. (1) A board shall appoint three or more persons to each committee that it establishes.
- (2) The board shall appoint, as one of the members of each committee,
- (a) a principal employed by the board;

- (b) a supervisory officer employed by the board under Part XI of the Act; or
 - (c) a supervisory officer whose services are used by the board under Part XI of the Act.
- (3) A principal or supervisory officer appointed under subsection (2) may designate a person to act in his or her place as a member of the committee without the approval of the board.
- (4) Only a person who is eligible to be appointed to the committee under subsection (2) may be designated to act on the committee under subsection (3).
- (5) No member of the board may be appointed to a committee under subsection (2) or designated to act on the committee under subsection (3).

12. (1) A board may establish procedures for committees in addition to those set out in this Regulation.
- (2) Committee decisions made under this Regulation must be consistent with the board's special education plan.

Part III. Parents' Guide

13. (1) Each board shall prepare a guide for the use and information of parents and pupils that,
- (a) explains the function of a committee on a referral under Part IV and on a review under Part V;
 - (b) outlines the procedures set out in this Regulation or established under section 12 that a committee must follow in identifying a pupil as exceptional and in deciding the pupil's placement;
 - (c) explains the committee's duty to describe pupils' strengths and needs and to include, in its statements of decision, the categories and definitions of any exceptionalities it identifies;
 - (d) explains the function of a special education appeal board under Part VI and the right of parents to appeal committee decisions to it;
 - (e) lists the parent organizations that are, to the best of the board's knowledge, local associations of the board, within the meaning of Ontario Regulation 464/97;
 - (f) includes the names, addresses and telephone numbers of the provincial and demonstration schools in Ontario;
 - (g) indicates the extent to which the board provides special education programs and special education services and the extent to which it purchases those programs and services from another board;

* Ontario Regulation 137/01, which was filed on May 2, 2001, amends the phrase "within 30 days", which appears in subsections 6(8) and 7(7) of Ontario Regulation 181/98, to "within 30 school days". (There are no other amendments to Regulation 181/98.)

- (h) explains that no committee placement decision can be implemented unless,
 - (i) a parent has consented to the decision, or
 - (ii) the time limit for filing a notice of appeal in respect of the decision has expired and no such notice has been filed.

(2) The board shall ensure that copies of the guide are available at each school in the board's jurisdiction and at the board's head office and shall provide a copy to the appropriate district office of the Ministry.

(3) The board shall, at the request of a parent or pupil, provide the parent or pupil with a guide in a braille, large print or audio-cassette format.

Part IV. Referral of Pupils to Committees

- 14.** (1) The principal of the school at which a pupil is enrolled,
 - (a) may on written notice to a parent of the pupil; and
 - (b) shall at the written request of a parent of the pupil,refer the pupil to a committee established by the board, for a decision as to whether the pupil should be identified as an exceptional pupil and, if so, what the placement of the pupil should be.
- (2) Where a decision is made that a pupil is to leave a demonstration school and enter a school of a board, the superintendent of the demonstration school shall so notify the designated representative of the board.
- (3) On receiving the notice under subsection (2), the designated representative of the board shall ensure that the pupil is referred to a committee established by the board, for a decision as to what the placement of the pupil should be.
- (4) The superintendent of the demonstration school acting under subsection (2) and the designated representative of the board acting under subsection (3) shall use their best efforts to ensure that the committee meets as soon as possible after the decision is made to move the pupil from the demonstration school to the school of the board.
- (5) Where more than one committee has been established by the board, the referral under subsection (1) or (3) shall be to the committee that the principal or the designated representative, as the case may be, considers to be the most appropriate for the pupil, having regard to the jurisdiction of the committees.

- (6) Within 15 days of giving a notice under clause (1) (a) or receiving a request under clause (1) (b), the principal shall provide the parent with,
 - (a) a copy of the guide prepared under section 13;
 - (b) a written statement of approximately when the principal expects that a committee will meet for the first time to discuss the pupil; and
 - (c) in the case of a request under clause (1) (b), a written acknowledgement of the request.
- (7) Within 15 days of receiving a notification under subsection (2), the designated representative shall provide the parent with,
 - (a) a copy of the notification under subsection (2);
 - (b) a copy of the guide prepared under section 13; and
 - (c) a written statement of approximately when the designated representative expects that a committee will meet for the first time to discuss the pupil.

