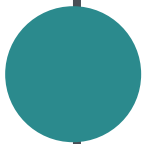


# SPECIAL EDUCATION IN ONTARIO

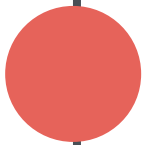
A GUIDE FOR STUDENTS AND CAREGIVERS



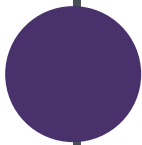
**Introduction to Special  
Education in Ontario**



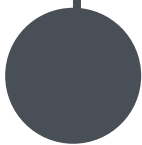
**The Identification,  
Placement, and Review  
Committee (IPRC)**





**Appealing the IPRC  
Decision**



**The Individual Education  
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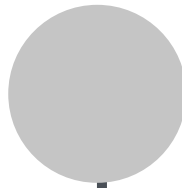


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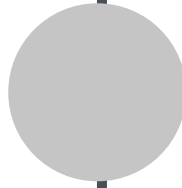
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# The Individual Education Plan

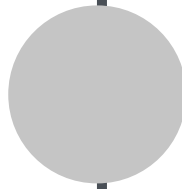
## The Individual Education Plan (IEP)



**Introduction to Special Education in Ontario**



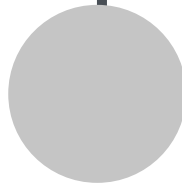
**The Identification, Placement, and Review Committee (IPRC)**



**Appealing the IPRC Decision**

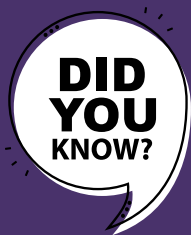


**The Individual Education Plan (IEP)**



**Glossary & Resources**

# The Individual Education Plan



An IEP is a living document - open to change and growth. It tells us who is responsible for supporting the student (accountability) and how that will happen (plan of action).

The IEP is stored in the student's Ontario Student Record (OSR)

## What is an Individual Education Plan (IEP)?

The **Individual Education Plan (IEP)** is a written document that outlines the special education program and/or services that will be provided to the student.

### Who writes the IEP?

The IEP is usually written by the classroom teacher, in consultation with the school resource teacher and others that support the student.

The IEP must be developed in consultation with parents/caregivers, as well as students 16+. Consultations may take place in a variety of ways, including meetings, or IEP questionnaires developed by the school.

If a student has been formally identified as having an exceptionality through the Identification, Placement, and Review Committee (IPRC), the principal has up to 30 days to give the parent(s) and student if 16+, a written copy of the IEP.

The IEP must be reviewed three times a year in elementary and each semester in secondary, but it is meant to be changed or modified as needed. It is designed to adapt to the changing needs of the student as they grow through all their years in school.



# The Individual Education Plan (IEP)

## Purpose of the IEP

IEPs describe the special education program and/or services being put into place for a student. They outline appropriate strategies to support the student's learning needs.

Students may be provided with an IEP in one of two ways:

### **Student Identified by IPRC**

Every student that has been identified as exceptional by the Identification, Placement, and Review Committee (IPRC) must have an IEP developed within 30 days of the decision.

### **Student Not-Identified by IPRC**

IEPs can be created to accommodate a student's needs, without the formal IPRC process. Sometimes this is done prior to an IPRC process, while needs are still being assessed, or to better support a student.

The IEP must be developed within **30 days** of a student being formally identified by the IPRC

## Individual Education Plan

# IEP

### REASON FOR DEVELOPING THE IEP

- Student identified as exceptional by IPRC
- Student not formally identified but requires special education program/services, including modified/alternative learning expectations and/or accommodations

# The Individual Education Plan (IEP)

## IEP flowchart

### THE INDIVIDUAL EDUCATION PLAN (IEP) PROCESS

START

#### After the IPRC

Principals are required to make sure that an IEP is created for every student identified as exceptional **within 30 days** from the IPRC decision



It is possible to have an IEP without a formal identification through the IPRC process

#### Sharing the IEP

Once the IEP has been created, it must be shared with:

- Parents
- Students 16+
- All staff members directly responsible for instruction

It must also be included in the student's Ontario Student Record (OSR)



#### The IEP in action

Teachers and support personnel are responsible for implementing the IEP

The IEP must be reviewed three times a year in elementary school, and each semester in secondary school.



