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The Honourable Steve Peters, MPP
Speaker of the Legislative Assembly

Sir,

Your Standing Committee on Public Accounts has the honour to present its Report and commends it to the House.

Norman W. Sterling, MPP
Chair

Queen's Park
January 2010

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LIST OF CHANGES TO COMMITTEE MEMBERSHIP

LAURA ALBANESE was replaced by DAVID RAMSAY on September 15, 2009.

ERNIE HARDEMAN was replaced by TED ARNOTT on September 15, 2009.

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LIST OF SELECTED ABBREVIATIONS

CODE	Council of Ontario Directors of Education
HNA	High Needs Amount
IEP	Individual Education Plan
IPRC	Identification, Placement, and Review Committee
ISA	Intensive Support Amount(s)
MISA	Managing Information for Student Achievement
OnSIS	Ontario Student Information System
OPA	Ontario Psychological Association
OSR	Ontario Student Record
SEA	Special Education Amount
SIP	Special Incidence Portion (SIP)

PREAMBLE

In April 2009, the Standing Committee on Public Accounts held public hearings on special education, the subject of an audit (Sec. 3.14) in the *2008 Annual Report* of the Auditor General. Several witnesses appeared before the Committee including the Deputy Minister of Education, a senior director of special education policy, and the directors of education for the three audited district school boards— Simcoe, Thunder Bay Catholic, and Toronto. (For a transcript of proceedings, see Committee *Hansard* for April 8, 2009.)¹ This report highlights the Auditor's observations and recommendations contained in Sec. 3.14 and presents the Committee's own findings, views, and recommendations.

Acknowledgements

The Standing Committee endorses the Auditor's findings and recommendations. It also thanks the Auditor and his team for drawing attention to these important issues pertaining to students with special education needs in Ontario. Finally, the Committee would like to acknowledge the assistance provided during the hearings and report writing by the Office of the Auditor General, the Clerk of the Committee, and staff of the Legislative Research Service.

Overview

Under the *Education Act*, the Ministry of Education (Ministry) has overall responsibility for the development of legislation, regulations, and policies for the provision of special education programs and services to students with special education needs. Responsibility for delivering these programs and services in accordance with Ministry requirements is shared by the 72 publicly funded school boards in the province.

The *Education Act* defines a student with special education needs. School boards determine whether students have special needs, and if so, they identify their needs and recommend appropriate placements. The Ministry has defined specific categories of special needs for school boards to use in identifying students, which are summarized in Figure 1 (below) from p. 364 of the Auditor's *2008 Annual Report*. Most common are learning disability, giftedness, and mild intellectual disability.

¹ Ontario, Legislative Assembly, Standing Committee on Public Accounts, *Hansard: Official Report of Debates*, 39th Parliament, 1st Session (8 April 2009), Internet site at http://www.ontla.on.ca/committee-proceedings/transcripts/files_pdf/08-APR-2009_P018.pdf accessed on November 2, 2009.

Figure 1: Special Education Enrolment by Area of Special Need in Publicly Funded Schools, 2006/07

Source of data: Ministry of Education

Type of Special Need	#	%
learning disability	84,556	28.98
mild intellectual disability	23,718	8.13
behaviour	13,743	4.71
language impairment	11,769	4.03
developmental disability	10,406	3.57
multiple exceptionalities	9,557	3.28
autism	9,357	3.21
physical disability	3,598	1.23
hearing (deaf and hard of hearing)	2,416	0.83
vision (blind and low vision)	771	0.26
speech impairment	638	0.22
hearing and vision (deaf and deaf-blind alternative programs)	43	0.01
Total Excluding Giftedness	170,572	58.46
giftedness	26,609	9.12
Total Identified Students	197,181	67.58
non-identified students receiving special education services	94,583	32.42
Total Students Receiving Special Education Services	291,764	100.00

Special Education Grants

Special education grants—a significant component of school board funding—amount to \$2.1 billion or over 12% of annual operating grants. The Auditor's *2008 Annual Report* shows that since the 2001/02 school year, special education grants have increased by 54% which raised these grants from 10.6% to 12.3% of total operating grants to school boards. Yet, the number of students receiving these services grew little over this period, increasing from 277,000 to 290,000 students, or about 5%.²

Objectives and Scope of the Audit

The Committee welcomed the opportunity to review the Auditor's second value-for-money audit of special education since 2001. The audit objective assessed whether the Ministry and audited school boards had adequate procedures for:

- assessing the extent to which special education programs and services met the needs of students with special education needs; and

² Ontario, Office of the Auditor General, *2008 Annual Report* (Toronto: The Office, December 2008), pp. 364-65.

- ensuring that programs and services complied with legislation, regulations, and policies regarding special education and were delivered economically and efficiently.

