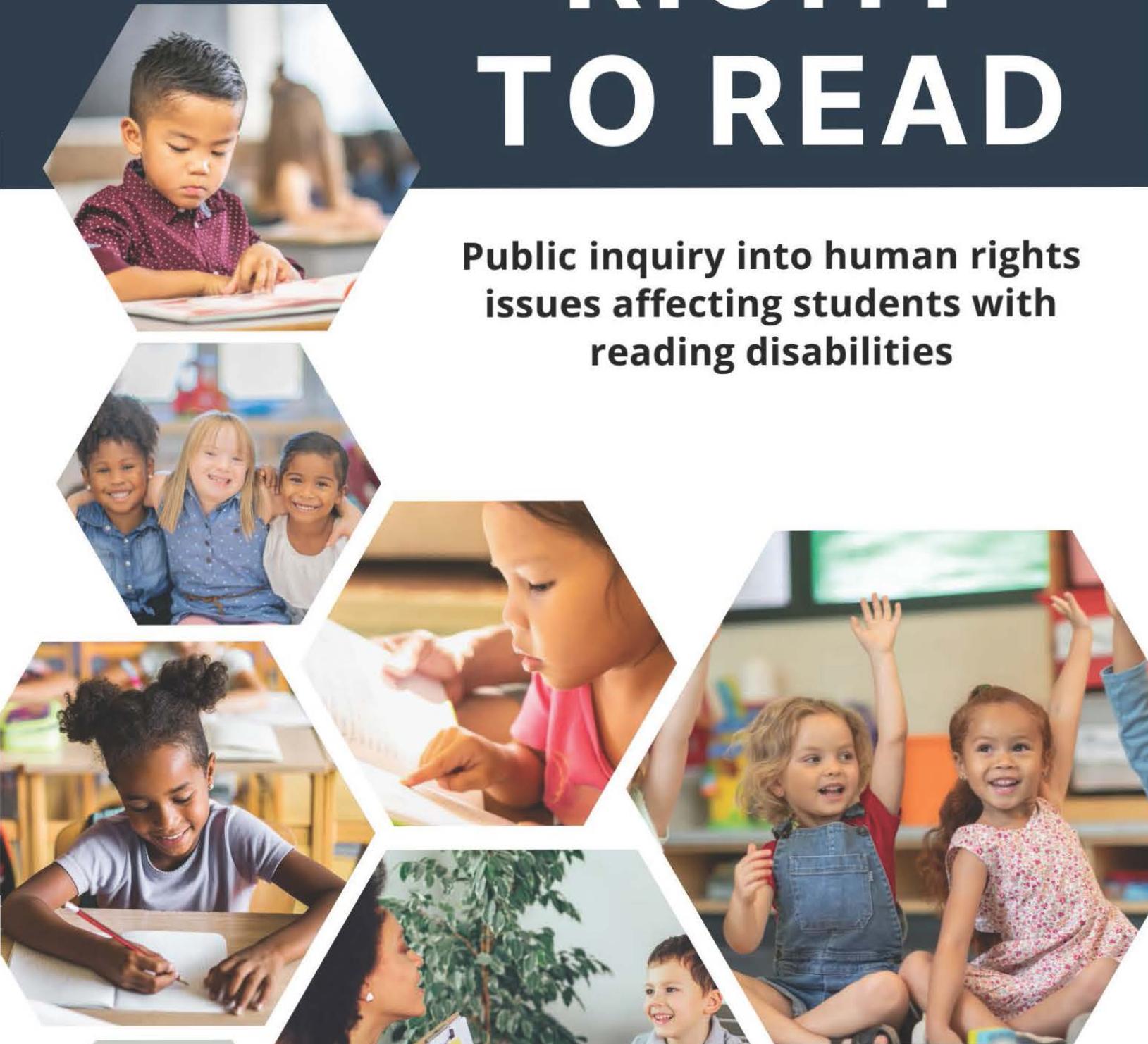


INQUIRY REPORT

RIGHT TO READ

**Public inquiry into human rights
issues affecting students with
reading disabilities**



**Ontario
Human Rights Commission**
**Commission ontarienne des
droits de la personne**

Brennan

What the right to read means to me...



About the artist: This artwork was submitted by a student, Brennan, who attended one of the Right to Read inquiry public hearings.

