KAWARTHA PINE RIDGE DISTRICT SCHOOL BOARD

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POLICY STATEMENT

Policy Name: Accessibility for Persons with Disabilities **Policy Code: B-3.4**
Section: Board and Community

Established: January 24, 2023
Revised or
Reviewed:

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1. POLICY STATEMENT

With a keen understanding that learning, belonging, and relationships matter within every aspect of public education, the Kawartha Pine Ridge District School Board (the Board) is especially committed to accessibility and addressing barriers that exist for persons with disabilities. Excellence in education is founded on respect for the dignity and humanity of all individuals and is premised on the development of human potential by enabling individuals and groups with the necessary tools and skills to contribute fully within a diverse society. The Board's commitment to a barrier-free working and learning culture demands that we foster fair, nurturing, positive and respectful environments for all members of the Board community. Acknowledging different aspects of ableism is core to this ongoing work and our commitment to human rights.

2. OBJECTIVE

The objective of this Policy is to establish the framework for the Board's compliance with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and the Integrated Accessibility Standards Regulation (IASR). This is to demonstrate the Board's commitment in actively removing barriers and increasing accessibility and participation for all members of its community to maintain compliance through this policy. The Board also has legislated duties and obligations to the communities that we serve. This policy will support the Board's legislated duties and obligations required by the AODA and the corresponding Ontario Regulation 191/11, Integrated Accessibility Standards. (O. Reg. 191/11).

3. DEFINITIONS

AODA
Accessibility for Ontarians with Disabilities Act

COHREA
Commissioner's Office of Human Rights, Equity and Accessibility

HREA Commissioner
Human Rights, Equity and Accessibility Commissioner

3.1 Supervisory Officers

Supervisory officers include all staff at the Board officially or unofficially designated and/or exercising managerial and supervisory responsibilities over staff. This includes superintendents, executive officers, principals, vice-principals, unit managers and others holding similar-type roles.

3.2 Ableism[1]

A belief system whereby persons with disabilities are viewed as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious and can limit the opportunities of persons with disabilities and reduce their inclusion in communities.

3.3 Accessible

An application means and/or process made available to (or easily utilized by) a person with a disability.

3.4 Accessibility[2]

An intentional and inclusive approach to designing environments and creating a culture that benefits everyone, including individuals with disabilities. Accessibility is more specifically a proactive process of identifying, removing, and preventing barriers to persons with disabilities.

3.5 Accommodations[3]

Measures used to make something accessible to an individual with a disability. It is a description of a process or a series of adjustments that are customized to the needs of an individual with a disability. This entails an individualized adaptation or adjustment made to provide a person with a disability with equitable and non-discriminatory opportunities for full participation and inclusion. In the context of accessibility, accommodation is a reactive process and legal duty under Ontario's Human Rights Code.

[1] Ontario Human Rights Commission. (2016, June 27). Policy on ableism and discrimination based on disability. Retrieved from: Policy on ableism and discrimination based on disability - Ontario Human Rights Commission.
[2] McMaster University. (2015). Accessibility Hub: Frequently Asked Questions (FAQs). Retrieved from: What is Accessibility? – Accessibility Hub (mcmaster.ca)
[3] McMaster University. (2015). Accessibility Hub: Frequently Asked Questions (FAQs). Retrieved from: What is an Accommodation? – Accessibility Hub (mcmaster.ca)

3.6 Adaptive and/or Assistive Devices and Service Animals

Adaptive or assistive devices are devices used by people with disabilities to help with daily living. They include tools such as computers or special communication devices that facilitate access to information or services for people with disabilities. Assistive devices may also include, but are not limited to: wheelchairs, walkers, canes, oxygen tanks, electronic communication devices and registered service animals as referenced in Administrative Regulation ES-8.3.4, Service Animals in Schools. Technology solutions may be simple, such as enabling existing features on Board computers or more complex involving unique combinations of hardware and software, such as those needed for voice or Braille output.

3.7 Integrated Accessibility Standards Regulation (IASR)

A set of accessibility requirements legislated under O. Reg. 191/11 of the AODA that persons or organizations must comply with in order to address barriers in key areas of daily living for persons with disabilities. Certain General Requirements are integrated within the following five accessibility standards:

1. Customer Service Standard
2. Information and Communication Standard
3. Employment Standard
4. Transportation Standard
5. Design of Public Spaces Standard

3.8 Barrier[4]

Anything that prevents a person with a disability from participating fully in society. There are five main types of barriers to accessibility: attitudinal, communication (or information), physical (or architectural), systemic (or organizational), and technological.

3.9 Disability[5]

Consistent with the Human Rights Code and aligned with the Board Policy B-3.3, Human Rights: Code-Based Discrimination and Harassment, a disability is defined as any of the following:

[4] Government of Ontario. (2016, April 19). Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11 (ontario.ca).
[5] Government of Ontario. (2019, March 26).(Human Rights Code, R.S.O. 1990, c. H.19 (ontario.ca).

- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;

- a condition of mental impairment or a developmental disability;

- a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;

- a mental disorder; or

- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997; ("handicap").