Audit work included visits to three school boards—Toronto District School Board, Simcoe District School Board, and Thunder Bay Catholic District School Board—to review their delivery of special education programs and services at the board offices and at a sample of their schools. Programs for gifted students were not examined by the audit team as their needs differ from those of other students with special education needs. The audit scope also excluded programs for children and youth in non-school settings.³

Developments since the 2001 Audit

The Ministry has taken the following actions:⁴

- It has converted the controversial claims-based intensive support amounts 2 and 3 (ISA 2 and ISA 3) grant components to funding that is based on each board's total enrolment. Enrolment-based grant components accounted for \$1.95 billion of the \$2.12 billion special education grants provided to boards in 2007/08; and
- It has published the following two reviews of special education: *Special Education Transformation: The Report of the Co-chairs with the Recommendations of the Working Table on Special Education*, and *Education for All: The Report of the Expert Panel on Literacy and Numeracy Instruction for Students with Special Education Needs, Kindergarten to Grade 6*. The latter was published in August 2005. The Ministry allocated \$25 million each year to the Council of Ontario Directors of Education (CODE) in 2005/06 and 2006/07 for projects to support the implementation of the Panel's 10 recommendations.

The Ministry noted that Education Quality and Accountability Office reports on provincial test results show steady improvements since 2002 in the achievement of students with special education needs.

ISSUES RAISED IN THE AUDIT AND BEFORE THE COMMITTEE

The Auditor noted that based on provincial test results and the audit work, some progress has been made since the last special education audit in 2001. Yet, there are still areas where improvements are needed to ensure that the funding increases result in improved student outcomes.

³ Ibid. p. 365.

⁴ Ibid., pp. 367-68.

Identification and Placement

Ontario Regulation 181/98 under the *Act* requires school boards to establish Identification, Placement, and Review Committees (IPRCs) to determine whether students are exceptional and, if so, in what ways. Should a student be identified as exceptional, IPRCs must identify the students' strengths and needs, recommend appropriate placements, and review these decisions annually (unless waived by the parents).

In 2006/07, about one-third of students receiving special education services had not been formally identified by an IPRC.⁵

Timely Intervention

O. Reg 181/98, in conjunction with the Ministry's Policy and Program Memorandum 11, requires boards to have procedures to identify and respond to students' learning needs. At the audited school boards, the processes for addressing the needs of those students not meeting curriculum expectations or responding to extra help consisted of three progressive steps:

- administration of diagnostic tests to identify a student's specific areas of need to assist teachers in adjusting their teaching strategies;
- referral to an in-school support team for review and action that may include preparation of a Individual Education Plan (IEP), for the student's education; and
- referral to the board's professional support staff for detailed assessments of student's strengths and needs (such assessments assist teachers and principals respectively in developing IEPs and deciding whether to refer students to IPRCs).

Although the Ministry and the audited boards agreed with the importance of early identification of a student's special needs, they had not yet established procedures to monitor the effectiveness of their early identification practices such as providing senior administrators with reports on cases where students were identified after a target timeline. For example, the audit team found that 11% of the students with special education needs in their sample, who had started school at the board by the beginning of grade 1, had not received their first IEP by the end of grade 4.

Reporting cases such as these to senior administrators would enable them to review the early identification procedures at the schools concerned, and take corrective action where required.

⁵ This occurs for several reasons. Programs and services may have commenced by the school before formal identification has been completed. Parents may be unwilling to have their child identified as exceptional. Finally, both parents and the school may decide that the student's needs are already being met by the school's special education program. See *2008 Annual Report*, p. 369.

To ensure that students with special education needs are identified in a timely manner, the Auditor recommended that the Ministry of Education work with school boards to establish procedures to monitor the effectiveness of schools' early identification practices and take corrective action where they have not been effective.

Public Hearings

Timely Identification

During the hearings it was suggested that students who have not received their first IEP by the end of grade 4 receive no additional supports. A Ministry official indicated that, in fact, boards do provide supports for children who have not been identified.⁶ The Ministry's instructions to boards are that all students receiving special education programs and services should have an IEP after an appropriate period of assessment.⁷ The goal, generally, in discussions with the boards, is around grade 3 or grade 4 if the child has been in the system for the entire period of time. However, because students move from board to board, some flexibility is needed.⁸ One board director said that the board had a large number of students who do not have English as a first language and that it takes a few years—at least two or three—before they know whether the challenge is language or a learning disability.⁹

Ministry officials and board directors spoke of the variability in parental desires and expectations around identifying students as exceptional. Some parents feel that their children have needs that are not being acknowledged or addressed, and they are pushing hard to have an earlier, faster identification. In other cases, the school feels that there is an issue and wants an identification but the parents absolutely refuse to do it.¹⁰

One board director responded that the government funds the early development indicator (EDI) that measures five domains of development and helps determine by population and geography those who may be at risk.¹¹ Another witness mentioned an early assessment tool that was co-developed by the Ministry of Education and the Learning Disabilities Association of Ontario that has been used to assess over 30,000 Ontario students. The Ministry noted that it was awaiting the report of the Premier's Early Learning Advisor (Dr. Charles Pascal). Officials anticipated that his report would recommend that the boards of education improve their services around "early identification of special needs."

⁶ *Hansard*, April 8, 2009, p. 332.

⁷ *Ibid.*, p. 333.

⁸ *Ibid.*, p. 336.

⁹ *Ibid.*, p. 332.