Ontario Human Rights Commission
Approved by the OHRC: January 27, 2022
© February 2022, Government of Ontario

ISBN: 978-1-4868-5834-7 (Print)
978-1-4868-5835-4 (HTML)
978-1-4868-5836-1 (PDF)

Available in various formats on request
Available online: www.ohrc.on.ca

Disponible en français

Contents

1. Introduction	4
2. Inquiry scope	10
Teachers and other educators	13
Students with other disabilities.....	14
3. Methodology	21
School boards.....	21
Faculties of education.....	21
Ministry of Education	22
Public engagements	22
Expert assistance	23
Research	24
Limitations	24
4. Context for the inquiry.....	26
What are reading disabilities?.....	29
Terminology	31
Identifying reading difficulties.....	32
The consequences of not teaching children to read	33
Education in Ontario	44
Legal obligations.....	55
5. How Ontario students are performing.....	63
Introduction	65
Education Quality Accountability Office reading assessment data	66
Inquiry school board data	69
Progress in International Reading Literacy Study (PIRLS)	73
Programme for International Student Assessment (PISA).....	75
Higher Education Quality Council of Ontario	76
Streaming	77
Graduation rates	79
Post-secondary attendance	80
6. The experience of students and families	82
Introduction	85
Inquiry survey	86
Impact on students	90
Multilingual learners.....	98
Impact on families.....	105

7. First Nations, Métis and Inuit experiences.....	115
Introduction	117
Context for understanding First Nations, Métis and Inuit students' right to read.....	118
Efforts to promote First Nations, Métis and Inuit children's substantive equality	125
Impact on the ability to learn to read.....	127
Achievement gap	138
Voluntary self-identification and analysis of student data	139
Teaching reading to First Nations, Métis and Inuit students	141
Recommendations.....	144
8. Curriculum and instruction	149
Introduction	151
The science of reading: evidence-based curriculum and instruction.....	154
Universal Design for Learning and Response to Intervention	162
Ineffective methods for teaching reading	164
Ontario's approach to teaching reading: the Ontario Kindergarten Program, Grades 1–8 Language curriculum and related resources	168
School board approaches to teaching reading	176
The role of teachers in meeting the right to read	187
The role of faculties of education in preparing teachers	199
Barriers to change	216
Recommendations.....	222
9. Early screening.....	231
Introduction	233
The importance of early screening.....	235
Evidence-based screening	236
Screening practices in other jurisdictions.....	243
Ontario's approach to screening	246
School boards' approach to screening.....	257
Recommendations.....	268
10. Reading interventions	273
Introduction	273
Effective Response to Intervention (RTI)/Multi-tier System of Supports (MTSS).....	274
Multilingual learners.....	277
Examples of reading interventions used in some Ontario boards	278
Ontario's approach to reading interventions	284
School Board approaches to reading interventions	291
Recommendations.....	308

11. Accommodations	313
Introduction	315
Key principles when accommodating a reading difficulty	316
AT accommodations	318
Non-AT accommodations	320
Modifications for reading difficulties	321
Funding for AT accommodations	323
Funding for non-AT accommodations	324
Issues with current approaches to accommodating students with reading difficulties in Ontario schools	325
Recommendations	346
12. Professional assessments	351
Introduction	353
When to refer students with suspected reading disabilities for psychoeducational assessment	355
Assessments for suspected word-reading disabilities/dyslexia	357
Failure to identify the type of learning disability or use the term dyslexia	362
School board approaches to psychoeducational assessments	365
Recommendations	377
13. Systemic issues	382
Introduction	385
Setting standards, ensuring consistency and monitoring	386
Data collection	398
Lack of communication and transparency	414
Recommendations	432
Appendices	439
Appendix 1: List of recommendations	439
Appendix 2: Inquiry terms of reference (available online only)	471
Appendix 3: Glossary of terms	471

A photograph of a classroom scene. In the center, a teacher with short dark hair, wearing a light green cardigan over a white collared shirt, is smiling broadly with her eyes closed. She has her arms raised in the air. In the foreground, the back of a student's head is visible, showing brown hair and a blue shirt. Another student's arm and hand are raised in the background on the left. The background shows a chalkboard with some writing and a world map on the wall.

