



<b>BOARD GOVERNANCE POLICY NO. GOV-15</b>	
Date Adopted	October 24, 2018
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Board Motion	5827-12-19

## **ACCESSIBILITY STANDARDS**

### **PURPOSE**

This governance policy supports the commitment of the James Bay Lowlands Secondary School Board to the belief that all persons are entitled to learn and work in an environment that promotes human rights and equity of opportunity. This policy supports Board Policy GOV-13 Equity and Inclusion.

This policy also supports the compliance of the James Bay Lowlands Secondary School Board with the *Accessibility for Ontarians with Disabilities Act, 2005*. The purpose of the *Accessibility for Ontarians with Disabilities Act* is to improve opportunities for people with disabilities and to provide for their involvement in the identification, removal, and prevention of barriers to their full participation in the life of the province.

### **DEFINITIONS**

**Accommodation:** Accommodation is a means, through reasonable efforts, of preventing and removing barriers that impede individuals with disabilities from participating fully in the services of the Board.

**Assistive Device:** An assistive device is any device used by people with disabilities to help with daily living. Assistive devices include a range of products such as wheelchairs, walkers, white canes, oxygen tanks, and electronic communication devices.

**Barriers to Accessibility:** Barriers refer to anything that prevents a person with a disability from fully participating in all aspects of the services of the Board. This includes, but is not limited to, a physical barrier, an architectural barrier, information or communications barrier, an attitudinal barrier, a technological barrier.

**Customer:** A customer is anyone who uses the services of the Board.

**Service Animal:** This is an animal that is being used because of a person’s disability, and the need is either readily apparent or is supported by a letter from a medical practitioner.

**Support Person:** This is a person who assists or interprets for a person with a disability as he or she accesses the services of the Board. A support person is distinct from an employee who provides services to a student or staff person in the system.

The support person must submit a current clear Criminal Record Check (Vulnerable Sector) to the Board.

A support person is an individual chosen by a person with a disability to provide services or assistance with communication, mobility, personal care, medical needs, or with access to goods or services. Personal care needs may include, but are not limited to, physically transferring an individual from one location to another or assisting an individual with eating or using the washroom. Medical needs may include, but are not limited to, monitoring an individual's health or providing medical support by being available in the event of a seizure. The support person could be a paid professional, a volunteer, a friend, or a family member. He or she does not necessarily need to have special training or qualifications.

**Third Party:** A third party contractor is any person or organization acting on behalf of or as an agent of the Board (e.g. bus operators, psychologists).

## **GUIDING PRINCIPLES**

### **Commitment to Equality of Opportunity**

- a) The James Bay Lowlands Secondary School Board is committed to providing services free of barriers and biases, to students, parents, the public, and staff.
- b) The Board strives to ensure that principles of independence, dignity, integration, and equality of opportunity are reflected and valued in its learning and working environments.

## **POLICY**

### **1. Accessibility Plan**

1.1. As accessibility needs are identified, the Board's Accessibility Plan will be approved by the supervisory officer or designate within existing resources, and shared with trustees and the Special Education Advisory Committee (SEAC).

1.2. The James Bay Lowlands Secondary School Board will:

- a) consult with Board employee groups and people with disabilities in the development and review of its accessibility plan;
- b) improve access to facilities, policies, programs, practices and services for students, staff, parents, volunteers, and members of the community;
- c) describe the measures that will be taken to identify, remove, and prevent barriers for people with disabilities; and
- d) identify the method(s) the Board will take to make this accessibility plan available to the public.

**BOARD EXPECTATIONS****1. Accessibility Standards for Customer Service Monitoring and Feedback on Accessible Customer Standards**

1.1. The Board will monitor the effectiveness of implementation of the Accessible Customer Service Standards through a process for receiving and responding to feedback. Information about the feedback process will be readily available to the public and will allow people with disabilities to provide feedback using a number of methods.

1.2. The Board will create a feedback process that will review the implementation of this procedure with the Board's various constituency groups. Examples include but are not limited to the Special Education Advisory Committee (SEAC), School Council, and Federations, and community-based citizens' groups. [Note: Where applicable, consultation relates to membership of these groups as providers of Accessible Customer Service.]

**1.3. Responsibility**

1.3.1. The supervisory officer and/or designate will implement a process for feedback on accessible customer service that has the following components:

- a) information on the Board website inviting users of Board services to provide feedback on their experience with or concerns about access to services for people with disabilities;
- b) printed information available through the school office and public offices of the Board to invite people with disabilities to provide feedback on their experience with or concerns about accessibility of services. Consideration will be given to providing information in alternate formats; and
- c) information on how the Board will respond to feedback.

1.3.2. The supervisory officer and/or designate will create a process for reviewing implementation of procedures on Accessibility Standards for Customer Service that includes consultation with various constituency groups including the Special Education Advisory Committee (SEAC), Federations, and citizens' groups. Consultation methods may include electronic feedback and focus groups.