- 15.** (1) A committee that has received a referral under section 14 shall obtain and consider an educational assessment of the pupil.
- (2) Subject to the *Health Care Consent Act, 1996*, the committee shall also obtain and consider a health assessment of the pupil by a qualified medical practitioner if the committee determines that the assessment is required to enable it to make a correct identification or placement decision.
- (3) Subject to the *Health Care Consent Act, 1996*, the committee shall also obtain and consider a psychological assessment of the pupil if the committee determines that the assessment is required to enable it to make a correct identification or placement decision.
- (4) Where the committee determines that it would be useful to do so and the pupil is less than 16 years of age, the committee shall, with the consent of a parent, interview the pupil.
- (5) A parent of the pupil has a right to be present at the interview.
- (6) The committee shall also consider any information about the pupil submitted to it by a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.
- (7) In addition to complying with this section, the committee shall consider any information submitted to it that it considers relevant.

- (8) As soon as possible after the chair of the committee obtains any information relating to the pupil, the chair shall provide the information to,
- (a) a parent of the pupil; and
 - (b) the pupil, where the pupil is 16 years of age or older.
- (9) Subsection (8) does not apply to oral information submitted at a meeting that the committee holds in respect of the pupil in accordance with this Regulation.
- 16.** (1) The committee may discuss any proposal for special education services or special education programs and shall do so at the request of a parent or a pupil who is 16 years of age or older.
- (2) The committee may make recommendations regarding special education programs and special education services.
- (3) The committee may recommend that an exceptional pupil who is 21 years of age or older remain in a secondary day school program.
- (4) Despite subsections (1) to (3), the committee shall not make decisions about special education services or special education programs.
- (5) Despite subsection (4), a recommendation of a committee under subsection (3) is effective for the purposes of subsection 49.2 (7) of the Act.
- (6) A recommendation under this section is not a decision for the purposes of subsection 26 (1).
- 17.** (1) When making a placement decision on a referral under section 14, the committee shall, before considering the option of placement in a special education class, consider whether placement in a regular class, with appropriate special education services,
- (a) would meet the pupil's needs; and
 - (b) is consistent with parental preferences.
- (2) If, after considering all of the information obtained by it or submitted to it under section 15 that it considers relevant, the committee is satisfied that placement in a regular class would meet the pupil's needs and is consistent with parental preferences, the committee shall decide in favour of placement in a regular class.
- 18.** (1) As soon as possible after making its decisions on a referral under section 14, the chair of the committee shall send a written statement of decision to,
- (a) a parent of the pupil;
 - (b) the pupil, where the pupil is 16 years of age or older;
- (c) the principal who made the referral, where the referral was made by a principal; and
 - (d) the designated representative of the board that established the committee.
- (2) In the case of a referral by a principal under subsection 14 (1), the statement of decision shall,
- (a) state whether the committee has identified the pupil as an exceptional pupil;
 - (b) where the committee has identified the pupil as an exceptional pupil, include,
 - (i) the committee's description of the pupil's strengths and needs,
 - (ii) the categories and definitions of any exceptionalities identified by the committee,
 - (iii) the committee's placement decision, and
 - (iv) the committee's recommendation under subsection 16 (2), if any; and
 - (c) where the committee has decided that the pupil should be placed in a special education class, state the reasons for that decision.
- (3) In the case of a referral by a designated representative under subsection 14 (3), the statement of decision shall,
- (a) include,
 - (i) the committee's description of the pupil's strengths and needs,
 - (ii) the categories and definitions of any exceptionalities identified by the committee,
 - (iii) the committee's placement decision, and
 - (iv) the committee's recommendation under subsection 16 (2), if any; and
 - (b) where the committee has decided that the pupil should be placed in a special education class, state the reasons for that decision.
- 19.** (1) A parent who receives a statement of decision under section 18 may, by written notice delivered to the person specified in subsection (2) within 15 days of receipt of the statement of decision, request a meeting with the committee.
- (2) The notice under subsection (1) shall be delivered to the principal in the case of a referral under subsection 14 (1) and to the designated representative in the case of a referral under subsection 14 (3).
- (3) On receiving the request, the principal or designated representative, as the case may be, shall arrange for the committee to meet as soon as possible with the parent and, where the pupil is 16 years of age or older and wishes to attend, the pupil, to discuss the statement of decision.

(4) As soon as possible following a meeting under this section, the chair of the committee shall send a written notice to each of the persons described in subsection 18 (1), stating whether any changes in its decisions were made as a result of the meeting.

