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OSGOODE HALL LAW SCHOOL
YORK UNIVERSITY

Professional Development
CLE

"The various presentations had a great deal of relevance to the day-to-day issues Boards of Education are facing." (2005)

School Law for K-12 Education Professionals

Day One

4th Annual Advanced Issues in Special Education Law

Monday, February 23, 2009

8:45 a.m. - 4:15 p.m. EDT/EST

Day Two

Facilitation Skills for Education Professionals

Tuesday, February 24, 2009

8:45 a.m. - 3:45 p.m.



LOCATION

Osgoode Professional
Development Centre
1 Dundas St. W., 26th Floor
Toronto, ON

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Council of Ontario Directors of Education

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OF ONTARIO

Chairs

Day One

Robert G. Keel, Keel Cottrelle LLP

Day Two

D. Paul Emond, Professor, Osgoode Hall Law School
Robert G. Keel, Keel Cottrelle LLP

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School Law for K-12 Education Professionals

"This course provided an excellent overview of the current legislation and its implications ... an extremely beneficial and informative day." (2006)

"Exceptional day. Best workshop day I have attended in a long time. Thank you!" (2007)

Day One: 4th Annual Advanced Issues in Special Education Law

A greater number of students than ever before have special needs that require support beyond those ordinarily received in the school setting. In order to ensure the learning environment and safety of all students and staff is not compromised, it is essential that those working in special education, whether it be developing or administering policy, or on the front lines, have a complete and current understanding of the law in this area and how to apply it.

This *Osgoode Professional Development* program, **4th Annual Advanced Issues in Special Education Law** was developed to provide education professionals and legal practitioners with a valuable opportunity to get a practical update on the complex - and often problematic - legal issues in this area, along with strategies for effectively managing them. Topics include:

- Current legal principles and statutory requirements
- Practical impact of the *Charter* and *Ontario Human Rights Code*
- Managing human rights applications
- Dealing with special education issues in the school and classroom setting
- Effectively handling challenging areas: medication issues such as blood glucose testing, administration of injections; companion dogs; and IBI in the classroom

Day Two: Facilitation Skills for Education Professionals

Given recent legislative reforms and the implication of Board protocols, this workshop is a **MUST** attend. Working with your peers and workshop leaders, you will learn:

- How to prevent and handle conflict
- Collaborative approaches to resolving conflicts
- Tips for reaching a "shared solution"
- The rules and responsibilities with special education

Register now by visiting www.osgoodepd.ca, calling 416.597.9725 or 1.888.923.3394, emailing opd@osgoode.yorku.ca or faxing 416.597.9736.

Course Chair

Robert G. Keel
Keel Cottrelle LLP

Faculty

Grant Bowers, Counsel, Toronto District School Board

Brenda J. Bowlby, Hicks Morley Hamilton Stewart Storie LLP

Robert H. Brent, Thomson, Rogers

Dianne Burrow, Educational Consultant, Peel Children's Aid

Lee Ann Chapman, Counsel, Justice for Children & Youth

D. Paul Emond, Professor, Osgoode Hall Law School

Jan Fairweather, Educational Consultant
Peel Children's Aid

Roderick Flynn, Evenson Bundgard Flynn

Louise Moreau, Superintendent of Education and Special Education, York Region DSB

Martha M. Mackinnon, Executive Director
Justice for Children & Youth

Paul Howard, Shibley Righton LLP

Nadya Tymochenko, Keel Cottrelle LLP

Brigitte Wentlandt, Director of Children's Services, Peel Children's Aid

Dr. Lindy Zaretsky, Superintendent of Instructional Services and Leadership
Simcoe County DSB

Day One - Monday, February 23, 2009
Advanced Issues In Special Education Law

8:15 Registration and Continental Breakfast

8:45 Special Education Legislation: A Refresher

Robert G. Keel, Keel Cottrelle LLP

This session will provide an in-depth overview of the current challenges of special education legislation including the *Education Act* and its Regulations, Ministry policy and Board protocols. Topics include:

