

13TH ANNUAL ADVANCED ISSUES IN SPECIAL EDUCATION LAW

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
- Understanding the **NEW PPM 161** -supporting children and students with prevalent medical conditions
- The impact of full day kindergarten on special needs students
- The challenges of modern technology in the classroom (ie. 2-way GPS devices)

Keynote Address: **David Lepofsky**

Visiting Professor (part-time), Osgoode Hall Law School, York University; Adjunct Faculty, University of Toronto Faculty of Law, Chair, AODA Alliance

"Tearing Down the Many Barriers that Impede Students with Disabilities in Ontario's Education System"

Program Chair

Robert G. Keel
Keel Cottrelle LLP

Date & Time

Thursday, October 11, 2018

8:30 am – 3:45 pm

In Person or Webcast

ONLINE REPLAY

November 20, 2018

Location

**Osgoode Professional
Development**

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

Register today at:

[osgoodepd.ca/
special-education-law](http://osgoodepd.ca/special-education-law)

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13TH 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 **13th 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:

osgoodepd.ca/special-education-law

Agenda

8:00

Registration

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 *OHSA* 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

10:45

Group Discussion & Q&A Session

11:00

Refreshment Break

11:15

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

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

Nicola Simmons, Keel Cottrelle LLP

- An outline of the new *Child, Youth and Family Services Act* – what’s changed?
- 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 – the new regime under the *Child, Youth and Family Services Act*
- Duty to report – recent issues and decisions to guide your actions

12:00

Group Discussion & Q&A Session

12:15

Luncheon and Keynote Address “Tearing Down the Many Barriers that Impede Students with Disabilities in Ontario’s Education System”

David Lepofsky, Visiting Professor (part-time), Osgoode Hall Law School, York University; Adjunct Faculty, University of Toronto Faculty of Law, Chair, AODA Alliance

1:30

New PPM 161 – Supporting Children & Students with Prevalent Medical Conditions

Dr. Sharon Pyke, Superintendent of Education, Special Education Program and Services, Greater Essex County District School Board

Nicole Dupuis, Director of Health Promotion, Windsor Essex County Health Unit

- New Health Unit standards in school health
- Collaboration of community expertise?
- Other Partnership opportunities for school boards
- Overcoming Challenges in policy making and implementation of PPM
- Meeting parental expectations and specific local/provincial associations expectations
- Assessing student need and level of competency
- Staff training including permanent and occasional staff

- What does “regulated medical professionals” mean?

2:15

Group Discussion & Q&A

2:30

Refreshment Break

2:45

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

Brendan Browne, Ph. D, Executive Superintendent, Leadership, Learning & School Improvement, Toronto District School Board

- 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

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Chair

Robert G. Keel, Keel Cottrelle LLP

Keynote Speaker

David Lepofsky

Visiting Professor (part-time), Osgoode Hall Law School, York University; Adjunct Faculty, University of Toronto Faculty of Law, Chair, AODA Alliance

Faculty Includes

Brendan Browne, Ph.D.
Executive Superintendent,
Leadership, Learning &
School Improvement,
Toronto District School Board

Nicole Dupuis
Director of Health Promotion,
Windsor Essex County Health
Unit

Simon Fisch
Counsel, Children's Aid
Society of Toronto

Jessica Koper
Shibley Righton LLP

Sheila M. MacKinnon
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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

\$825 plus HST (Special combo pricing with Cannabis in Schools: An Educator's Guide to the Law and Best Practices)

Fees include attendance, program materials, 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

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

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



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416.597.9724

1 Dundas Street West, Suite 2600



@OsgoodePD

Toronto, ON Canada M5G 1Z3



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