(5) If changes in the committee's decisions were made as a result of the meeting, the notice under subsection (4) shall be accompanied by a revised statement of decision, together with written reasons for the changes.

20. (1) A board shall implement a placement decision made by a committee under this Part when one of the following two events occurs:

1. A parent of the pupil consents in writing to the placement.
2. The time period provided in subsection 26 (2) for filing a notice of appeal from the decision expires without a notice of appeal being filed.

(2) The board shall implement a placement decision made by a committee under this Part as soon as possible after an event described in paragraph 1 or 2 of subsection (1) occurs.

(3) A board that, without the written consent of a parent of the pupil, implements a placement decision made by a committee under this Part shall give written notice of the implementation to a parent of the pupil.

Part V. Committee Reviews

21. (1) The principal of the school at which a pupil's special education program is being provided,

- (a) may on written notice to a parent of the pupil;
- (b) shall at the written request of a parent of the pupil; and
- (c) shall, at the written request of the designated representative of the board that is providing the special education program to the pupil,

refer the pupil to a committee established by the board that is providing the special education program to the pupil, for a review of the identification or placement of the pupil.

(2) A request by a parent under clause (1) (b) may be made at any time after a placement has been in effect for three months but may not be made more often than once in every three month period.

(3) Subject to subsection (4), the designated representative shall make a request under clause (1) (c) when in his or her opinion it is necessary to do so in order to ensure that a review in respect of the pupil is held under this Part at least once in each school year.

(4) Subsection (3) does not apply where,

- (a) a committee proceeding with respect to the pupil was held under Part IV during the school year; or
- (b) a parent of the pupil gives a written notice dispensing with the annual review to the principal of the school at which the special education program is being provided.

(5) Within 15 days of giving a notice under clause (1) (a) or receiving a request under clause (1) (b) or (c), the principal shall provide the parent with a written statement of the approximate time when the review meeting will take place.

22. (1) Where more than one committee has been established by a board, the principal of the school at which the special education program is provided shall determine which of the committees is most appropriate for the pupil, having regard to the jurisdiction of the committees.

(2) Where one board purchases a special education program from another board, the board that is providing the special education program to the pupil shall invite the purchasing board to select a representative who may,

- (a) be present at and participate in all committee discussions about the pupil; and
- (b) be present when the committee's identification and placement decisions are made.

23. (1) Sections 15 and 16 apply with necessary modifications to a committee engaged in a review under this Part.

(2) With the written permission of a parent of the pupil, a committee conducting a review under this Part shall consider the pupil's progress with reference to the pupil's individual education plan.

(3) As soon as possible after a committee engaged in a review under this Part decides that it is satisfied with the identification and placement of a pupil, the chair of the committee shall send a written statement of decision confirming the identification and placement to,

- (a) a parent of the pupil;
- (b) the pupil, where the pupil is 16 years of age or older;
- (c) the principal of the school at which the pupil's special education program is being provided;

- (d) the designated representative of the board that is providing the special education program to the pupil; and
- (e) in the circumstances described in subsection 22 (2), the designated representative of the board that is purchasing the special education program.

(4) As soon as possible after a committee engaged in a review under this Part decides that the identification or placement or both should be changed, the chair of the committee shall send a written statement of decision to the persons described in subsection (3).

(5) A statement of decision under subsection (4) shall state,

- (a) the reasons for the committee's decision that the pupil's identification or placement or both should be changed;
- (b) whether the committee considers that the pupil should continue to be identified as an exceptional pupil;
- (c) where the committee considers that the pupil should continue to be identified as an exceptional pupil,
 - (i) the committee's placement decision,
 - (ii) the committee's description of the pupil's strengths and needs, and
 - (iii) the categories and definitions of any exceptionalities identified by the committee; and
- (d) where the committee considers that the pupil should be placed in a special education class, the reasons for that decision.

(6) Section 17 applies with necessary modifications where a committee is considering the option of placing a pupil in a special education class and the pupil is not already in such a placement.

24. (1) A parent who receives a confirmation under subsection 23 (3) or a statement of decision under subsection 23 (4) may request a meeting with the committee by written notice, delivered within 15 days of receiving the confirmation or statement of decision, to the principal of the school at which the pupil's special education program is being provided.