1. Introduction

1. Introduction

Never, in a million years did I think our public education system would pick and choose which children are worth helping and shrug their shoulders and leave others behind.

- Parent

It is our job to get kiddies reading. One of the things we do as educators is teach students how to read. Getting to all students regardless of their profile is a moral imperative.

- Board administrator

I have had a front-row seat to see the emotional distress, mental health disorders such as school avoidance, anxiety, depression and suicidality that are a result of unaddressed reading problems at school...As you know, educational level and literacy are social determinants of health and economic outcomes. We know that a system-wide approach needs to be adopted to inform the development of policies that can adequately solve this problem – and it is solvable.

- Pediatrician

Education is the foundation lives are built on. The first few years of school help shape a person's future, influencing everything from their lifelong sense of self-confidence and self-worth to their future employment and income, and even their physical and mental health. Reading is a fundamental building block in this foundation. No skill is more important in the first few years of school than learning to read.

It is the education system's job to teach every student to read. Yet, the reality in Ontario is much different. Many students are not learning this foundational skill, with devastating consequences. Students who do not develop strong early reading skills struggle in school and later life. This negatively affects the student, their family and broader society.

This does not have to be the case. Many researchers have studied how children learn to read, and for decades we have known the best way to teach foundational word-reading skills. But we are not using these approaches in Ontario. Instead, Ontario is using approaches to early reading that we know will fail the most vulnerable students.

Students with word-reading disabilities/dyslexia and other disabilities, students from lower-income backgrounds, racialized students and Indigenous students are all much more likely to fall behind their peers when it comes to early reading. When schools do not use proven approaches to teach word-reading skills, these students disproportionately experience higher rates of reading difficulties. This makes learning to read a human rights issue, which is why the Ontario Human Rights Commission (OHRC) launched an inquiry focusing on the right to read.

Ableism is a belief system, similar to racism, sexism or ageism, that sees persons with disabilities as less capable or worthy of respect and consideration than others.¹ It is an attitude that exists in society and is reflected in our education system. For far too long, lowered expectations for certain learners – including students with disabilities – have resulted in systemic failures in the education system. A belief that some students cannot learn as well as their peers has led to limiting their opportunities instead of removing barriers to make sure they can learn. However, these students' struggles are not inevitable. They can be prevented with high-quality, scientifically validated curriculum and instruction, universal early screening to identify who may be at risk for difficulties, providing early evidence-based interventions, ensuring timely and effective accommodations if required, and providing professional assessments for the small number of students who may still need them.

Our public education system has a responsibility to improve equity outcomes and provide students with an equal opportunity to succeed in life. However, for many students, the system creates, deepens and exacerbates disadvantage.

The OHRC's mission is to promote and enforce human rights and create a culture of human rights compliance and accountability. The OHRC 2017–2022 Strategic Plan, [Putting people and their rights at the centre: Building human rights accountability,](#)² identifies education as one of four strategic priorities, and places a special focus on addressing systemic discrimination in our education system.

For over 20 years, the OHRC has exposed and challenged systemic discrimination in education by publishing policies on accessible education for students with disabilities;³ making many submissions and recommendations to government, school boards and post-secondary institutions; engaging in strategic litigation; and using its other powers under the Ontario's *Human Rights Code* (*Code*).

In 2007, the OHRC initiated and settled human rights complaints about safe schools provisions under the *Education Act* and related school discipline policies that had a disproportionate effect on students with disabilities and racialized students.

In 2008, the OHRC successfully argued that the Ministry of Education (Ministry) should be added as a respondent to a human rights case before the Human Rights Tribunal of Ontario (HRTO). In *Davidson v Lambton Kent District School Board*,⁴ the HRTO found that the Ministry has a role in how school boards exercise their responsibilities, and can potentially be liable for discrimination where its definition of exceptionalities prevents or delays a student (in this case, a student with ADHD) from receiving required accommodations. This important decision ensures that matters the Ministry is responsible for – the framework for providing special education services, and the standards that set preconditions for access to special education services – can be the subject of a discrimination claim.

In 2012, the OHRC intervened in *Moore v British Columbia (Education)*.⁵ This landmark Supreme Court of Canada (SCC) case dealt with the denial of meaningful access to education for a student with dyslexia. The SCC agreed with the OHRC's arguments about how to analyze discrimination claims about accessible education, and upheld the original decision that found discrimination.