#### Individual Education Plan (IEP)

The IEP is a written document that describes the special education program and/or services that the student will be provided to help them achieve their learning goals and expectations

#### IEP Development



Parents and students 16+ must be consulted during the process. The IEP must include the following information:

- The name and position of all individuals on the development team
- All sources of information used to inform the IEP
- Medical conditions and assessments
- Strengths and needs of the student

#### IEP's may include:

##### Accommodations

Changes made to the way the student is taught the material



##### Modifications

Changes to what a student is taught, or what they are expected to learn



##### Alternative Programs

Developed to help students gain experiences outside the curriculum



#### The IEP cannot be appealed

Concerns can be discussed with teachers, principal, school board.

Complaints about failures to accommodate can be made to the Human Rights Tribunal of Ontario.

# The Individual Education Plan

## What is included in the IEP?

See section "What is Special Education" for more on exceptionalities and types of placements

The IEP is a document that includes a lot of information about the student and how to best support their special education learning needs. This includes:

**Student profile**, including name, date of birth, student number, school, most recent IPRC date, and IPRC annual review date, if applicable. If identified through the IPRC as exceptional, it also includes:

### **Identification of exceptionality:**

- Behaviour
- Communication
- Physical
- Intellectual
- Multiple

**Placement:** type of classroom, special education program and/or services

### **The IEP also includes any relevant:**

- Assessments and assessment information
- Medical conditions or diagnoses
- Health services or supports needed
- Strengths and needs
- Courses or programs that the IEP applies to
- Accommodations and/or modifications
- Special education program placement
- Annual Goals
- Learning Expectations
- Transition plan



# The Individual Education Plan



Accommodations and modifications support student success and achievement

This includes graduation and post-secondary readiness!

**Accommodations** are the teaching and assessment strategies, supports, or equipment that support a student's individual learning needs.

Accommodations **do not** change the learning expectations for the grade level. This means that the curriculum stays the same: HOW the curriculum is delivered is changed.

**Modifications** are the changes made to the grade level learning expectations for a subject or course, to support a student's individual learning needs. This means that the curriculum may be changed or modified.

**Alternative programs**, or alternative skill areas, are developed to support students in acquiring knowledge and skills outside of the Ontario curriculum.

## In the IEP: Accommodations, modifications, and alternative programs

An accommodation changes the way the student is taught the material



**HOW**

### WHAT'S THE DIFFERENCE?

A modification changes what a student is taught, or what they are expected to learn

**WHAT**



### ACCOMODATIONS

There are three types of accommodations:

**Instructional accommodations** are when the teacher adjusts teaching strategies (e.g. presenting materials in a different way)

**Environmental accommodations** are when the teacher adjusts the classroom environment (e.g. providing a quiet setting)

**Assessment accommodations** are when the teacher adjusts evaluation methods (e.g. additional time to complete a test)

### MODIFICATIONS

There are different ways to modify expectations:

**Different grade level**, where the expectations may be taken from either a higher or lower grade level in core subjects, such as Math or Language

**The complexity of the grade level** are adjusted in content subjects, such as Social Studies, where the number or complexity of learning expectations may be adjusted from the regular curriculum

### **ALTERNATIVE PROGRAMS**

Alternative programs (or alternative skill areas) are available in both elementary and secondary schools.

The alternatives will be listed on the Program page of the IEP, and will include the current level of achievement, annual goal(s), learning expectations, the teaching strategies to be used, and how learning will be assessed.

Alternative programs at the secondary school level are non-credit courses and prepare students for daily living. Examples include Culinary Skills (KHI) and Transit Training and Community Exploration (KCC).

### **Alternative Programs:**

Developed to help students gain experiences outside of the Ontario curriculum.

At the secondary school level they are:

- non-credited
- individualized for the student
- usually focus on skills for independent living
- use K course codes



# The Individual Education Plan

## In the IEP: Transition plans

A transition plan must be developed for each student 14+ that has an IEP, except when identified as gifted without another exceptionality.

