

Ontario School Board Compliance with Public Service Standards

Research Report by Horizon Educational Consulting www.horizoned.ca

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Executive Summary

School boards are publicly funded corporations under Ontario's *Education Act*. As an extension of government services, compliance with Ontario public sector standards is an expectation when dealing with the public, parents and students. Communication is a pivotal component of quality public services.

Field research conducted by Horizon Educational Consulting with parents and school boards since 2016 revealed a consistent trend with difficulty in communication and information disclosure with interactions between the public, parents and students and school board service providers. More recently, the survey results obtained for this report continue to identify that in 2019, school board personnel are still not communicating with parents in a timely and/or effective manner.

School board policy, procedures and practices must comply with the Ontario Human Rights Code (the 'Code') and the Accessibility for Ontarians with Disabilities Act (AODA) in the provision of programs and services.

In addition to the Common Service Standards, the Government of Ontario also has an Accessible Customer Service Policy. This policy, which applies to Ontario Ministries and all consultants and contractors to Ministries, dictates mandatory requirements for the provision of information and services to individuals with disabilities. It also requires that communication allow persons with disabilities to access services with the same timeliness as others. The policy requires staff to undergo appropriate training, and allows for the use of service animals, support persons, and assistive devices. This report focused on those three policy areas in research activity.

In the full report, 76 Ontario school boards' policies were reviewed in relation to the Ontario Government Common Service Standards and the Accessibility Customer Service Policy. An online public survey was conducted between February 15, 2019 and March 30, 2019 on social media platforms to assess implementation and delivery of services from school board providers.

Results of Policy Analysis from Ontario School board websites

Common Service Standards

Three policy areas were examined in 76 school boards as they relate to service dogs, support persons and assistive devices (Ministry of Education Special Equipment Allocation (SEA) funding to school boards). The website of each school board was examined for these policies, and in instances where the policies were not visible, inquiries were made by phone. Despite these attempts, some school board policies could not be obtained.

Of the 76 school boards, only 23 (30%) had policies regarding common customer service standards. Of the 23 school boards with policies, only 8 appear to be targeted specifically towards service standards and delivery. Only 27 school boards had an accessibility customer service policy.

In 2004, school boards were required to adopt guidelines regarding financial accounting and reporting framework that had already been a requirement of the broader public sector. Consequently, it would be an expectation that school boards implement the Common Service Standards. However, there has been no Ministry of Education directive to do so.

Interestingly, the Ministry of Education is the only Ontario Ministry not having a public service compliance statement on its website. Research activity was undertaken to determine if the Ministry of Education provided any guidance regarding communication policies to school boards, but none was found.

Service standard reviews are not systemically engaged by all Ministries in Ontario and are yet to become common practice in Ontario school boards' operations framework.

Guidelines for communication and service delivery in the context of individuals with disabilities, are largely being ignored or the level of awareness of its requirement is absent in school board operations.

Some school boards and teacher unions actively discourage email communication and still recommend face-to-face meetings or telephone conversations over email exchanges.

Furthermore, the policies examined often contained wording which was vague and would be meaningless for parents seeking to communicate with professionals regarding their child. For example, one school board indicated that communication occurs "in a mutually agreeable time frame" while another claimed to answer issues within "a reasonable delay".

Accessibility Policies in Ontario School Boards

The AODA customer service standards include requirements to accommodate when an individual uses a service animal or is accompanied by a support person.

Service Dog Policy

Of the 76 school boards surveyed, 59 have a service dog policy, while 17 do not. This distribution assumes general acceptance of service dogs in Ontario classrooms, possibly as a result of a 2017 Ontario Human Rights Tribunal decision on this issue. However, the presence of such dogs is rare and begs further review of the policy's realistic implementation.

While 59 school boards have a service animal policy, 16 of those are not distinct, but fall under more general accessibility standards that fail to provide a detailed outline of the required application process for service animals in schools. The superficiality of these generalized statements may render these 16 school boards more on the side of the remaining 17 school boards that simply lack a service animal policy. **Viewed in this light, the distribution of school boards with, to school boards without, a service animal policy may more realistically be interpreted as 43 having a specific service dog policy to 33 school boards not having a service dog policy.**

Families are required to apply for service dog accommodation in schools because despite the *Integrated Accessibility Standards Regulation (IASR)*, which declares the removal of barriers for people with disabilities in public spaces, schools are not consistently viewed as public spaces. Policies tend to acknowledge the role of service dogs in accommodating students but lack a detailed outline of the steps required for implementation. Details on how a school board aims to achieve these commitments are not conveyed.