After intervening in and settling a case involving the rights of post-secondary students with mental health disabilities in 2016, the OHRC obtained a commitment from all Ontario public colleges and universities to implement steps to reduce systemic barriers for these students. [With Learning in Mind](#)⁶ reports on the systemic barriers the OHRC identified, the modifications to post-secondary institutions' policies and procedures requested by the OHRC, and the institutions' self-reported progress in implementing the requested changes.

In 2018, the OHRC released an updated [Policy on accessible education for students with disabilities](#) and made [recommendations for improving education outcomes for students with disabilities](#) to the Ministry, school boards, private education providers and post-secondary institutions.⁷

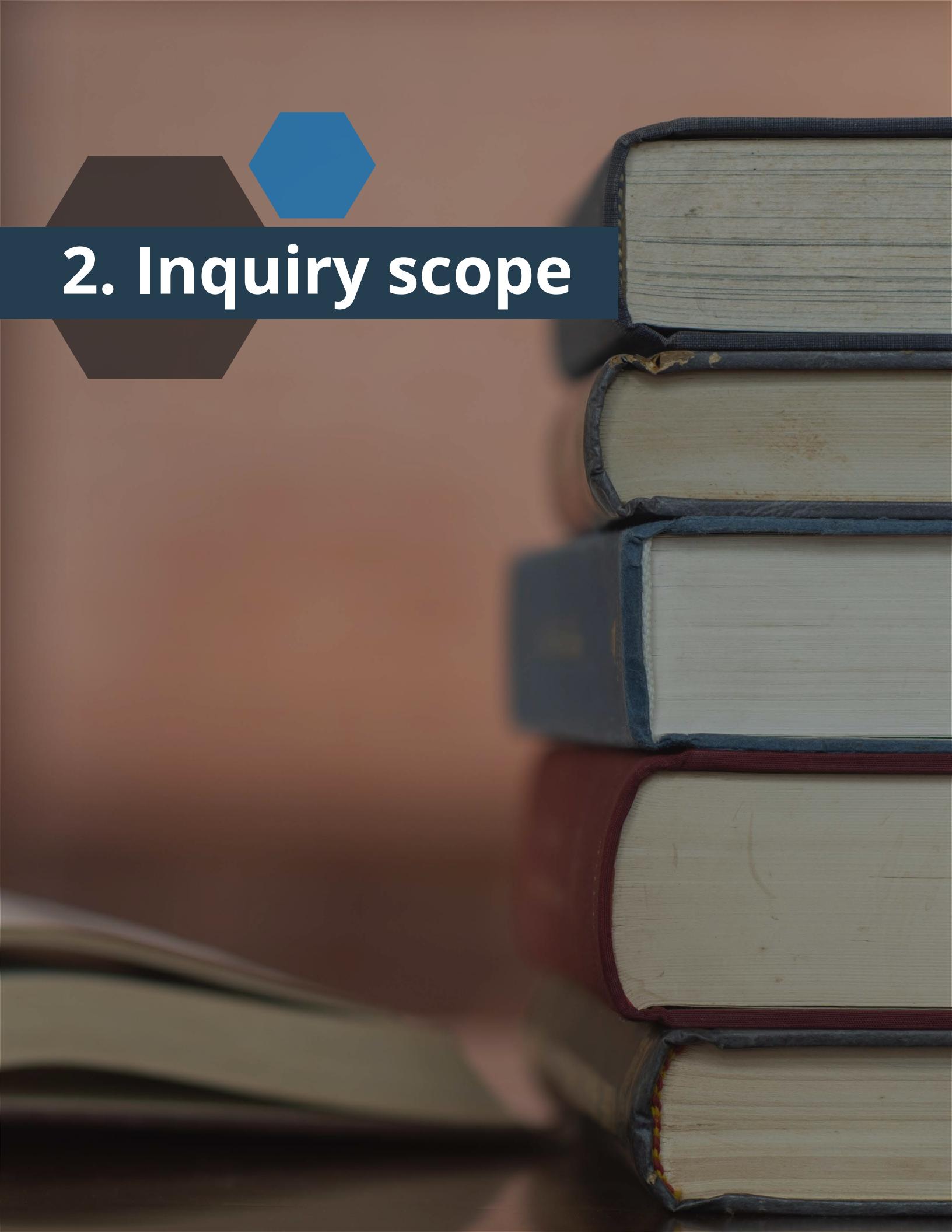
These are just a few of the OHRC's efforts to address discrimination in education. Yet despite these efforts, the OHRC has continued to hear concerns about students' experiences in Ontario's public education system, particularly related to the largest special education exceptionality in Ontario – learning disabilities, and especially reading disabilities/dyslexia.