(2) On receiving the request for a meeting, the principal shall arrange for the committee to meet as soon as possible with the parent and, where the pupil is 16 years of age or older and wishes to attend, the pupil, to discuss the statement of decision.

(3) As soon as possible following a meeting under this section, the chair of the committee shall send a written notice to each of the persons described in subsection 23 (3), stating whether any changes in its decisions were made as a result of the meeting.

(4) If changes in the committee's decisions were made as a result of the meeting, the notice under subsection (3) shall be accompanied by a revised statement of decision, together with written reasons for the changes.

25. (1) A board shall implement a change in placement as a result of a decision made by a committee under this Part when one of the following two events occurs:

- 1. A parent of the pupil consents in writing to the placement.
- 2. The time period provided in subsection 26 (3) for filing a notice of appeal from the decision expires without a notice of appeal being filed.

(2) The board shall implement a change in placement as a result of a decision made by a committee under this Part as soon as possible after an event described in paragraph 1 or 2 of subsection (1) occurs.

(3) A board that, without the written consent of a parent of the pupil, implements a change in placement as a result of a decision made by a committee under this Part shall give written notice of the implementation to a parent of the pupil.

Part VI. Appeals from Committee Decisions

26. (1) A parent of a pupil may, by filing a notice of appeal in accordance with subsection (2) or (3), require a hearing by a special education appeal board in respect of,

- (a) a committee decision under Part IV or V that the pupil is an exceptional pupil;
- (b) a committee decision under Part IV or V that the pupil is not an exceptional pupil; or
- (c) a committee decision under Part IV or V on placement of the pupil.

(2) A notice of appeal in respect of a committee decision under Part IV shall be filed with the secretary of the board,

- (a) if no meeting is held under section 19, within 30 days of receipt of the statement of decision under section 18 by the parent who is seeking to appeal; or
- (b) if a meeting is held under section 19, within 15 days of receipt of the notice under subsection 19 (4) by the parent who is seeking to appeal.

(3) A notice of appeal in respect of a committee decision under Part V shall be filed with the secretary of the board,

(a) if no meeting is held under section 24, within 30 days of receipt of the confirmation under subsection 23 (3) or the statement of decision under subsection 23 (4) by the parent who is seeking to appeal; or

(b) if a meeting is held under section 24, within 15 days of receipt of the notice under subsection 24 (3) by the parent who is seeking to appeal.

(4) A notice of appeal shall indicate which of the decisions referred to in subsection (1) the parent disagrees with and shall include a statement that sets out the nature of the disagreement.

(5) The special education appeal board shall not reject or refuse to deal with an appeal by reason of any actual or alleged deficiency in the statement referred to in subsection (4) or by reason of the failure of the parent, in the opinion of the special education appeal board, to accurately indicate in the notice of appeal the subject of the disagreement.

27. (1) The special education appeal board shall be composed of,

(a) one member selected by the board in which the pupil is placed;

(b) one member selected by a parent of the pupil; and

(c) a chair, selected jointly by the members selected under clauses (a) and (b) or, where those members cannot agree, by the appropriate district manager of the Ministry.

(2) Selections under clauses (1) (a) and (b) shall be made within 15 days of receipt of the notice of appeal by the secretary of the board.

(3) The selection of a chair under clause (1) (c) shall be made within 15 days of the last selection under clauses (1) (a) and (b).

(4) No member or employee of the board providing or purchasing the special education program and no employee of the Ministry may be selected under subsection (1).

(5) No person who has had any prior involvement with the matter under appeal may be selected under subsection (1).

(6) The chair of the committee the decision of which is being appealed shall provide the special education appeal board with the record of the committee proceeding, including the statement of decision and any reports, assessments or other documents considered by the committee.

(7) The board shall provide the special education appeal board with the secretarial and administrative services it requires and shall, in accordance with the rules and policies that apply to members of the board under section 191.2 of the Act, pay the travelling and other expenses incurred by the members of the special education appeal board while engaged in their duties.

28. (1) The chair of the special education appeal board shall arrange for a meeting of the members of the special education appeal board to discuss the matters under appeal and shall give notice of the meeting, in accordance with subsection 5 (5), to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil.

(2) The meeting shall be arranged to take place at a convenient place and at a time that is no more than 30 days after the day on which the chair is selected and shall be conducted in an informal manner.

(3) Despite subsection (2), with the written consent of the parents of the pupil and the designated representative of the board, the meeting may be scheduled for a time that is more than 30 days after the day on which the chair is selected.

