

AVON MAITLAND DISTRICT SCHOOL BOARD

ADMINISTRATIVE PROCEDURE

NO. 145

SUBJECT: USE OF SUPPORT PERSON BY THE GENERAL PUBLIC

Legal References: *Canadian Charter of Rights and Freedoms, Ontario Human Rights Code, Ontarians with Disabilities Act, 2005 (AODA), Accessibility Standards for Customer Service, Blind Persons' Rights Act R.R.O. 1990, REGULATION 58*

Related References: *Avon Maitland District School Board Annual Accessibility Plan 2009-10, Equity and Inclusive Education in Ontario Schools, Ministry of Education, 2009, Annual Accessibility Plan – Avon Maitland District School Board, AP No. 142 Religious Accommodation, AP No. 143 Use of Assistive Devices by the General Public, AP No. 144 Notification of Disruption of Service, AP No. 146 Use of Service Animals by the General Public, AP No. 147 Monitoring and Feedback on Accessible Customer Service*

1.0 Background and Expectations

The Avon Maitland District School Board makes all reasonable efforts to ensure that all practices and procedures are consistent with the principles of independence, dignity, integration and equality of opportunity for all, with particular attention to persons with disabilities. The Board will welcome all members of the school and broader community to our facilities by committing our 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 support persons.

To ensure greater awareness and responsiveness to the needs of a person with disabilities, the Avon Maitland District School Board provides appropriate training for all staff who deal with the public or other third parties on behalf of the Board. This training is provided to all staff and when appropriate, to volunteers. Training is also a component of the orientation of new staff within a reasonable timeframe as they are hired.

All administrative procedures, and particularly those related to the Accessibility for Ontarians with Disabilities Act, 2005, are available to the public and in a format that takes into account a person's disability.

2.0 Definition/Explanation of Support Person:

A support person is a person who assists or interprets for a person with a disability who accesses the services of the Board. A support person is distinct from an employee who provides support services to a student or staff person in the system – separate and specific procedures apply.

Additional Information:

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.

3.0 Responsibility

3.1 Supervisory Officers, Principals and Departmental Managers will ensure that staff receive training in interacting with people with disabilities who are accessing board services accompanied by a support person.

4.0 Access to Board Premises

4.1 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.

4.2 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.

5.0 Confidentiality

5.1 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 superintendent, principal or other staff member must first secure the consent of the parent/guardian regarding such disclosure.

5.2 Consent to the disclosure of confidential information in the presence of the support person must be given in writing by the parent or guardian. Where the disability of the parent/guardian prevents them from providing consent in writing, verbal consent is acceptable and should be noted on the consent form. (See Form 145)

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

5.4 A copy of the signed consent document will be retained in the school/board office.

5.5 If the parent/guardian uses a different support person for subsequent meetings, a new signed consent will be required. (See Form 145)

6.0 Support Persons Accompanying a Person with a Disability at School Events for Which There is an Admission Fee

6.1 Where an individual with a disability who is accompanied by a support person wishes to attend a school, family of schools or board-organized event 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.

Information regarding fees for support persons must be included in the general advertising of all events where a fee is charged. Generally, it is recommended that admission fees for support persons be waived.

- 6.2 Where the Board may require the presence of a Support Person the Board 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 highly rare situation and would only occur where, after consultation with the person with the disability, requiring a support person 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 to themselves 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 you can require one – 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 doesn't mean they're not capable of meeting health or safety requirements.)

CONSENT FORM - USE OF SUPPPORT PERSON BY THE GENERAL PUBLIC

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 (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)

Personal information on this form is collected under the authority of the Education Act and will be transferred to the student record folder (OSR). Questions about this collection should be directed to the school principal or Superintendent of Education, Avon Maitland District School Board, 62 Chalk Street North, Seaforth, Ontario, N0K 1W0, telephone: 519-527-0111 or 1-800-592-5437.