

12TH ANNUAL ADVANCED ISSUES IN SPECIAL EDUCATION LAW

Program Chair

Robert G. Keel
Keel Cottrelle LLP

Program Details

DATE AND TIME

Monday, October 16, 2017

8:30 am – 3:45 pm

In Person or Webcast

LOCATION

**Osgoode Professional
Development**

1 Dundas St. West, 26th Floor
Toronto, ON

This annual **must attend** program for educators provides up-to-date guidance on the complex legal issues and how to manage them, including:

- Using the *Ontario Human Rights Code* to challenge identification, placement and discipline of special needs students
- Strategies for dealing with violent behavior at the school level
- The emergence of mindfulness in schools and the impact on students with special needs
- Child protection and the duty to report: recent decisions to guide your actions
- The challenges with early-years students who are not school ready
- The impact of full day kindergarten on special needs students
- The challenges of modern technology in the classroom (ie. 2-way GPS devices)

Register today at:

osgoodepd.ca/special-education-law

“Outstanding presenters – clear, practical information sharing on current issues. (2016)”

“Very important relevant information on hard/contentious issues. (2016)”

Endorsed by



12TH ANNUAL

Advanced Issues in Special Education Law

With fewer resources, it's increasingly difficult for educators and administrators to meet the needs of the growing number of students who require exceptional support. Maintaining the delicate balance between meeting special needs and ensuring that the learning rights and safety of all students and staff is not compromised is also a complex challenge. Knowing what you can, must and should do is critical: missteps can have serious and potentially costly ramifications both personally and for school boards, students and staff.

Designed and delivered by leading education law experts, this **12th annual OsgoodePD** program will provide you with a practical, up-to-date understanding of the most critical current legal challenges in special education law today. Key issues include understanding the impact of the *Charter* and *Ontario Human Rights Code* on special education, managing violent behavior in schools and understanding strategies for responding to flashpoints in special education.

Using **case studies** and real life examples, you will walk away with **key knowledge and strategies** you can apply immediately. This is a unique opportunity to obtain **practical tips and insights** from top practitioners, education professionals and your colleagues from other boards, who tackle these issues on a daily basis.

Who Should Attend?

- Principals, VPs and School Administrators
- Superintendents, Supervisory Officers
- School trustees
- Directors of Education
- School board staff
- Representatives from Federations, the Ministry of Education, and Ontario College of Teachers
- Advocates for students and parents
- Teachers
- Education law practitioners

Register today at:

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Agenda

8:00

Continental Breakfast

8:30

Welcome from the Chair

Robert G. Keel, Keel Cottrelle LLP

8:35

Managing Human Rights Issues in
Special Education

Jessica Koper, Shibley Righton LLP

- The impact of the *Charter* and *Ontario Human Rights Code* on special education
- The use of the *Code* to challenge decisions with respect to student identification and placement and/or discipline of special needs children
- The positive duty to address allegations of discrimination in the school
- Procedural component of the duty to accommodate under the *Code*
- Update on the latest case law on human rights issues in schools
- Strategies for complying with your obligations under legislation as well as board and tribunal rulings

9:30

Group Discussion & Q&A Session

9:45

Managing Violent Behaviour in Schools

Sheila M. MacKinnon, Shibley Righton LLP

Sheilagh Turkington, Cavalluzzo Shilton
McIntyre Cornish LLP

- The impact of the *Occupational Health and Safety Act* on students with special needs, their teachers and other educational workers
- What does a risk assessment under the *OHS Act* involve?

- Who “needs to know” about risks of violence from students?
 - how should you inform about these risks?
 - Bill 157 violent incident forms: how do these fit with the *OHS*A requirements?
- What training and assistance are boards obliged to provide educational workers?
- Strategies for dealing with violent behavior at the school level
- Discipline under the *Education Act*: “mitigating and other factors”
- An update on the Ministry of Labour’s latest policies and rulings
- Can a school board refuse to admit a student under the *Education Act*? Why and how?
- Proceedings under the *Ontario Human Rights Code* relating to violent behavior in schools

NOTE: A 15 minute refreshment break will be taken during this session.