(4) Any person who in the opinion of the chair of the special education appeal board may be able to contribute information with respect to the matters under appeal shall be invited to attend the meeting.

(5) Where the pupil's special education program is being purchased by one board from another board, the chair shall invite the purchasing board to select a representative who may be present at and participate in all discussions about the pupil at the meeting held by the special education appeal board under section 28.

(6) Where the special education appeal board is satisfied that the opinions, views and information that bear on the appeal have been sufficiently presented to it, the special education appeal board shall end the meeting and, within three days of ending the meeting, shall,

(a) agree with the committee and recommend that its decisions be implemented; or

(b) disagree with the committee and make a recommendation to the board about the pupil's identification, placement or both.

29. (1) The special education appeal board shall send a written statement of its recommendations under section 28 to,

(a) a parent of the pupil;

(b) where the pupil is 16 years of age or older, the pupil;

- (c) the chair of the committee;
- (d) the principal of the school in which the pupil is placed;
- (e) the designated representative of the board in which the pupil is placed; and
- (f) in the circumstances described in subsection 28 (5), the designated representative of the board that is purchasing the special education program.

(2) The written statement shall be accompanied by written reasons for the recommendations.

30. (1) Within 30 days of receiving the special education appeal board's written statement, the board shall consider the special education appeal board's recommendations, shall decide what action to take with respect to the pupil and shall give notice in writing of the decision to each of the persons described in subsection 29 (1).

(2) In deciding what action to take with respect to a pupil, the board is not limited to the actions that the special education appeal board recommended or could have recommended.

(3) Notice to a parent under subsection (1) shall include an explanation of the further right of appeal provided by section 57 of the Act.

31. (1) The board shall implement a decision under subsection 30 (1) when one of the following events occurs:

1. A parent of the pupil consents in writing to the decision.
2. Thirty days have elapsed from receipt of the notice under subsection 30 (1) by a parent of the pupil and no appeal has been commenced in respect of the decision under section 57 of the Act.
3. An appeal under section 57 of the Act from the decision is dismissed or abandoned.

(2) In accordance with an agreement between the board and a parent of the pupil, the board may change a decision made by it under section 30,

- (a) while an appeal under section 57 of the Act is pending; or
- (b) before the end of the period referred to in paragraph 2 of subsection (1).

(3) Where the board changes a decision under subsection (2), the board shall give notice in writing of the change in decision to each of the persons described in subsection 29 (1).

(4) Subsections 30 (2) and (3) apply with necessary modifications in respect of a change in decision under subsection (2).

Part VII. Transitional Provisions

Interpretation

32. In this Part,

"old regulation" means Regulation 305 of the Revised Regulation of Ontario, 1990.

Committees Established Before September 1, 1998

33. (1) Where a matter was referred to a committee under section 2 of the old Regulation, the matter shall be dealt with on and after September 1, 1998 as if it had been referred to a committee under Part IV of this Regulation and, for the purpose, the provisions of this Regulation apply to the committee proceeding and to all related proceedings, including appeals, with appropriate modifications.

(2) Where a matter was referred to a committee under section 8 of the old Regulation, the matter shall be dealt with on and after September 1, 1998 as if it had been referred to a committee under Part V of this Regulation and, for the purpose, the provisions of this Regulation apply to the committee proceeding and to all related proceedings, including appeals, with appropriate modifications.

(3) The modifications required by subsections (1) and (2) are such modifications as the person or body exercising a power or meeting a requirement under this Regulation considers appropriate having regard to the stage to which the matter has proceeded.

Parents' Guide

34. Until December 31, 1998, a board may meet the requirements of subsection 13 (2) and clauses 14 (6) (a) and 14 (7) (b) using copies of a guide prepared under section 2 of the old regulation.

Individual Education Plans

35. Subsections 7 (2) to (7) apply with necessary modifications if, as a result of a decision of a committee, a special education appeal board or the Special Education Tribunal,

- (a) an existing placement of an exceptional pupil who does not yet have an individual education plan is confirmed; or
- (b) a board implements a change in placement of an exceptional pupil who does not yet have an individual education plan.

Appeals Filed Before September 1, 1998

36. (1) This section applies if a notice of appeal is given under section 4 of the old regulation before September 1, 1998 but the appeal is not finally determined before that date.