Support Persons Policy

Of the 76 English and French Ontario school boards examined, a total of 41 (roughly half) mentioned the use of “support persons” within schools. Notably, these 41 school boards are predominantly English speaking. Of these 41 policies, 16 policies were stand-alone policies concerning the access of support persons to school property, while the remaining 25 referenced a more general policy, such as “accessibility customer service standards”, multi-year accessibility plans, or special education plan guides for parents.

Much like the various titles for support persons, the definitions of ‘support person’ range from narrow to expansive between the various school boards. Ironically, locating these school board policies (relating to support persons, and accessibility policies more generally) is challenging.

While school boards are mandated by the *AODA* Act to provide accessible and accommodating customer service to students and their parents, some boards’ accessibility policies had broken links, while others were only stored in special binders located on the school property. This reality is troubling and creates further challenges for those whom the very policies were designed to accommodate.

Assistive Devices Policy

Although it was found that most students could access such devices, this access often depended on teacher inclination, a teacher’s assessment of student need, availability of a device or maintenance issues with a student’s funded device. These factors resulted in inconsistent

application and implementation of the accessibility policy, most often not meeting the student's needs with regards to their disability.

37 district school boards (nearly half of Ontario school boards) do not have a policy regarding assistive devices.

While 39 of the school boards do mention the use of assistive devices in their policies, only 12 of the 39 school boards actually have stand-alone policies; 27 of the remaining school boards list some form of a mention under an overarching policy (usually titled "Accessibility Standards for Customer Service").

Having nearly half of the 76 school boards in Ontario without a clear policy on assistive devices means that there is insufficient commitment to accessibility.

There is limited evidence that all school board staff receive training in the Human Rights Code legislation, accessibility guidelines and public service standards when delivering programs and services. Collective agreements and other human resources contracts still require alignment and language to respect a service approach to the work provided by all educational employees.

Survey Results

The sample survey conducted as part of this report illustrates the gap which exists in meeting compliance with the Ontario Common Service Standards and Accessible Customer Policy.

Online public survey results:

- 1. The public's general service experience when communicating with school boards and nearly half the overall responses indicated they did not meet this standard.**
- 2. With respect to special needs students and the provision of accommodations in a readily available and authentic manner, over half of the respondents indicated that services or programs were not disclosed by school board staff and 57% of survey respondents indicated that in reality wait times existed 'often' or 'always'.**

Additionally, 50% of answers felt that services which might be available to special needs students are 'never' or 'rarely' disclosed by school boards staff, despite the fact that 41% of respondents felt that there 'always' or 'often' appears to be an authentic intent to service special needs students.

- 3. The use of assistive devices and other supportive equipment which might be available to a student: 47% of respondents indicated that such equipment was 'never' or 'rarely' available until a recommendation was made in a professional report. Furthermore, 36% of respondents indicate that requests for this equipment are 'never' or 'rarely' processed in a timely manner. Additionally, some school boards have practices qualifying the need relying**

on teacher input, despite a professional recommendation or, do not provide it for lack of specific diagnosis or lack of perceived need by the classroom teacher.

4. Overall, the survey results reflect a theme of disparity between the school board's intentions and their practices toward students with disabilities. Only 43% of survey respondents believe that schools genuinely intend to service students with disabilities through inclusive language, a positive atmosphere or timely services.

5. Unfortunately, 60% of the survey responses reflected school boards' performance in a negative light with clusters around "never", "rarely", and "sometimes". These questions related to wait time to implement accommodations, disclosing all available school board services, readily available assistive devices, availability of a complaint process or alternative dispute resolution, evidence of a feedback mechanism and school boards operating with a client services approach.

Results for Common Service Standards were more promising with close to one quarter of respondents indicating the school board's response times were always in line with the Ontario Common Service Standards (21%). This shows that there is an effort and intent to meet the common public service standard but that this practice is not yet systemic.

A large proportion of respondents indicated that school boards are not operating with a client services approach with respect to communication. Not only are members of the public not getting responses in a timely manner, they are also not offered a mechanism to provide feedback for the purpose of improving service.

Recommendations to the Minister of Education and the Government of Ontario

1. Implementation of public service standards must begin with the Ministry of Education website displaying a commitment to public service standards and accessibility policy.
2. Communication protocols at school boards must be uniform and applied in a systemic manner.
3. Accessibility policies and procedures must be available to the public, parents and students.
4. Public feedback on policy should be open, engaging and responsive to change in practice and administrative culture of school boards. Data collection and analysis is essential to public service.
5. All school board staff must receive comprehensive and ongoing training on Human Rights Code, AODA, Common Service Standards and Accessibility Policy.
6. Compliance with Common Service Standards and Accessibility Policy must be measured through quality assurance performance reviews as they currently exist in other sectors.
7. The Ministry of Education must define a support person in the education sector and develop a policy for third party support persons in schools to assist students with disabilities.