- Current challenges in the legislative structure
- Current challenges for Boards, administrators and education professionals
- The interaction between special education appeals, human rights applications, judicial review and court actions

9:15 Managing Human Rights Applications

Paul Howard, Shibley Righton LLP

- Impact of the *Charter* and *Ontario Human Rights Code* on special education
- Considerations for school boards, schools and students
- Update on human rights in schools
- Managing human rights applications
- Dealing with special education issues in the school and classroom setting

10:30 Refreshment Break

10:45 Managing Current Challenges: Proactive and Reactive Strategies

Moderator

Roderick Flynn, Evenson Bundgard Flynn

Panellists

Brenda J. Bowlby, Hicks Morley Hamilton Stewart Storie LLP

Robert H. Brent, Thomson, Rogers LLP

Lee Ann Chapman, Counsel, Justice for Children & Youth

- Use of restraint
 - legal principles and parameters for use of restraint
 - use of force

- Medication in the schools
 - comprehending the legal issues relevant to medication
 - the interaction of education and health legislation
 - blood glucose testing
 - administration of injections
- Application of the exclusion provisions of the *Education Act*
- IBI in the classroom - an update
- Understanding the principles and liabilities for Companion Dogs

12:15 Networking Luncheon

1:15 Understanding Student & Parent Rights and Roles

Martha M. Mackinnon, Executive Director Justice for Children & Youth

- Challenges involved in acting for parents and students
- The perspectives of students and parents in human rights and constitutional cases
- Access to experts
- The role of associations and advocates
- Financing challenges
- Acting for students and/or parents in school board proceedings
- Responding to restraint and exclusion
- Responding to discipline
- Review and discussion of the fact situation from the student and parent perspective

2:00 Placement of Special Needs Students

Dianne Burrow, Educational Consultant, Peel Children's Aid

Jan Fairweather, Educational Consultant, Peel Children's Aid

Brigitte Wentlandt, Director of Children's Services, Peel Children's Aid

Peel Children's Aid Educational Consultants and Director of Children's Services will provide an overview of the new Educational Consultant role, including consultations and information sharing with CAS staff and caregivers, professional development, facilitation of assessments and/or tutoring where required and liaison and advocacy with the Peel Region Boards of Education. Other topics include:

- Understanding the challenges
 - role of the Liaison Committee
 - exploring common issues and partnering to develop an agreed-upon Best Practices and Protocols document
- Mitigating the impact on Boards, schools and the student
- Challenges that can arise with children in care and schools

3:00 Refreshment Break

3:15 Case Study: Pulling It All Together

Moderator

Robert G. Keel, Keel Cottrelle LLP

Panellists

Grant Bowers, Counsel, Toronto District School Board

Louise Moreau, York Region DSB

Nadya Tymochenko, Keel Cottrelle LLP

Dr. Lindy Zaretsky, Superintendent of Instructional Services and Leadership, Simcoe County DSB

This interactive session will provide an opportunity for you to work with a fact scenario, based on a real life example, highlighting the legal issues that have been raised by presenters throughout the day.

Mr. Keel will moderate questions for members of the panel and will solicit commentary and questions from the course participants.

You'll be part of a lively and informative discussion with top practitioners and other education professionals as the group tackles the tough issues raised in the scenario.

This is your opportunity to apply what you have learned and get the questions you want answered in order to effectively respond and manage special education matters in the school and classroom.

4:15 Closing Remarks; Course Concludes

What Past Participants Said:

"[This] is a minefield for Principals...this conference has been wonderful. Many questions addressed - even when there are no clear answers. Thank you."

(E. Bater, Upper Canada District School Board, 2006)

"A very thorough 'legal grounding' to consider as we work through daily issues and events."

(S. Ferguson, Upper Canada District School Board, 2006)

"I appreciate hearing the legal view on procedures and policies in education. Well done!"

(L. Knowles, Kawartha Pine Ridge DSB, May 2008)

"Excellent source of information presented in an extremely relevant, charismatic manner."