**1.4. Methods for Feedback**

1.4.1. A range of methods for soliciting feedback will be employed to ensure optimum access to the feedback process by people with disabilities.

1.4.2. Methods could include e-mail, verbal input, suggestion box, or feedback card.

1.4.3. The feedback process will include the title(s) of the person(s) responsible for receiving feedback and indicate how the Board's response to the feedback will be made known.

1.4.4. A sample notice for feedback is included below:

*The James Bay Lowlands Secondary School Board is committed to ensuring that its services meet optimum standards of accessibility for people with disabilities using the facilities and services of the Board. Comments on our services regarding how well those expectations are being met are welcome and appreciated.*

*Feedback regarding the way the Board provides services to people with disabilities can be made by e-mail, verbally, telephone, etc.*

*All feedback will be directed to the supervisory officer.*

*Response to your feedback will be provided as follows: direct response to the individual, summary report on website, etc.*

## **2. Accessibility Standards for Customer Service Notification of Disruption of Service**

2.1. People with disabilities may rely on certain facilities, services, or systems in order to access the services of the school. Systems and services designed to meet the needs of people with disabilities can include accessible washrooms, amplification systems, and note-taking. When those facilities or services are temporarily unavailable or if they are expected to be temporarily unavailable in the near future, a notice of disruption of service will be posted at the school and on the Board's website.

2.2. Generally, closure of the school such as during a major storm or power outage, does not require this special notice. However, if the disruption has a significant impact mainly on people with disabilities, a notice of the disruption will be provided.

### **2.3. Responsibility**

2.3.1. The supervisory officer, principal, vice-principal, finance and human resources administrator, and facilities manager will ensure that the users of school services are notified when there is a disruption in services that may have an impact on access to services by people with disabilities.

2.3.2. If the disruption is planned, notice will be provided in advance of the disruption. If the notice is unplanned, notice will be provided as soon as possible after the disruption has been identified.

2.3.3. The notice of disruption of service must include information about the reason for the disruption, its anticipated duration, and a description of alternative facilities or services, if any, that are available.

## **3. Accessibility Standards for Customer Service Use of a Support Person by the General Public**

3.1. The James Bay Lowlands Secondary School Board will welcome all members of the school and broader community to the school by committing the staff and volunteers

to providing services that respect the independence and dignity of people with disabilities. This service may incorporate measures that include but are not limited to the use of support persons.

### 3.2. Responsibility

The supervisory officer, principal, vice-principal, finance and human resources administrator, and facilities manager will ensure that the staff receives training in interacting with people with disabilities who are accessing Board services accompanied by a support person.

### 3.3. Access to Board Premises

3.3.1. Any person with a disability who is accompanied by a support person will be welcomed on Board and/or school premises with his or her support person. Access will be in accordance with normal security procedures.

3.3.2. This requirement applies only to those areas of the premises where the public or third parties customarily have access and does not include places or areas of the school or Board offices where the public does not have access.

### 3.4. Confidentiality

3.4.1. Where a support person is accompanying a person with a disability who is the parent/guardian of a student for the purpose of assisting in a discussion that may involve confidential information concerning the student, the supervisory officer, principal, or other staff member must first secure the consent of the parent/guardian regarding such disclosure.

3.4.2. Consent to the disclosure of confidential information in the presence of the support person must be given in writing by the parent or guardian.

3.4.3. The support person must also provide assurance in writing to safeguard the confidentiality of information disclosed in the discussion.

3.4.4. A copy of the signed consent document will be retained in the school office.

3.4.5. If the parent/guardian uses a different support person for subsequent meetings, a new, signed consent will be required.

3.4.6. A sample of a consent document is provided in Appendix A.

### 3.5. Support Persons Accompanying a Person with a Disability at School Events for which there is an Admission Fee

Where an individual with a disability who is accompanied by a support person wishes to attend an event at the school for which a fee is charged, the notice of the event will

include information as to whether support persons will be charged a fee and specify the amount of the fee.

### 3.6. Where the Board May Require the Presence of a Support Person

The school may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.

**Note:**

This would be a very rare situation and would only occur where having a support person involved is the only means available to allow the person to be on the premises and, at the same time, fulfill the Board's obligations to protect the health or safety of the person with a disability or of others on the premises.

It is further noted that people with disabilities are free to accept a reasonable risk of injury just as other people do. Different individuals will have a different tolerance for risk. Risk should be weighed against any benefit for the person with a disability. It is not enough that the support person might help to protect health and safety. A support person must be necessary or essential to protect health and safety before the Board can require one, and if the risk cannot be eliminated or reduced by other means. Any considerations on protecting health or safety should be based on specific factors and not on assumptions. Just because someone has a disability does not mean they are not capable of meeting health or safety requirements.