Transition plans include:

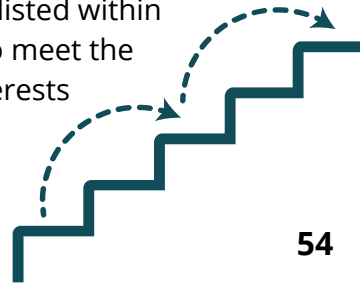
- **Goals** to transition to post-secondary activities
- **Action steps** to meet the goals
- **Individual(s) responsible** for the actions (for example, teacher)
- **Timelines**
- Important connections to **community resources** to support the student

### Why are transition plans important?

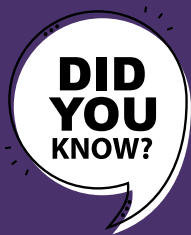
All students need guidance when moving from secondary school to whatever their next step may be. Transition planning helps students prepare to be independent young adults to the best of their abilities.

The transition plan can cover many areas including training, education, employment, and independent living skills.

As it is meant to be reviewed regularly, the goals and action items listed within the plan may change to meet the growing needs and interests of the student.



# The Individual Education Plan (IEP)



The IEP is a legal document, but there is no formal process to appeal the IEP - whether on the content, implementation, or creation of an IEP

You CAN work with the school and school board to resolve problems

## What if I disagree with an IEP?

While parents and students 16+ must be consulted and given a copy of the IEP, the school ultimately has the discretion to move forward with an IEP without parental consent.

Though IEPs are developed with the purpose of supporting the student and their learning, there are times when a parent/student may disagree with the IEP.

**These disagreements often fall into one of three categories:**

- **Content** of the IEP: whether the accommodations/modifications meet the needs of the student
- **Implementation** of the IEP: whether a teacher is providing the student with the listed accommodations
- **Putting an IEP in place:** when the parent/student feels that there is no need for the IEP

When disagreements over the IEP take place, it is important to start by talking to the school about your concerns. Further complaints can be made through the chain of responsibility at the school and school board.

The final step would be to escalate your concerns to the Human Rights Tribunal of Ontario, in extreme circumstances.

# The Individual Education Plan (IEP)

The school does not need consent to provide special education services, but they must still consult with the parent and student 16+

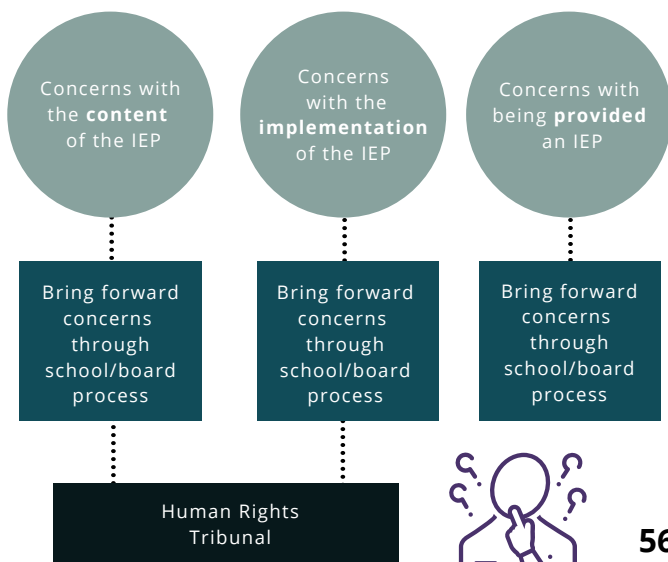
## Bringing forward concerns

When disagreements over the IEP take place, it is important to start by talking to the school about your concerns.

You should always begin with the classroom teacher. Talk through any challenges, and allow time for your concerns to be addressed.

If discussions with the teacher do not resolve your concerns, you should speak to the following people in this order: the Principal, then the Superintendent, and finally the school board Trustee.

If your concerns are regarding the content or the implementation of the IEP, and you have met with all the people listed above and still your concerns have not been addressed, then you could choose to escalate your concerns by filing a complaint with the Human Rights Tribunal of Ontario.



# The Individual Education Plan

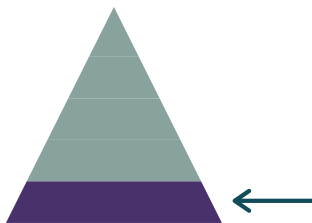
You can ask for an IPRC review after a student has been placed for 3 months

This may help with concerns related to the implementation or content of the IEP

While the IPRC cannot enforce specific IEP contents, they can make persuasive recommendations

## IEP Concerns: Meeting with school/board

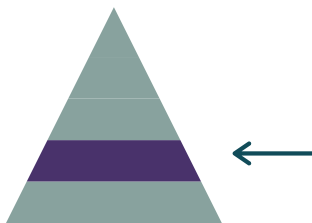
### Step 1: Meet with the teacher



Identify which accommodations and/or modifications are needed but do not appear in the IEP, *or*

Identify the accommodations that are not being followed and ask that they be put in place.