4. APPLICATION

4.1 Board Community

This policy applies to persons connected to the Board and includes all persons on Board premises, persons working on Board-related business (whether on or off Board premises), and persons involved with Board-sponsored programs at other premises, including students, staff, trustees, parents/guardians, volunteers, visitors, suppliers, service providers, corporate partners and community agencies. Members of the Board community also include:

4.1.1 separately incorporated organizations operating on Board premises who voluntarily agree to submit to the processes under this policy,

4.1.2 organizations and individuals whose contracts require them to comply with Board policies, and

4.1.3 any person holding a Board appointment whether or not that person is an employee.

4.2 Accessibility Commitment

The Board is committed to the principles of the AODA that are centered on dignity, independence, integration, and equal opportunity; and as such the Board is committed to the following:

4.2.1 maintaining learning and working environments which actively promote and support human rights, inclusion, and the principles of equity;

4.2.2 ensuring the principles of accessibility, equity, and the right to equal opportunity and inclusion for persons with disabilities as outlined in the Ontario Human Rights Code and Board Policy B-3.2, Equity, Diversity, and Inclusion are reflected and valued in the learning and working environment;

4.2.3 recognizing there is a legal duty to accommodate the needs of persons with disabilities who are adversely affected by a requirement, rule or standard and that any accommodations must ensure respect for dignity, individualization, as well as integration and full participation;

4.2.4 committing to meeting the accessibility needs of persons with disabilities in a timely manner and to the point of undue hardship;

4.2.5 making reasonable efforts to provide goods, services, and facilities that are accessible to all parents/guardians, the public, and staff, including but not limited to commitment to the five AODA standards;

4.2.6 establishing and maintaining a Multi-Year Accessibility Plan (MYAP) which outlines its strategy to identify, prevent and remove barriers to persons with disabilities in relation to each area identified in the section above;

4.2.7 reviewing and updating the MYAP at least once every five years in consultation with persons with disabilities. The Board will post the MYAP and progress updates on its website and make available in accessible format upon request;

4.2.8 providing copies of the MYAP and all related policies and procedures in an accessible format upon request.

5. RESPONSIBILITY

5.1 Board of Trustees

The Board of Trustees is responsible for:

5.1.1 reviewing this policy in accordance with the overall Board priorities and the MYAP and within the approved policy review cycle,

5.1.2 understanding and communicating with members of the community about this policy as required,

5.1.3 appointing at least one trustee to attend all Accessibility Advisory Committee meetings held during the school year (four annually),

5.1.4 considering accessibility for people with disabilities as part of the development and review of all Board policies, and

5.1.5 reviewing existing Board policies, as needed, to ensure compliance with all standards developed under the AODA.

5.2 Director of Education

The Director of Education has general oversight and jurisdiction in determining the parameters of this policy and the associated administrative regulation and is responsible for:

5.2.1 implementing and operationalizing the Accessibility for Persons with Disabilities policy, and

5.2.2 ensuring that compliance reports and plans required by the Government of Ontario are duly filed by the HREA Commissioner.

5.3 Supervisory Officers

Individuals with supervisory authority (both schools and non-school administrative academic units) are entrusted with responsibility for ensuring working and learning environments at the Board that foster accessibility through identification and removal of barriers for persons with disabilities. This involves initiating positive measures and taking prompt action whenever they are aware that accessibility concerns are brought to their attention and refer to the appropriate area at the Board for addressing.

5.4 Human Rights, Equity and Accessibility Commissioner

In leading the COHREA, the HREA Commissioner is responsible for ensuring the Board's commitment to having a robust process for addressing accessibility matters in meeting the Board's compliance with its legal obligations under the AODA. The HREA Commissioner also acts as Chairperson of the Accessibility Advisory Committee.

6. RELATED POLICIES, ADMINISTRATIVE REGULATIONS OR PROCEDURAL DOCUMENTS

Board Policies:
B-1.1, Board Operation and Policy Development and Management
B-3.2, Equity, Diversity and Inclusion
BA-6.7, Vandalism - Acts Against Board Property
ES-1.1, Safe and Caring Schools

ES-3.8, Special Education
HR-4.1, Occupational Health and Safety

Administrative Regulations:
B-3.3.1, Human Rights: Code-Based Discrimination and Harassment
B-3.4.1, Accessibility for Persons with Disabilities
B-8.1.1, Partnerships in Education
B-8.2.1, Community Use and Access to School Facilities
B-8.3.1, Facility Partnerships
BA-6.3.1, School Playground Equipment
ES-3.8.4, Service Animals in Schools
HR-5.4.1, Performance Appraisal

7. REFERENCE DOCUMENTS

Legislation:
Accessibility for Ontarians with Disabilities Act
Human Rights Code
Ontario Building Code Act
Occupation Health and Safety Act
Ontario Regulation 191/11, Integrated Accessibility Standards
Ontario Regulation 332/12, Building Code
Ontario Regulation 429/07, Accessibility Standards for Customer Service
Workplace Safety and Insurance Act, 1997