## 4. Accessibility Standards for Customer Service Use of Assistive Devices

4.1. The Board will welcome all members of the school and broader community to the James Bay Lowlands Secondary School Board facilities by committing the staff and volunteers to providing services that respect the independence and dignity of people with disabilities. Such services incorporate measures that include but are not limited to the use of assistive devices.

### 4.2. Responsibility

4.2.1. The supervisory officer, principal, vice-principal, finance and human resources administrator, and facilities manager will ensure that all staff members are trained to support parents and the general public who may use assistive devices while accessing Board services.

4.2.2. Training is focused on how to interact with people using assistive devices rather than on the technical use of the assistive devices.

4.2.3. Students and staff have separate and specific procedures related to their personal use of assistive devices.

### 4.3. Communication re: Use of Assistive Devices Carried by Persons with Disabilities

- 4.3.1. The Board/school website will indicate that the school facilities provide services that respect the independence and dignity of people with disabilities and offer services that include the use of assistive devices.
- 4.3.2. The school will post information in the office/reception area that welcomes the use of assistive devices and encourages users to seek support from staff and volunteers, as they require it.
- 4.3.3. Each Board facility that is open to the public will, as applicable, post information in the front office or reception area that indicates the availability of assistive devices and encourage potential users to seek support from staff and volunteers, as they require it.
- 4.4. Assistive Devices/Services Made Available by the Board
  - 4.4.1. The Board website will indicate the availability of assistive devices provided by the Board or school to assist in provision of services to people with disabilities.
  - 4.4.2. Assistive devices made available by the Board may include: telephones with large numbers, amplifiers, and lifts. Services made available may include oral interpretation. Alternate service methods might include the assistance of a staff person to complete a transaction, e.g., school registration.
- 4.5. Examples of Assistive Devices

Many users of Board services and facilities who have disabilities will have personal assistive devices. Examples of personal assistive devices include: wheelchairs; scooters; walkers; amplification devices that boost sound for listeners who are hard-of-hearing without reducing background noise; hearing aids; oxygen tanks; electronic notebooks or laptop computers; personal data managers; communication boards used to communicate using symbols, words or pictures; speech-generating devices that speak when a symbol, word, or picture is pressed.

- 4.6. Instructions for the Staff
  - 4.6.1. A staff member will not touch or handle an assistive device without permission.
  - 4.6.2. If a staff member has permission to move a person in a wheelchair, he or she must remember to:
    - a) wait for and follow the person's instructions;
    - b) confirm that the person is ready to move;
    - c) describe what he or she is going to do before doing it;
    - d) avoid uneven ground and objects that create a bumpy and unsafe ride; and
    - e) practice consideration and safety.
  - 4.6.3. A staff member will not leave the person in an awkward, dangerous, or undignified position such as facing a wall or in the path of opening doors.
  - 4.6.4. The staff member will not move items or equipment, such as canes and walkers, out of the reach of the user.

- 4.6.5. Staff members will respect personal space. For example, they will not lean over a person with a disability or lean on their assistive device.
- 4.6.6. Staff members will let the person know about accessible features in the immediate environment (automatic doors, accessible washrooms, etc.).

## 5. **Accessibility Standards for Customer Service Use of Service Animals by the General Public**

- 5.1. The James Bay Lowlands Secondary School Board will welcome all members of the school and broader community to its facilities by committing the staff and volunteers to providing services that respect the independence and dignity of people with disabilities. Such services will incorporate measures that include, but are not limited to the use of service animals.
- 5.2. Examples of service animals include dogs used by people who have vision loss; hearing-alert animals for people who are deaf, deafened, or hard of hearing; and animals trained to alert an individual to an oncoming seizure and lead them to safety. The customer service standard's provisions also apply to animals providing other services to people with disabilities.
- 5.3. It is readily apparent that an animal is a service animal when it is obvious by its appearance or by what it is doing. For example, it may be readily apparent that an animal is a service animal if it is wearing a harness, a saddle bag, a sign that identifies it as a service animal, or has a certificate or identification card from a service animal training school or an identification card from the Attorney General of Ontario. It may also be readily apparent if a person is using the animal to assist him or her in doing things, such as opening doors or retrieving items.

### 5.4. Responsibility

The supervisory officer, principal, vice-principal, finance and human resources administrator, and facilities manager will ensure that all staff, volunteers, and others dealing with the public are properly trained in how to interact with people with disabilities who are accompanied by a service animal.

### 5.5. Access to Board Premises

- 5.5.1. Any person with a disability who is accompanied by a service animal will be welcomed on Board and/or school premises with his or her service animal and will be accompanied by the service animal while on the premises. Access will be in accordance with normal security procedures.
- 5.5.2. This requirement applies only to those areas of the premises where the public or third parties customarily have access and does not include places or areas of the school or Board offices where the public does not have access.