### Step 2: Meet with the Principal



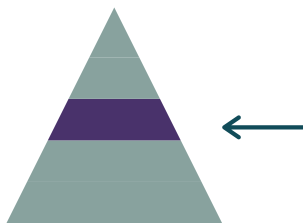
If the meeting with the teacher is not successful, ask to meet with the principal.

Ask about:

- how the IEP team is ensuring implementation
- concrete steps that are being taken to ensure that needs are met

Schedule a follow up meeting to check in after a few weeks.

### Step 3: Meet with the Superintendent

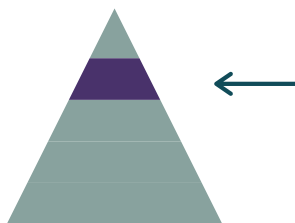


If the IEP team and/or Principal are not taking the right steps, call the Superintendent assigned to your school to request a meeting.

Superintendents oversee a network of schools, and some boards have a Superintendent assigned specifically to oversee special education.

Bring meeting notes and all documents from all previous meetings.

### Step 4: Meet with school board Trustee



If the meeting with the Superintendent is not successful, ask for a meeting with the school board Trustee. The Trustee is an elected official, and represents the interests of the school community.

Bring meeting notes and documents from all previous meetings.



# The Individual Education Plan

## IEP Concerns: The Ontario Human Rights Tribunal

Making a claim to the HRTO can be challenging

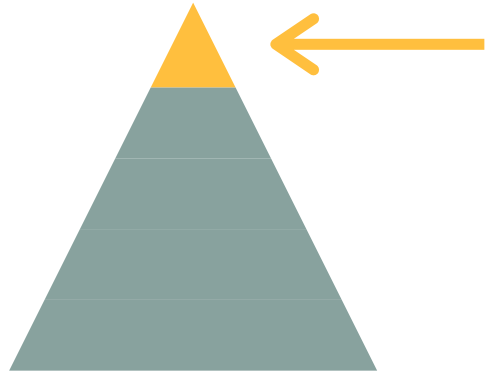
It is a good idea to consult with a lawyer beforehand

Human Rights Legal Support Centre  
[www.hrlsc.on.ca](http://www.hrlsc.on.ca)

Justice for Children and Youth  
[www.jfcy.org](http://www.jfcy.org)

ARCH Disability Law Centre  
[www.archdisabilitylaw.ca](http://www.archdisabilitylaw.ca)

Pro Bono Ontario Education Law Project  
[www.probonoontario.org/education](http://www.probonoontario.org/education)



If there is a failure to accommodate the needs of the student, and you have followed the process of speaking with the school and school board personnel, your final option could be to file a human rights complaint.

This is a process outside of the school system.

The **Human Rights Tribunal of Ontario (HRTO)** can determine whether the failure to accommodate the student's needs is discrimination under the law. They can make an order requiring the school to properly accommodate a student with special education needs.

The Human Rights Legal Support Centre has created a "How To" guide on the process to file a human rights complaint:  
[www.hrlsc.on.ca/how-guides-and-faqs](http://www.hrlsc.on.ca/how-guides-and-faqs)



Justice for Children and Youth (JFCY) is a non-profit legal aid clinic that provides select legal representation to low-income children and youth in Ontario.

If you have a legal problem or have questions, contact us: 416-960-1633 or 1-866-999-5329 (toll-free in Ontario) [www.jfcy.org](http://www.jfcy.org)

## **Enhancing Access to Special Education (EASE)**

A project by JFCY, designed to support students and families of students with special education needs to understand and navigate special education processes

 [@jfcy.ease](https://www.instagram.com/jfcy.ease)

JFCY would like to thank the numerous students, parents, caregivers, community supports, educators, and advocates that met with us and shared their experiences and expertise.

EASE was generously funded  
by the Ontario Ministry of Education