¹⁰ *Ibid.*, p. 336.

¹¹ These five domains are: 1) physical health and well being; 2) social knowledge and competence; 3) emotional health and maturity; 4) language and cognitive development; and 5) communication skills and general knowledge. See University of British Columbia Early Learning, Internet site at http://www.earlylearning.ubc.ca/presentations_seminars.htm accessed on October 22, 2009.

Timing of Psychological and Other Assessments

Committee Members asked the witnesses about the IPRC process, specifically the waiting lists for assessments of students' strengths and needs. There are approximately 22,000 Ontario students awaiting such assessments.¹²

The Ministry responded that timely assessments are important, acknowledging that significant waiting lists for assessments existed three or four years ago. The Ministry acted by funding the Ontario Psychological Association (OPA) to conduct additional assessments.¹³ Among the 72 school boards, one-third reported reductions to the waiting list greater than 33%. There are still underserved areas of the province where a lack of psychologists can result in longer waits.

A board director said that the moment the school determines that there is a need, it starts programming immediately and does not wait until a formal assessment has been completed.¹⁴

The Standing Committee on Public Accounts recommends that:

1. **The Ministry report to the Standing Committee on the actions it is taking to ensure that:**
 - **school boards develop reporting procedures to alert senior administrators so that they can follow up any failure to meet the general goal of preparing an Individual Education Plan for students with special education needs by the end of grades 3 or 4; and**
 - **psychological and other assessment services are available on a timely basis throughout the province.**

Documenting IPRC Proceedings

IPRCs make decisions that have a significant impact on students' educational programs. While it is common practice to document discussions at meetings where important decisions are made, O. Reg. 181/98 does not require IPRCs to fully document their proceedings, and none of the audited school boards did so.¹⁵

The audit team also found examples where IPRCs did not follow the Ministry's IEP guide with respect to documenting student strengths and needs; rather they had recorded characteristics of little value for instructional purposes or IEPs.

¹² Based on a survey of school boards that maintain wait lists, as of May 12, 2009, there were about 22,000 students awaiting assessments. Correspondence with Office of the Deputy Minister of Education (May 22, 2009).

¹³ *Hansard*, April 18, 2009, p. 318.

¹⁴ *Ibid.*, p. 319.

¹⁵ *2008 Annual Report*, p. 370.

The Auditor emphasized the importance of Identification, Placement, and Review Committees (IPRCs) in providing useful information to teachers that will also assist subsequent review committees in understanding past decisions. He recommended that the Ministry of Education require IPRCs to more properly document students' strengths and needs as well as the supports and services required by students with special education needs.

Public Hearings

Members heard the witnesses' views on process and documentation as it pertains to special education. The Ministry described the approach of Bill 82 (the original special education legislation) as "legalistic" and "formal." According to officials, the documentation and process requirements took precedence over thinking or doing what was best for the student. For example, the Ministry argued that under the IPRC process, a student who might benefit from 30 minutes of one-on-one assistance would never get that help because his or her needs would not be considered severe enough.

When Members asked about measures to improve special education generally, one director of education said that the biggest challenge that school boards face is resources. For his board, the question is, "do we expend those resources on the teachers working with the students, or do we expend those resources on the paper trail . . . because we can't do both."¹⁶

The Standing Committee on Public Accounts has no wish to exacerbate the paper burden for teachers or education officials. But the Committee also believes that a summary of relevant information about a student's strengths and needs that led to the decisions reached on placement and the supports and services to be provided, will assist both teachers and IPRCs and ultimately benefit the students with special education needs. It also allows schools and boards to demonstrate accountability for the special education dollars they receive.

The Standing Committee on Public Accounts recommends that:

- 2. Ontario Regulation 181/98 be amended to clearly state that Identification, Placement, and Review Committees should more fully document the strengths and needs of students with special education needs as well as the supports and services they require.**

Parental Involvement in the IPRC Process

The Auditor noted that under O. Reg 181/98 school boards must provide parents with a Parents' Guide explaining the IPRC process. Moreover, the Ministry's Special Education Guide for educators recommends that a staff member meet with parents before the IPRC meeting to discuss the IPRC process and to answer any questions. The Guide further suggests that IPRCs both consider any information about the student submitted by parents, and encourage parents and students to ask questions and participate in IPRC meetings.

¹⁶ Hansard, April 8, 2009, p. 328.

The majority of the audited files contained no evidence that the schools had sent a Guide to parents in advance of the original IPRC meetings. Nor did the files include evidence that staff had attempted to meet or had actually met with parents before the IPRC meeting. In the absence of such documentation, the audit team could not determine whether the members of the IPRC had encouraged parents and students to participate in meeting discussions.

The Ministry's Special Education Guide:

- makes no suggestion that school personnel take the initiative to request information from parents that may be relevant to IPRC decisions; and
- provides no examples of the type of information that should be requested from parents to assist IPRCs in decision-making.¹⁷

Noting the importance of parental awareness of and involvement in the Identification, Placement, and Review Committee (IPRC) process, the Auditor recommended that the Ministry of Education require that school boards retain evidence that parents were informed about the IPRC process and that their input was sought with respect to their child's strengths and needs prior to the original IPRC meeting. Evidence might include copies of letters to parents.