(2) If three people are appointed before September 1, 1998 under section 7 of the old regulation to form an appeal board to hear the appeal, the appeal shall be held in accordance with the old regulation as it read immediately before it was revoked.

(3) If three people are not appointed before September 1, 1998 under section 7 of the old regulation to form an appeal board to hear the appeal, the appeal shall be held in accordance with this Regulation.

- (4) For the purposes of subsection (3),
- (a) the notice given under section 4 of the old regulation shall be deemed to be a notice properly given under section 26 of this Regulation; and
 - (b) selections under clauses 27 (1) (a) and (b) shall be made on or before September 15, 1998 rather than within the times specified in subsections 27 (2) and (3).

37. (1) This section applies where an appeal is held in accordance with the old regulation as a result of the application of subsection 36 (2) of this Regulation.

(2) If the board receives the report of the appeal decision under subsection 7 (10) of the old regulation before September 1, 1998, subsection 7 (11) of the old regulation applies as it read immediately before it was revoked.

(3) If the board does not receive the report of the appeal decision under subsection 7 (10) of the old regulation before September 1, 1998, sections 30 and 31 of this Regulation apply as if the report of the appeal decision given under subsection 7 (10) of the old regulation were a statement given under section 29 of this Regulation.

Part VIII. Revocation

38. Regulation 305 of the Revised Regulations of Ontario, 1990 and Ontario Regulation 663/91 are revoked.

Part IX. Commencement

39. (1) This Regulation, except subsection 13 (3), comes into force on September 1, 1998.

(2) Subsection 13 (3) comes into force on January 1, 1999.

Ontario Regulation 464/97
made under the Education Act
Filed: December 11, 1997

Special Education Advisory Committees

1. In this Regulation,
“local association” means an association or organization of parents that operates locally within the area of jurisdiction of a board and that is affiliated with an association or organization that is not an association or organization of professional educators but that is incorporated and operates throughout Ontario to further the interests and well-being of one or more groups of exceptional children or adults.
2. (1) Every district school board shall establish a special education advisory committee that shall consist of,
 - (a) subject to subsections (2) and (3), one representative from each of the local associations that operates locally within the area of jurisdiction of the board, as nominated by the local association and appointed by the board;
 - (b) one alternate for each representative appointed under clause (a), as nominated by the local association and appointed by the board;
 - (c) such number of members from among the board’s own members as is determined under subsection (4), as appointed by the board;
 - (d) where the number of members appointed under clause (c) is less than three, one alternate, as appointed by the board from among its own members, for each member appointed under clause (c);
 - (e) one or two persons to represent the interests of Indian pupils, as provided by section 4; and
 - (f) one or more additional members appointed under subsection (5).
 - (2) The board shall not appoint more than 12 representatives under clause (1) (a).
 - (3) Where there are more than 12 local associations within the area of jurisdiction of the board, the board shall select the 12 local associations that shall be represented.
 - (4) The number to be appointed by the board under clause (1) (c) shall be the lesser of,
 - (a) three; and
 - (b) 25 per cent of the total number of members of the board, rounded down to the nearest whole number.
 - (5) For the purposes of clause (1) (f), the board may appoint one or more additional members who are neither representatives of a local association nor members of the board or another committee of the board.
3. (1) Every school authority, other than a board established under section 68 of the Act, shall establish a special education advisory committee that shall consist of,
 - (a) two representatives from the local associations that operate locally within the area of jurisdiction of the board, as nominated by the local associations and appointed by the board;
 - (b) one alternate for each representative appointed under clause (a), as nominated by the local associations and appointed by the board;
 - (c) one member from among the board’s own members, as appointed by the board;
 - (d) one alternate, as appointed by the board from among its own members, for the member appointed under clause (c); and
 - (e) one or two persons to represent the interests of Indian pupils, as provided by section 4.
 - (2) Where no local association or associations have been established, instead of the members and alternates required by clauses (1) (a) and (b), the board shall appoint two members and two alternates who are not members of the board.
4. (1) Where a board has one member appointed in accordance with a regulation made under section 188 of the Act, the special education advisory committee shall include one person appointed to represent the interests of Indian pupils.
 - (2) Where a board has more than one member appointed in accordance with a regulation made under section 188 of the Act, the special education advisory committee shall include two persons appointed to represent the interests of Indian pupils.
 - (3) One alternate shall be appointed for each person appointed in accordance with subsection (1) or (2).
 - (4) The representatives and alternates shall be nominated by the councils of the bands with

which the board has entered into agreements under section 188 of the Act.