These concerns, combined with the results of extensive background research, led the OHRC to start a public inquiry into human rights issues facing students with reading disabilities. On October 3, 2019, the OHRC announced it would use its inquiry powers under section 31 of the Code to investigate whether students with reading disabilities have meaningful access to education as required under the Code and international human rights treaties such as the *Convention on the Rights of Persons with Disabilities*⁸ and the *Convention on the Rights of the Child*.⁹

The OHRC's public inquiry powers under section 31 include but are not limited to:

- The power to request the production of documents or things
- The power to question a person on matters that may be relevant to the inquiry
- The ability to use expert assistance to carry out the inquiry.¹⁰

The OHRC's public inquiries support its mandate to promote and enforce human rights compliance in Ontario.



2. Inquiry scope

2. Inquiry scope

The Right to Read inquiry's [terms of reference](#)¹¹ explain the scope of the inquiry. The inquiry looked into five requirements that are essential to meeting the right to read:

1. **Universal Design for Learning (UDL):** Whether Universal Design for Learning, an approach to education that meets the diverse needs of every student, is being applied within Ontario's reading curriculum and in classroom teaching methods.
2. **Mandatory early screening:** Whether all students are being screened for reading difficulties in Kindergarten (or in Grade 1, where a child does not attend public school for Kindergarten) using scientific evidence-based early screening tools.
3. **Evidence-based reading interventions:** Whether students who have been identified as having reading difficulties through mandatory early screening or psychoeducational assessment have access to timely, scientific evidence-based reading interventions.
4. **Accommodation:** Whether students who have been identified as having reading difficulties through mandatory early screening or psychoeducational assessment have access to timely and effective accommodation and assistive technology.
5. **Psychoeducational assessments:** The role of psychoeducational assessments and whether students have access to timely and appropriate psychoeducational assessments where needed (in addition to mandatory early screening for reading difficulties).

The inquiry considered systemic issues that contribute to human rights concerns, including in the areas of teacher training; setting standards, ensuring consistency and monitoring; data collection; and communication and transparency.

The inquiry also considered perspectives on definitions of reading disabilities and dyslexia, including whether these terms are appropriately used and understood.

The inquiry used an intersectional framework to consider how race, gender, identifying as First Nations, Métis or Inuit, lower socioeconomic status, co-existing disabilities, being a newcomer, refugee or English language learner (multilingual students who are learning English at the same time as they are learning the curriculum), or being in the child welfare system can combine with a reading disability to create unique and overlapping experiences of disadvantage and discrimination.

There are several reasons why children may struggle with reading. Becoming fully literate requires more than just the ability to read words. The ability to understand the words that are read and the sentences that contain them are important for strong reading comprehension. A comprehensive approach to early literacy recognizes that instruction that focuses on word-reading skills, oral language development, vocabulary and knowledge development, and writing are all important components of literacy.

Word-level reading skills involve learning the correspondence between sounds and letters, and using this knowledge to sound out words and to spell. The inquiry focused on word-level reading difficulties more than difficulties related to reading comprehension. This focus was chosen because of the ongoing struggle for Ontario students with reading disabilities to receive evidence-based instruction in these foundational skills; the difficulty in meeting these early reading outcomes for many more students, often from marginalized or *Code-protected* groups; research recognizing the importance of instruction in these foundational word-reading skills; and the recognition of the rights of students with dyslexia in the *Moore* decision. Specifically:

- Word-level reading difficulties are the most common challenge for students with reading disabilities, learning disabilities and even all young students who struggle to learn to read well.
- Most students who have issues with reading comprehension have word-level reading difficulties. The reading comprehension difficulties may be caused solely by the time, effort and attention needed to decode the written words. This interferes with the flow of language from the text, and requires students to use limited cognitive resources that cannot then be put toward understanding the texts. A smaller group of students may also have difficulty with language comprehension that impairs reading comprehension. These difficulties are most often compounded by their word-reading impairments. For all these students, effective word-reading instruction and interventions are needed.
- The solutions for students with word-level reading problems have been extensively researched and are well understood. Responding to students with only reading comprehension difficulties is significantly more variable and complex, with less agreement on effective interventions at this time.
- The areas identified as the main focus of the inquiry are the most frequent obstacles to developing early reading proficiency.