11:00

Group Discussion & Q&A Session

11:20

Does Mindfulness Have a Place in Special Education Programs?

- Dr. Sharon Pyke**, Superintendent of Education, Greater Essex County District School Board
- Exploring the history: Why is mindfulness entering into schools?
 - The research: What is the impact on students? What about those with mental health or special needs?
 - How can a mindfulness practice reduce behaviours?
 - Is there a certain profile of who best benefits from a practice of mindfulness
 - Examining how to respond to families regarding their religious concerns
 - Is it appropriate to write into an IEP?
 - Should educators practice mindfulness prior to teaching it?

- The indirect impact on staff mental health and wellbeing by teaching to students

12:00

Group Discussion & Q&A Session

12:15

Luncheon and Keynote Address “Understanding Youth Mental Health”

Dr. Amy Cheung, MD, MSc, Associate Scientist, Evaluative Clinical Sciences, Sunnybrook Health Sciences Centre

1:15

Child Protection Services and School Boards: Working Together for Student Achievement

Nicola Simmons, Keel Cottrelle LLP

Simon Fisch, Counsel, Children’s Aid Society of Toronto

- Understanding the unique challenges, considerations and opportunities for children with special education needs who are involved with CAS
- Different types of CAS involvement and the distinctions between various custodial arrangements for children
 - what are the implications for school boards?
- Applying the protocols: the Joint Protocol for Student Achievement; Police/School Board Protocol; Police/CAS Protocol
- Information sharing between child protection services and school boards
- Duty to report – recent issues and decisions to guide your actions

2:00

Group Discussion & Q&A

2:15

Refreshment Break

2:30

Strategies for Responding to Flashpoints in Special Education

Moderator:

Robert G. Keel, Keel Cottrelle LLP

Panellists:

Dr. Sharon Pyke, Superintendent of Education, Greater Essex County District School Board

Ted Byers, Superintendent of Special Education, Peel District School Board

Dr. Brendan Browne, Superintendent of Education, Special Education Services, Halton Catholic District School Board

Educators have a clear obligation to accommodate students with special needs. That obligation requires a clear understanding of the challenges they face, the potential areas of conflict and inevitably includes a balancing of obligations. This session will review current “flashpoints” in special education, the challenges and obligations faced by boards and their staff and provide guidance on how best to manage these complex legal issues including:

- Understanding what to do in situations where students present with incredibly complex needs requiring more than the traditional supports available
- The challenges with early-years students who are not school ready
- Issues around self-regulation – how do we develop those skills?
- The impact of full day kindergarten on students with special needs
- Navigating the responsibilities and scope of practice between community partners such as medical professionals and the academic responsibilities in schools
- The challenges of modern technology in the classroom (ie. 2-way GPS devices)

3:30

Group Discussion & Q&A Session

3:45

Program Concludes

Chair

Robert G. Keel, Keel Cottrelle LLP

Keynote Speaker

Dr. Amy Cheung, MD, MSc
Associate Scientist, Evaluative Clinical Sciences
Sunnybrook Health Sciences Centre

Faculty Includes

Dr. Brendan Browne
Superintendent of
Education, Special Education
Services, Halton Catholic
District School Board

Ted Byers
Superintendent of Special
Education, Peel District
School Board

Simon Fisch
Counsel, Children's Aid
Society of Toronto

Jessica Koper
Shibley Righton LLP

Sheila M. MacKinnon
Shibley Righton LLP

Dr. Sharon Pyke
Superintendent of
Education, Greater Essex
County District School Board

Nicola Simmons
Keel Cottrelle LLP

Sheilagh Turkington
Cavalluzzo Shilton McIntyre
Cornish LLP

Registration Details

Fee per Delegate

\$545 plus HST

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details. Please inquire about financial assistance.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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“The expertise in the room. Wow.”

Linda Bradley, Vice Principal, Halton District School Board



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