Public Hearings

Ministry officials told the Committee that parents of exceptional pupils push the system to provide what they perceive as "more and better" and this can set up conflict situations. Because of this, education officials have been working on mediation and partnering. The Deputy Minister indicated that the Ministry expects schools and boards to listen to and work more closely with parents.

The Standing Committee on Public Accounts takes the view that adjusting some practices in special education can help to diffuse these conflict situations and therefore recommends that:

- 3. The Ministry of Education report to the Standing Committee indicating whether it is planning to revise its Special Education Guide to clarify that school personnel should proactively request from parents information that is relevant to decisions of Identification, Placement, and Review Committees (IPRCs). If so, the report should also indicate whether its revised guide will provide concrete examples of the type of information that school officials should be seeking from parents of students with special education needs to assist in IPRC decision-making.**

Resources Allocated to the IPRC Process

The formal identification process is resource intensive. One of the audited boards therefore discouraged the formal identification of students via IPRCs and strictly

¹⁷ 2008 Annual Report, pp. 371-72.

controlled the number of referrals for professional assessments that schools were allowed to make, resulting in only 51% of its students in special education programs being formally identified, as compared to the provincial average of 68% (see Figure 1 from *2008 Annual Report*, p. 2 of this document). Also, where students were formally identified, parents typically complied with this board's requests to waive annual reviews by IPRCs, so very few resources were allocated to this activity. Board staff explained to the audit team that by controlling IPRC process expenditures, they were able to increase direct services to students, such as providing more special education teachers.¹⁸

The Auditor recommended that the Ministry of Education compare the contribution to student outcomes made by the current resource-intensive formal identification process to the contribution that additional direct services—such as more special education teachers—would provide and determine the extent to which formal identifications should be used.

Public Hearings

Members asked the witnesses if the Ministry or the boards have undertaken research to compare the outcomes of students identified by IPRCs to those who were not formally identified as exceptional by an IPRC but received extra help or services when they could not meet the curriculum expectations. If yes, how did the students in both groups fare in terms of outcomes?

One board official responded that he would be in a better position to answer that question in a year's time after the results of the peer-assisted learning strategy—an early intervention strategy—are in. According to this witness, research from Vanderbilt University and other sources suggests that this strategy will make a huge difference in outcomes.¹⁹

Some Members questioned the notion that IPRCs are not necessarily required. They suggested that the services and supports that flow from an IPRC and an IEP lead to better student outcomes since a formal IPRC followed by an IEP means that a student's needs are identified as well as steps to deal with them.²⁰ If the special education system lacks that (IPRC) tool, the system is left without accountability, as there would be no way of knowing how or whether the challenges are being addressed.

The Standing Committee on Public Accounts recommends that:

4. **The Ministry of Education report to the Standing Committee indicating whether it plans to undertake research to help determine whether the resource intensive formal identification process contributes to student outcomes in all cases, or whether for less complex cases, reallocating the funds involved to more direct services/support to students would result in better outcomes. If so, the**

¹⁸ Ibid., p. 372.

¹⁹ *Hansard*, p. 328.

²⁰ *Hansard*, p. 332.

Ministry should also indicate when the results of this research might be available.

Individual Education Plans

The *Education Act* states that a special education program “includes a plan containing specific objectives and an outline of educational services that meets the needs of the exceptional pupil.” This plan is known as the Individual Education Plan. As pointed out by the Auditor, O. Reg 181/98 requires principals to ensure that IEPs are prepared for students identified as exceptional by IPRCs. The audited school boards also prepared IEPs for those students not formally identified by IPRCs but whose academic performance was well below curriculum expectations.

The Ministry’s IEP guide defines an IEP as a plan that:

- includes learning expectations that differ from the regular curriculum expectations for a subject;
- includes the accommodations needed by the student to help achieve and/or demonstrate the achievement of his or her learning expectations; and
- serves as a planning and accountability tool for those responsible under the plan to help the student meet the stated goals and learning expectations.

The IEP guide describes two types of different learning expectations: modified and alternative.

Modified learning expectations, based on the regular curriculum, have students working toward the regular curriculum expectations for an earlier grade level (a grade 4 student might work on grade 3 math).

Alternative expectations are learning expectations based not on the regular curriculum expectations but designed to help students acquire practical knowledge and skills.

Accommodations are supports or services not provided to the general student population. For example, students may receive help with taking notes or may access specialized software and computers. The IEPs of many students with special education needs, particularly at the secondary level, contain only accommodations.²¹

Information for Inclusion in IEPs

The Ministry publishes *The Individual Education Plan (IEP): A Resource Guide* to assist school personnel in preparing IEPs by describing various steps, including:

²¹ 2008 Annual Report, p. 373.

- collecting relevant information such as assessments by psychologists and other professionals, educational diagnostic tests, current levels of achievement, and teaching strategies that have been effective for the student concerned; and
- consulting with previous teachers, psychologists, and other professionals who have information relevant to the student's educational program, and as required under O. Reg 181/98, consulting with parents and students aged 16 or older.