5.5.3. This procedure deals solely with the individual's right to be accompanied by a service animal.

#### 5.6. Exclusion of Service Animal

5.6.1. A service animal can only be excluded from access to the premises where this is required by another law. Examples include the *Health Protection and Promotion Act* and the *Food Safety and Quality Act*. The former *Act* prohibits service animals in places where food is prepared, processed, or handled, although service dogs are permitted where food is served (i.e. lunchroom).

5.6.2. Where there is a risk to the health and safety of another person as a result of the presence of a service animal, consideration must be given to options available prior to exclusion of a service animal. An example would be a situation where an individual has a severe allergy to the service animal. It is the Board's expectation that the situation will be fully analyzed and all measures to eliminate the risk be considered, e.g. creating distance between the two individuals concerned, making reasonable alterations to schedules, etc.

5.6.3. A service animal can be excluded if it is of a breed that is prohibited by law. An example would be the *Ontario Dog Owner's Liability Act*, which places restrictions on pit bull terriers.

#### 5.7. Alternative Measures if Service Animal must be Excluded

In the rare instance where a service animal must be excluded, the Board must make every effort to put alternative arrangements in place to provide the services required by the person with a disability. This could involve leaving the animal in a secure area where it is permitted by law and discussing with the person how best to serve them, e.g., a person with a vision disability might need someone (a member of staff or volunteer) to guide him or her.

#### 5.8. When it is Necessary to Confirm an Animal is a Service Animal

5.8.1. Where an animal is not a trained guide dog and it is not readily apparent that the animal is a service animal, the school or Board staff member may ask the person using the service animal for a letter from a physician or nurse confirming that the animal is needed because of a disability. The letter does not need to identify the disability, why the animal is needed, or how it is used.

5.8.2. When the person using the service animal regularly attends at the school or Board facility, the principal or manager may request to keep a copy of the letter on file but only as long as required by the circumstances. Alternatively, the person using the service animal may be asked to bring a letter on occasions when he or she visits the premises. The principal or manager shall preserve the confidentiality of the letter and information contained in the letter, and shall not use or disclose the letter or information except as provided for in the *Municipal Freedom of Information and Protection of Privacy Act*, or as otherwise required by law.

## 5.9. Roles and Responsibilities

- 5.9.1. Administrative Procedure 322 Service Animals in the School has been developed to provide directives for the implementation of Section 5 of this Board governance policy.
- 5.9.2. The administrative procedure describes in detail the requirements of Policy/Program Memorandum 163 School Board Policies on Service Animals, and sets out the roles and responsibilities of students, parents, and school staff regarding service animals at school, taking local circumstances into account.

## REFERENCE DOCUMENTS

### **Legal:**

*Education Act, Section 265 Duties of Principal: Attention to the Health of Pupils*

*Education Act, section 266 Pupil Records*

*Ontario Human Rights Code*

*Ontarians with Disabilities Act, 2001 (ODA)*

*Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*

Ontario Regulation 165/16 Integrated Accessibility Standards

*Municipal Freedom of Information and Protection of Privacy Act*

Policy/Program Memorandum 163 School Board Policies on Service Animals

### **Board:**

Board Policy GOV-01 Values, Vision, and Mission

Board Policy GOV-02 Role of the Corporate Board

Board Policy GOV-03 Role of the Supervisory Officer

Board Policy GOV-09 Board Communications

Board Policy GOV-13 Equity and Inclusion

Board Policy GOV-23 Emergency Response Plans

Administrative Procedure 322 Service Animals in the School

APPENDIX A

Consent for Sharing of Confidential Information with a Support Person

JAMES BAY LOWLANDS SECONDARY SCHOOL BOARD

I, (parent/guardian) \_\_\_\_\_ consent to the sharing of confidential information by (name of principal/teacher/other staff member): \_\_\_\_\_ related to my child/ward (name): \_\_\_\_\_ in the presence of my support person (name) \_\_\_\_\_. My support person (name) \_\_\_\_\_ consents to safeguarding the confidentiality of the information shared.

Affirmation of consent: Parent/Guardian

Signature \_\_\_\_\_ Date \_\_\_\_\_

(Printed Name of Parent/Guardian)

I undertake to safeguard the confidentiality of information shared between (Northern Lights Secondary School staff) and (parent/guardian) for whom I am a support person.

Support Person Signature \_\_\_\_\_ Date \_\_\_\_\_

(Printed Name of Support Person)

Signature of Witness: Principal/Staff Member

Date \_\_\_\_\_

(Printed Name of Staff Person/Witness)

Legal Framework:

- Accessibility for Ontarians with Disabilities Act, 2005
Ontario Regulation 165/16 Integrated Accessibility Standards 2016
Ontario Human Rights Code