(5) The board shall appoint the persons nominated under subsection (4).

5. (1) A person is not qualified to be nominated or appointed under section 2 or 3 to a special education advisory committee of a board unless the person is qualified to vote for members of that board and is resident in its area of jurisdiction.
(2) Subsection (1) does not apply in respect of persons appointed under section 4.
(3) A person is not qualified to be nominated or appointed under section 2, 3 or 4 if the person is employed by the board.
6. Subject to section 7, each of the persons appointed to a special education advisory committee of a board shall hold office during the term of office of the members of the board and until a new board is organized.
7. (1) A member of a special education advisory committee vacates his or her seat if he or she,
 - (a) is convicted of an indictable offence;
 - (b) absents himself or herself without being authorized by resolution entered in the minutes from three consecutive regular meetings of the committee; or
 - (c) ceases to hold the qualifications to be appointed to the committee.(2) An alternate for a member of a special education advisory committee vacates his or her position if he or she,
 - (a) is convicted of an indictable offence;
 - (b) absents himself or herself without being authorized by resolution entered in the minutes from three consecutive regular meetings of the committee in respect of which the alternate received a notice under subsection 9 (9); or
 - (c) ceases to hold the qualifications to be appointed as an alternate.(3) Where a seat or position becomes vacant under this section, section 8 applies with respect to filling the vacancy.
(4) Despite subsection (3), where a member of the committee or an alternate for a member of a committee is convicted of an indictable offence, the vacancy or position shall not be filled until the time for taking any appeal that may be taken from the conviction has elapsed, or until the final determination of any appeal so taken, and in the event of the quashing of the conviction the seat or position shall be deemed not to have been vacated.
8. (1) If a seat or position on a special education advisory committee becomes vacant, the board that appointed the person whose seat or position has become vacant shall appoint a qualified person to fill the vacancy for the remainder of the term of the person whose seat or position has become vacant.
(2) The nomination requirements of sections 2, 3 and 4 apply with respect to appointments under this section.
(3) Where a seat of a member of the committee is vacant and has not yet been filled, the alternate for the member, if there is an alternate, shall act in the member's place for all purposes of this Regulation.
9. (1) A majority of the members of a special education advisory committee is a quorum, and a vote of a majority of the members present at a meeting is necessary to bind the committee.
(2) Every member present at a meeting, or his or her alternate when attending the meeting in his or her place, is entitled to one vote.
(3) The members of the committee shall, at their first meeting, elect one of their members as chair and one of their members as vice-chair.
(4) The vice-chair shall assist the chair and shall act for the chair at meetings in his or her absence.
(5) The chair or, in the absence of the chair, the vice-chair, shall preside at meetings.
(6) If at any meeting the chair and vice-chair are not present, the members present may elect a chair for that meeting.
(7) The chair may vote with the other members of the committee and any motion on which there is an equality of votes is lost.
(8) The committee shall meet at least 10 times in each school year.
(9) Where a member for whom an alternate has been appointed cannot attend a meeting of the committee, the member shall so notify the alternate.
(10) Where an alternate receives a notice under subsection (9), he or she shall attend the meeting and act at the meeting in the member's place.
10. (1) The board shall make available to its special education advisory committee the personnel and facilities that the board considers necessary for the proper functioning of the committee, including the personnel and facilities that the board considers necessary to permit the use of electronic

means for the holding of meetings of the committee in accordance with the regulations made under section 208.1 of the Act.

(2) Within a reasonable time after a special education advisory committee is appointed, the board shall provide the members of the committee and their alternates with information and orientation respecting,

- (a) the role of the committee and of the board in relation to special education; and
- (b) Ministry and board policies relating to special education.

11. (1) A special education advisory committee of a board may make recommendations to the board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board.

(2) Before making a decision on a recommendation of the committee, the board shall provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred.

12. (1) The board shall ensure that its special education advisory committee is provided with the opportunity to participate in the board's annual review, under Regulation 306 of the Revised Regulations of Ontario, 1990, of its special education plan.

(2) The board shall ensure that its special education advisory committee is provided with the opportunity to participate in the board's annual budget process under section 231 of the Act, as that process relates to special education.

(3) The board shall ensure that its special education advisory committee is provided with the opportunity to review the financial statements of the board, prepared under section 252 of the Act, as those statements relate to special education.