Such information is to be filed in each student's Ontario Student Record (OSR). While the OSRs reviewed by the Auditor included report cards (current level of achievement) and usually contained assessments by psychologists and other professionals, they did not contain summaries of the consultations that were supposed to take place.

The Auditor noted that neither the Ministry nor the boards had provided schools with guidance on the type of information that principals and teachers should attempt to obtain in the course of the required consultations with parents and students aged 16 or older.

To help ensure that teachers take all information relevant to students' education into account when preparing (IEPs), the Auditor recommended that the Ministry provide school boards with guidance on the type of information they should obtain from parents to help in preparing IEPs, and encourage school boards to ensure that summaries of consultations and other information useful in preparing IEPs is available to and used by those that prepare the IEPs.

Public Hearings

Members heard that the Ministry has made some improvements in the content of, and the process for delivering, IEPs. It recently established a website with the Council of Directors of Education (CODE) with bilingual examples of what constitutes an effective IEP, addressing a number of issues identified by the Auditor. The Ministry is also planning to do another review of IEPs at all boards, as it did a year ago.²²

Some Members were not completely reassured by the Ministry's response to this issue that "we have established a website." They wished to know of any other mechanisms that would ensure improvements of IEPs as instructional tools. Board officials pointed to the sharing of best practices, and they have established learning coaches and resource people in schools to work with individual teachers and those newly hired. Ministry officials noted that in addition to reducing wait times for psychological assessments, the OPA project also involved a realignment of the focus of the assessments. Previously the assessments did not directly provide advice to teachers on strategies for classroom instruction (that could be incorporated into IEPs). This project called for the OPA to refine the nature of its

²² *Hansard*, p. 322.

reports so that, in fact, teachers can grasp exactly what the needs of the child are and implement appropriate changes in instruction.²³

The Standing Committee on Public Accounts recommends that:

- 5. The Ministry of Education report to the Standing Committee whether the results of this year's Individual Education Plan (IEP) review indicate that the initiatives undertaken to enhance the quality of IEPs—such as the Council of Directors of Education website, and the placement of learning coaches and resource people in the schools—have been effective.**

Setting Learning Goals and Expectations and Monitoring Student Progress

The learning goals for regular education students for each subject are set by the Ministry in its curriculum policy documents. The learning goals for special education students are set by teachers, in consultation with parents and students aged 16 and older.

Monitoring Student Progress

The Ministry's IEP guide states that IEPs provide "an opportunity for all those involved with the student to work together to provide a program that will foster achievement and success." One can judge the effectiveness of IEPs by the amount of progress students with special education needs make during each school year. However, determining the amount would require schools to accurately measure students' levels of achievement at the beginning and again at the end of each school year.²⁴

Where students with special needs are not able to meet regular curriculum learning expectations for their age, classroom and special education teachers, in consultation with parents, must establish challenging but achievable learning goals. Such goals are defined by the Ministry's IEP guide as a description of what a student can reasonably be expected to accomplish in a subject by the end of the school year and provide teachers with the context to develop learning expectations for each term.

In setting learning goals, the guide states that teachers should consider the student's "rate of acquisition of knowledge and skills" (measured as the increase in the knowledge and skills the student has acquired over a given time period such as a school term or year). However, the audit team observed that the Ministry and the audited boards had not provided schools with detailed guidance on how to:

- measure rates of acquisition of knowledge and skills; and

²³ Ibid., p. 318.

²⁴ 2008 Annual Report., p. 375.

- use this information to assess the effectiveness of teaching strategies and accommodations, and monitor the progress of students with special education needs.

As indicated in the Auditor's *2008 Annual Report*, the most common exceptionality is learning disabilities.²⁵ Although students with learning disabilities would have a gap between their current level of achievement and regular curriculum expectations at the time they were identified, with appropriate teaching strategies and accommodations, most would be expected to decrease this gap over time and begin meeting regular curriculum learning expectations. For these students, the audit team expected to see:

- i. a clear assessment of the gap between the students' current level of achievement and regular curriculum expectations at the start of the school year for each subject where the students are being assessed against modified expectations;
- ii. a clear goal for the change in the gap by the end of the school year, taking into account expected improvements in students' rates of acquisition of knowledge and skills;
- iii. assessments of rates of acquisition of knowledge and skills, the extent to which annual learning goals were met, and the impact of these results on whether to continue or revise the current teaching strategies and accommodations; and
- iv. the expected time frame for students to eliminate the gap between their current level of achievement and regular curriculum expectations.

None of the OSRs examined by the audit team had met these expectations.

To ensure that schools properly monitor the progress of students with special education needs and identify effective practices, the Auditor recommended that the Ministry of Education provide schools with guidance on measuring the amount of students' progress in acquiring knowledge and skills, and using this information to assess the effectiveness of the teaching strategies and accommodations, make changes where appropriate. As well, the Ministry should provide schools with guidance on monitoring the progress of students with special education needs against an appropriate benchmark—which would be, in many cases, regular curriculum expectations—and assess whether changes in the gap between students' current levels of achievement and regular curriculum expectations are appropriate.