The OHRC acknowledges the importance of the education system not only teaching all students to read well, but also making sure all students become fully literate. A robust and evidence-based phonics program should take place within a rich evidence-based language arts instructional experience. Modern definitions of literacy include the essential elements of being able to read and write proficiently, and also the ability to access, take in and analyze information. For example, the Alberta Ministry of Education defines literacy as “the ability, confidence and willingness to engage with language to acquire, construct and communicate meaning in all aspects of daily living.”¹² Being able to read and write are fundamental building blocks to becoming fully literate.

While the focus of this report is on teaching students foundational reading skills, there are references to literacy and the importance of enhancing all students’ ability to understand, make meaning out of and analyze what they read. The report also acknowledges the importance of culturally responsive pedagogy, and having students

engage with literature and other forms of art and information that reflects their diverse sociocultural backgrounds alongside using scientifically supported, evidence-based methods to teach all students to read. For example, other areas of literacy instruction and engagement will be required to fully meet the needs of Indigenous students.

Early word-reading skills are critical, but they are not the only necessary components in reading outcomes. Robust evidence-based phonics programs should be one part of broader, evidence-based, rich classroom language arts instruction, including but not limited to storytelling, book reading, drama, and text analysis. Evidence-based direct, explicit instruction for spelling and writing are also important to literacy. Many students, including students with reading disabilities, have difficulties with written expression.

Explicit, evidence-based instruction in building background and vocabulary knowledge, and in reading comprehension strategies, are all parts of comprehensive literacy instruction. Although the inquiry focused on one most frequent obstacle to students developing a strong foundation in early reading skills, the report also acknowledges the other elements of a comprehensive approach to literacy. These elements must also be addressed when implementing report recommendations.

Teachers and other educators

This report focuses on the role of teachers in meeting the right to read, because teachers are responsible for delivering language curriculum to students. However, the OHRC acknowledges that a range of educators play an important role in helping students learn to read. The report discusses different educators' roles below (see section 4, Context for the inquiry). In short:

- Principals are responsible for the “quality of instruction” at their school, and assist and supervise teachers and other staff.¹³
- Early childhood educators who work alongside teachers in Kindergarten classes “have knowledge of early childhood development, observation skills and assessment skills,” and focus on “age-appropriate program planning” that promotes language development. Teachers base their formal reporting to parents on “the teacher-ECE team’s assessment of children’s progress.”¹⁴
- Educational assistants act as support staff, and may assist “teachers and other classroom staff in carrying out education plans.”¹⁵
- Literary specialists work with students and other educators on reading and writing processes.
- Speech-language pathologists, psychologists and other professionals provide advice and support with regard to how a student’s educational and other needs can best be met.

Wherever possible, recommendations in this report should be implemented in a way that empowers educators to be effective reading instruction partners.

Students with other disabilities

While students with reading disabilities were our focus, the inquiry revealed that many other students are at higher risk of reading failure. The OHRC heard that students with other disabilities such as intellectual disabilities, developmental disabilities, hearing disabilities, vision disabilities, autism spectrum disorder (ASD), and attention deficit hyperactivity disorder (ADHD) also struggle with reading for many of the same reasons as students with reading disabilities. They face many of the barriers identified in this report and will benefit from the report's recommendations.

Students with ASD, ADHD, intellectual disabilities and developmental disabilities

Students with other disabilities also experience unique challenges that differ from those of students with reading disabilities. Some students are never given the opportunity to learn to read. For example, students with intellectual disabilities are often placed in segregated special education classes that focus on social and life skills with little academic instruction in reading, writing or math. As will be discussed later in greater detail, students with disabilities such as ASD, ADHD, intellectual and developmental disabilities who are behind in reading may not be considered suitable candidates for reading interventions, even though these interventions would help them improve their reading (see section 10, Reading interventions).