(A. Wray, Keewatin-Patricia DSB, May 2008)

Who Should Attend

- School administrators
- Teachers
- School board staff
- Supervisory Officers
- Directors of Education
- School trustees
- Federation executives
- Ministry of Education representatives
- Ontario College of Teachers representatives
- Legal practitioners - education law practitioners, family and criminal lawyers, civil litigators, human rights, labour and employment counsel
- Advocates for students and parents

Day Two - Tuesday, February 24, 2009

Facilitation Skills for Education Professionals

8:45 a.m. - 3:45 p.m.

Co-Chairs

D. Paul Emond, Professor, Osgoode Hall Law School

Robert G. Keel, Keel Cottrelle LLP

No matter what your role in education, you unquestionably spend a great deal of time managing conflicts and resolving disputes. More than ever before, the Ministry of Education is encouraging educators to get the skills they need to prevent conflict, resolve disputes quickly and allow students to develop their full potential and succeed in school. The Ministry's recent Shared Solutions project exemplifies the pressures educators are facing to ensure they have the necessary skills, together with parents and students, to be able to work through and resolve conflict.

In this interactive workshop, custom designed for educators, you will work with peers and top practitioners to get the skills you need to succeed. You will learn:

- About conflict
 - reasons for conflict in special education
 - warning signs of potential conflict
 - factors that contribute to conflict; that escalate conflict
 - common responses to conflict
- How to prevent conflict
 - promoting positive school climate
 - effective communication among parents, students and educators
 - conflict prevention strategies
- How to resolve conflicts
 - establishing communication protocols
 - active listening
 - parent advocacy
 - self-advocacy for students
 - role of constructive thinking
- Collaborative approaches to resolving conflicts
 - problem solving
 - finding common ground
 - use of a facilitator

- The principles of Interest Based Negotiation and Facilitative Mediation
- Tips for reaching a shared solution
- The "key questions"
- The roles and responsibilities in special education:
 - Students
 - Parents
 - Teachers
 - Special Education Teachers
 - School Administrators
 - The SEAC
 - School District/Board
 - The Ministry

You'll come away from this workshop with the skills and techniques that are necessary for conflict prevention and resolution, along with materials that will be an invaluable resource long after the workshop is over.

Don't miss this opportunity to learn valuable skills that you can readily apply to improve your effectiveness and increase your confidence. Given the interactive nature of the workshop - space is limited.

What Past Participants Said:

"The day gave me the opportunity to synthesize skills and reflect on how I use these skills in conflict situations."
(R. Richard, Halton Board of Education, Conflict Resolution for Educators, Feb. 2007)

"Excellent! Love the energy and the material was very practical. Thank you! A great learning experience!"
(P. Orecchia, Catholic Principals' Council of Ontario (CPCO) Mediation Skills for Educators, 2008)

"Outstanding. Informative. Don't change a thing! Spectacular and brilliant."
(O. Zocok, Mikinaak Onigaming School, Mediation Skills for Educators, 2008)

"Great learning experience. Excellent hands-on approach."
(C. Nursall, Rainbow DSB, Mediation Skills for Educators, 2008)

"Excellent! I would love to see this training offered to all school administrators!"
(L. Iacobucci, Dufferin-Peel CDSB, Mediation Skills for Educators, 2008)

Registration

"A very informative, well organized and worthwhile learning experience." (2008)

- Yes. Register me for Day One and Day Two**
 on site via live webcast (Day One Only)
- Yes. Register me for Day One: *Advanced Issues in Special Education Law***
 on site via live webcast
- Yes. Register me for Day Two: *Facilitation Skills for Education Professionals***

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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 and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Dates & Times

February 23 - 24, 2009

Day One: 8:45 a.m. - 4:15 p.m. EDT/EST

Day Two: 8:45 a.m. - 3:45 p.m.

Please arrive at 8:15 a.m. for sign-in and material pick-up.

Dress is business casual.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute a full refund (less \$50 administration fee) is available if a cancellation request is received in writing 14 days prior to the program date. No other refund is available.

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