Public Hearings

Ministry officials explained that in the last few years the primary area of growth in the incidence of special education needs has been learning disabilities. There is debate in the research community about what learning disabilities are, how many

²⁵ Ibid., p. 364.

children have them, how they are assessed, how real they are, and what to do about them. There is also disagreement in the parent community as to what is best for their children. Some want their children fully integrated into regular classes. Others want their children in full-time special programs in separate classrooms.

Ministry officials noted that they could be doing better for students with learning disabilities in terms of effective interventions and programs. Because of the disagreements, debates, and the lack of a body of knowledge, the Ministry would like to undertake more empirical testing, research, and evaluation on the various approaches taken.

The Standing Committee on Public Accounts recommends that:

- 6. The Ministry of Education report to the Standing Committee indicating whether its research into effective interventions and programs for students with learning disabilities will include strategies on how to measure the gap between the performance of such students and regular curriculum expectations over time. If not, the report should indicate what options the Ministry is considering to help boards provide schools with the means of more effectively monitoring and measuring the progress of students with learning disabilities.**

Setting Learning Goals and Expectations

In response to the Auditor's 2001 special education audit, the Ministry reviewed a sample of IEPs and corresponding report cards from all boards for proper organization and content. It found that:

- the current level of achievement was often either omitted or incorrectly stated;
- in the majority of IEPs, annual program goals were general statements; and
- modified learning expectations were not stated as measurable tasks.

The most recent audit confirmed that there was room for improvement in these areas, both in the Ministry's IEP guide and at the schools the audit team visited, as follows:

- Almost one-half of the IEPs with modified learning expectations in the audit sample contained errors regarding the current level of achievement.
- The examples found in the IEP guide for annual learning goals were measurable for language and mathematics, but vague for other subjects.
- The learning expectations in the students' IEPs tended to be more specific for mathematics and language than for other subjects.²⁶

²⁶ See p. 377 of the *Annual Report* for examples.

Where a student is expected to achieve “most of the subject expectations” at the regular grade level without modifications, the IEP guide also states that those few expectations that were modified “should contain an indication of how they differ from the expectations as they appear in the Ministry’s curriculum policy documents.” For subjects other than language and mathematics, the audit team did not see many instances in the IEPs reviewed that explained differences between the learning expectations in the IEP and those of the regular curriculum.²⁷

The IEP guide notes the need for all those responsible for the education of a student with special needs to develop “a common understanding” of the student’s educational goals.

To facilitate a common understanding of the learning goals and expectations for the coming school year among teachers, parents, and pupils, and to assist in monitoring the students’ progress, the Auditor recommended that the Ministry of Education update *The Individual Education Plan (IEP): A Resource Guide* so that it:

- provides examples of specific learning goals for all subjects, as it has done for language and mathematics; and
- clarifies its expectations regarding explanations of differences between the learning expectations in an IEP and those of the regular curriculum.

Furthermore, the Auditor recommends that school boards ensure that schools set measurable learning goals and measurable learning expectations in IEPs.

Public Hearings

Ministry officials noted one of the six Professional Activity (PA) days in 2008-09 was dedicated to special education at each board. A strategy is underway to improve IEPs as instructional and administrative tools through these PA days. Ministry officials further indicated that they and their board colleagues fully accept the following concerns of the Auditor regarding IEPs—that is, in a number of cases, they lacked documentation and tracking as to the progress that the student was making in reducing the gap between curriculum expectations and his or her current level of achievement. Officials accept that there is much more work to do around IEPs, including monitoring outcomes for students.

Based on the Ministry and Auditor reviews of IEPs, the Standing Committee is of the view that the Ministry needs to ensure that the monitoring of student progress takes place in a more precise manner:

²⁷ Ibid., 377-78.

The Standing Committee on Public Accounts recommends that:

- 7. The Ministry report to the Standing Committee indicating the steps the Ministry will take to ensure that boards require and schools engage in more precise monitoring of levels of achievement for students working towards modified learning expectations.**

Reporting on Student Performance and Progress

As described earlier in this report, for those subjects to which their IEPs apply, students with special education needs may work towards:

- regular curriculum expectations for their grade with accommodations;
- modified expectations; or
- alternative expectations.²⁸

Suitability of Standard Provincial Report Card for Students with Special Education Needs

The Ministry requires schools to use the standard provincial report card for reporting on the performance of students with special education needs in the first two categories above, but not the third. While the Ministry has not developed a report card for alternative expectations, two of the three audited boards had done so.

The use of the provincial report card for students with special education needs who receive only accommodations is appropriate, as they are working toward regular curriculum expectations. However, it is less suitable for reporting on the performance of students working toward modified expectations, because it does not report on which learning expectations they have met and, therefore, cannot adequately report on students' progress toward meeting their learning goals.²⁹

Meaningful Report Cards

The audit team found a number of examples, particularly at the elementary school level, where report cards discussed the student's positive attributes, but lacked a candid discussion of the student's performance relative to expectations. As a result, some parents may not fully understand their child's rate of progress and areas for improvement.