ARCH Disability Law Centre's submission to the inquiry reported that one of the biggest barriers students with ASD and intellectual disability exceptionalities face is being excluded from school (or regular classrooms)¹⁶ due to behaviour or safety issues, or simply due to a lack of accommodations or support services being provided in school.¹⁷ If students are not in school, they can't be taught reading and other literacy skills. ARCH also raised concerns about students being placed in segregated special education classes where the focus is on social and life skills with little to no academic instruction in reading and math.

In its submission to the inquiry, the Down Syndrome Association of Ontario noted that children with developmental disabilities are assumed to be unable to read and are given no reading instruction. The Association also said that the tendency to modify curriculum expectations to below grade level limits students' opportunities and life pathways. This report addresses the issue of modifying versus intervening and accommodating (see section 11, Accommodations).

Students with blindness, low vision or deaf blindness

The OHRC heard that students with blindness, low vision or deaf blindness also face serious barriers in learning to read. The fact these are "low-incidence" disabilities affecting fewer students does not mean that less attention should be paid to meeting their right to read. VIEWS for the Visually Impaired and the CNIB Foundation submitted that school boards across Ontario do not employ enough teachers of the visually impaired (TVI). A TVI provides hands-on direct training to students with vision loss on

braille reading and writing where needed, on using assistive technology that is critical to literacy, and on other vital skills relevant to reading. The TVI also supports classroom teachers, special needs and educational assistants and other teaching staff and guides them on how to effectively teach students with vision loss.

VIEWS also outlined concerns with the training requirements for TVIs. VIEWS noted that three or fewer Additional Qualification (AQ) courses are all that is required to be a TVI, and these courses do not need to be delivered through a faculty of education. According to VIEWS, this is inadequate preparation to work with visually impaired students. At least five Canadian provinces and many other jurisdictions have higher training standards for TVIs. VIEWS submits that a qualified teacher should be required to complete a one-year graduate degree specializing in teaching students who are blind, low vision or deafblind and that Ontario should fund that graduate training, just as it now does for the one-year graduate-level program required in Ontario to qualify as a Teacher of the Deaf.

Deaf and hard-of-hearing students

The OHRC heard that deaf and hard-of-hearing students¹⁸ also deal with serious challenges when learning to read. For example, the Ontario Cultural Society for the Deaf (OCSD) said that deaf and hard-of-hearing students are prone to experiencing reading difficulties, and many fail to become fluent readers.¹⁹ OCSD also said that deaf and hard-of-hearing students do not get enough access to American Sign Language (ASL) instruction, which it says is required for many deaf students to be able to learn to read. It noted that students who can hear have access to oral language, and that many deaf and hard-of-hearing students who do not have this access find written text foreign and largely inaccessible. It further submitted that the province does not have a well-established and effective reading program for deaf and hard-of-hearing students.

Deaf or hard-of-hearing students whose primary language is not ASL or Langue des signes québécoise, and who primarily use auditory-verbal communication, may require different supports for learning to read.

A significant theme in this report is the concern that teachers are not properly equipped to support all students learning to read. The OHRC's recommendations here should benefit students with a variety of disability-related needs. Although this report could not address unique barriers for students with other disabilities, those issues merit further consideration by the Ministry, school boards, faculties of education, and the Ontario College of Teachers. All the recommendations in this report should be implemented with proper consideration of intersecting concerns and impacts. All children, regardless of their disability, deserve equal access to a meaningful education, which includes learning to read.

Other students at risk for reading difficulties

Because few school boards were collecting or analyzing student demographic data at the time of the inquiry, there is limited Ontario data connecting reading achievement with factors such as race, place of origin, gender, LGBTQ2S+ identity, and socioeconomic status. However, the Toronto District School Board (TDSB), Ontario's largest school board, has conducted a student census for several years. It has helpfully analyzed reading and literacy achievement patterns of TDSB students on the Grades 3, 6, and 10 Education Quality and Accountability Office (EQAO) standardized assessments against various demographic and student family background characteristics from the TDSB's School Information Systems (SIS), Parent Census in 2007–2008 and 2011–2012, and Student Census: Grades 9 to 12 in 2006 and 2011.