Assessment Guidelines for Modified Expectations

Students working toward the curriculum expectations for an earlier grade level are assessed against the expectations for that grade. However, neither the boards nor the Ministry have provided teachers with guidance on how to assess students when they are working toward lowered expectations for the current grade's

²⁸ Ibid. p. 379.

²⁹ Ibid. pp. 379-380.

curriculum. As mentioned earlier, the audit team found that learning expectations in these cases tended toward the vague rather than the measurable, sometimes resulting in marks merely for effort.

The Auditor highlighted the importance of ensuring that parents and students understand how students are performing when they are being assessed against modified and alternative expectations, as opposed to regular curriculum expectations. He recommended that the Ministry of Education:

- reconsider the suitability of the standard provincial report card for reporting on the performance of students who are working toward modified expectations;
- provide examples of the type of performance reports it expects school boards to use for students working toward alternative expectations; and
- provide guidance to assist teachers in assessing the performance of students who are working toward reduced expectations for the current grade's curriculum.

The Auditor further recommended that school boards ensure that report cards provide parents and students with meaningful assessments of student performance relative to learning goals and expectations.

Public Hearings

One witness informed the Committee that she was the director of the curriculum branch of the Ministry when the government developed the provincial report card for the first time. Prior to the provincial report card, it was not uncommon for larger school boards to have 200 different report cards. Today, there is one standard report card. It has been modified since it was introduced and is currently under review by the Ministry.

The Standing Committee on Public Accounts recommends that:

- 8. The Ministry report to the Standing Committee indicating when the Ministry's review of reporting for students with special education needs will be completed. The report should also indicate what options the Ministry is considering to ensure that meaningful assessments of those students are reported in an appropriate format to parents and caregivers.**

Monitoring Program Effectiveness, Quality, and Compliance

As noted by the audit team, principals must ensure that their schools comply with many legislative, regulatory, and policy requirements regarding the delivery of special education services and programs. Superintendents must ensure that the principals who report to them have taken appropriate steps to meet these requirements. The Ministry, however, does not require boards to establish—or to report on the results—of a formal inspection process that periodically examines

the special education services and supports provided to students for purposes of compliance with legislative, regulatory, and policy requirements.

In addition to monitoring compliance, the scope of inspections would normally include identifying:

- locally-initiated best practices suitable for broader implementation; and
- policies and practices no longer appropriate in light of changing technology, educational practices, or new research. This information would enable school boards to update their own policies and to provide advice to the Ministry regarding outdated legislative, regulatory, and policy requirements.

As noted, the Ministry reviewed large samples of IEPs for proper organization and content during the period 2001-2003 and again in 2006/07. The number and seriousness of the findings in the Ministry's own review, as well as the Auditor's findings in the most recent audit, support the need for formal inspection processes.

The Auditor therefore recommended that the Ministry of Education assist school boards in establishing periodic quality assurance and compliance inspection procedures.

Public Hearings

Members asked the witnesses whether the Ministry requires school boards to establish quality assurance procedures as described in the Auditor's report. Ministry officials responded that such procedures are not currently required by the boards. But as the Ministry has accepted all of the recommendations of the Auditor's report, quality procedures will be required in the future; however, the Ministry has not yet established a timeline.

The Standing Committee on Public Accounts recommends that:

- 9. The Ministry report to the Standing Committee on its efforts to assist school boards establish periodic quality assurance and compliance inspection procedures. The report should indicate the timeframe within which the Ministry will present its proposals regarding quality assurance and compliance to boards and the key components the Ministry expects in a quality assurance review.**

Completeness of Student Records and Information for Research

The Ministry's Literacy and Numeracy Secretariat stresses the importance of using "research, evidence-based inquiry and data-based decision-making" to improve student achievement. This requires the collection of more detailed data about students, their educational programs and services and their performance.

The Ministry initiated the Managing Information for Student Achievement (MISA) program in 2005 to assist boards with the cost of new technology, training, and the building of analytical capacity. MISA has provided school boards with \$20 million per year over the last three years to fund information system projects and will provide \$10 million in 2008/09.³⁰

Information Included in Ontario Student Records

The Ministry's 2000 *Ontario Student Record (OSR) Guideline*, states that student records should contain basic personal information, report cards, and "additional information identified as being conducive to the improvement of the instruction of the student." The audit revealed that school boards were not interpreting this guideline in a sufficiently comprehensive manner.

As already noted, much of the information needed to support an evidence-based approach to the development of IEPs was omitted from Ontario Student Records.

Student Information Systems

The Auditor noted that to develop evidence-based program delivery models researchers must conduct large-scale studies covering student progress over several years. The Ministry's implementation of the Ontario Student Information System (OnSIS) in 2005/06 supports such research.

School boards' information systems can also be utilized to support research where such systems contain sufficient reliable information and personal data about the student. As student histories are compiled, researchers could, for example, compare results among students with similar special education needs who received different services and supports, and thereby identify the services and supports that produce the best results.

While the audit team observed that basic information about students with special education needs generated from information systems had improved since the 2001 audit, the audited boards, however, were not yet recording on their systems sufficient information regarding such students or the services and supports they received to support detailed analyses. Thus, boards could not yet use information systems to help manage and oversee special education programs.

To help improve the effectiveness of special education programs, the Auditor recommended that the Ministry of Education identify the information that is required to support evidence-based program delivery models (for example, information about the circumstances and educational programs—type, timing, and amount of services and supports—of students with special education needs, as well as the results the students achieve). Furthermore, the Ministry should assist school boards in establishing processes to collect, maintain, and use this information to guide programming decisions.

³⁰ Ibid. p. 383.

Public Hearings

Witnesses spoke of utilizing research to improve the capacity of classroom teachers to work with students with special education needs. The Ministry declared its support for a research program in this area because one of the critical aspects of special education is learning how to do things well and obtain good results. Throughout the hearings, the Committee heard the witnesses reference a number of strategies and tools they are using such as Peer-Assisted Learning, web-based teaching tools, the early development indicator, the early assessment tool, and the student support leadership initiative.

According to the witnesses, one of the significant shifts in education has been the ability to collect, use, and collate data in a meaningful way. The coordination of student information systems through the Ontario Student Information System (OnSIS) and the Managing Information for Student Achievement (MISA) initiative has allowed school boards to share information with the Ministry as well as one another. Moreover, the new student systems technology is creating opportunities for teachers to exchange useful information, such as which instructional strategies worked and which did not. But these helpful digital tools are still at an early stage of utilization. According to the board witnesses, teachers and staff need training and professional development on how to collect, analyze, and manipulate data to improve programming that will benefit students with special education needs.

The Standing Committee on Public Accounts recommends that:

10. The Ministry report to the Standing Committee indicating:

- **the Ministry's plans for making training on the use of student information systems widely available to teachers and staff; and**
- **to what extent the Managing Information for Student Achievement initiative and Ontario Student Information System are being utilized to evaluate boards' special education strategies and programming.**

CONSOLIDATED LIST OF RECOMMENDATIONS

The Committee requests that the Ministry of Education provide the Committee Clerk with a written response to the following recommendations within 120 calendar days of the tabling of this report with the Speaker of the Legislative Assembly.

1. **The Ministry report to the Standing Committee on the actions it is taking to ensure that:**
 - **school boards develop reporting procedures to alert senior administrators so that they can follow up any failure to meet the general goal of preparing an Individual Education Plan for students with special education needs by the end of grades 3 or 4; and**
 - **psychological and other assessment services are available on a timely basis throughout the province.**
2. **Ontario Regulation 181/98 be amended to clearly state that Identification, Placement, and Review Committees should more fully document the strengths and needs of students with special education needs as well as the supports and services they require.**
3. **The Ministry of Education report to the Standing Committee indicating whether it is planning to revise its Special Education Guide to clarify that school personnel should proactively request from parents information that is relevant to decisions of Identification, Placement, and Review Committees (IPRCs). If so, the report should also indicate whether its revised guide will provide concrete examples of the type of information that school officials should be seeking from parents of students with special education needs to assist in IPRC decision-making.**
4. **The Ministry of Education report to the Standing Committee indicating whether it plans to undertake research to help determine whether the resource intensive formal identification process contributes to student outcomes in all cases, or whether for less complex cases, reallocating the funds involved to more direct services/support to students would result in better outcomes. If so, the Ministry should also indicate when the results of this research might be available.**
5. **The Ministry of Education report to the Standing Committee whether the results of this year's Individual Education Plan (IEP) review indicate that the initiatives undertaken to enhance the quality of IEPs—such as the Council of Directors of Education website, and the**

placement of learning coaches and resource people in the schools—have been effective.

6. **The Ministry of Education report to the Standing Committee indicating whether its research into effective interventions and programs for students with learning disabilities will include strategies on how to measure the gap between the performance of such students and regular curriculum expectations over time. If not, the report should indicate what options the Ministry is considering to help boards provide schools with the means of more effectively monitoring and measuring the progress of students with learning disabilities.**
7. **The Ministry report to the Standing Committee indicating the steps the Ministry will take to ensure that boards require and schools engage in more precise monitoring of levels of achievement for students working towards modified learning expectations.**
8. **The Ministry report to the Standing Committee indicating when the Ministry's review of reporting for students with special education needs will be completed. The report should also indicate what options the Ministry is considering to ensure that meaningful assessments of those students are reported in an appropriate format to parents and caregivers.**
9. **The Ministry report to the Standing Committee on its efforts to assist school boards establish periodic quality assurance and compliance inspection procedures. The report should indicate the timeframe within which the Ministry will present its proposals regarding quality assurance and compliance to boards and the key components the Ministry expects in a quality assurance review.**
10. **The Ministry report to the Standing Committee indicating:**
 - **the Ministry's plans for making training on the use of student information systems widely available to teachers and staff; and**
 - **to what extent the Managing Information for Student Achievement initiative and Ontario Student Information System are being utilized to evaluate boards' special education strategies and programming.**