The TDSB has found that students from particular identity groups (low socioeconomic status; Black, Latin American and Middle Eastern; from the English-speaking Caribbean; with special education needs; male; and not sure of or questioning their sexual orientation) experience significantly lower achievement in reading.²⁰ This is consistent with data from jurisdictions such as the United States showing that students who are African American, Hispanic, learning English, and/or from low-income homes fall behind and stay behind in reading in far greater proportion than students who are White and middle-class.²¹

While the inquiry focused on students with reading disabilities, it also revealed that many other students are at risk for reading difficulties and the negative outcomes associated with failing to learn to read well. These students do not achieve at the same level as others for many of the same reasons, such as lower phonological awareness at school entry and ineffective curriculum and teaching methods.²² Instructional approaches that reflect the research science (discussed in greater detail in section 8, Curriculum and instruction) will in fact benefit all students who are at risk. The issues and recommendations identified in this report are matters of overall equity in education.

First Nations, Métis and Inuit students

The OHRC's First Nations, Métis and Inuit engagements revealed significant disadvantage experienced by First Nations, Métis and Inuit students attending provincially funded schools, and First Nations students attending federally funded First Nation schools on reserve. As a provincial human rights agency, the OHRC does not have the legal authority to compel federal schools or the federal government to provide documents or data, and cannot enforce their non-compliance with human rights obligations. Nevertheless, this report addresses what the OHRC learned about First Nations, Métis and Inuit students' experiences in provincially funded schools and First Nations students' experiences in federally funded schools. We will share this report and recommendations with the Canadian Human Rights Commission and the federal government.

Students learning in French

The OHRC is aware that issues exist within French-language school boards. Although the OHRC did not select a French school board to be part of the inquiry, we did hear about many of the same concerns exist with the Ontario curriculum and the approach to reading difficulties in French boards.

The inquiry also heard about unique challenges for Francophone students with reading difficulties from a lack of resources, reading interventions and supports in French. We also heard from families of students in French Immersion programs in English-language boards.

Most inquiry findings and recommendations likely apply equally to French-language education, and the Ministry and French boards should work with French reading expert(s) to address and implement the recommendations as appropriate for students learning in French.

A photograph of two young girls, one Asian and one Black, sitting at a table and reading a colorful children's book together. They are both looking down at the book with focused expressions. The girl on the left has long dark hair tied back with a purple hair tie and is wearing a denim vest over a white shirt. The girl on the right has dark hair styled in two braids with colorful beads and is wearing a pink and blue patterned dress. A large, semi-transparent blue diamond shape is overlaid on the bottom left corner of the image.

3. Methodology

3. Methodology

To assess Ontario's performance on its approach to reading disabilities, the OHRC obtained documents, data and information from a variety of sources using several different methods.

School boards

The OHRC worked with its expert to select a representative sample²³ of eight Ontario English-language public school boards:

1. Hamilton-Wentworth District School Board (Hamilton-Wentworth)
2. Keewatin-Patricia District School Board (Keewatin-Patricia)
3. Lakehead District School Board (Lakehead)
4. London District Catholic School Board (London Catholic)
5. Ottawa-Carleton District School Board (Ottawa-Carleton)
6. Peel District School Board (Peel)
7. Simcoe Muskoka Catholic District School Board (Simcoe Muskoka Catholic)
8. Thames Valley District School Board (Thames Valley).

The boards were selected based on a variety of factors, including lived experience accounts, size and type of school board (public and Catholic), different geographic regions, demographic information, EQAO data including reading test results, boards' Special Education Plans, the proportion of students with different *Code*-protected identities, and public reports.

The OHRC used its section 31 *Code* powers to request significant production of documents, data and information from the eight boards.²⁴ The OHRC obtained additional information and clarification from the boards through follow-up interviews and questions.

While there were delays in receiving information from one school board, the school boards' overall level of cooperation and assistance was excellent. This was especially noteworthy given the challenges boards were facing with providing continuity of learning during school closures due to COVID-19 and other challenges. The OHRC extends its appreciation to the school boards for their assistance.

Faculties of education

To assess whether teachers educated in Ontario receive adequate training and academic preparation to teach all students to read, the OHRC requested production of documents, data and information from Ontario's 13 English-language public faculties of education (faculties).²⁵ After seeking several extensions, the faculties eventually provided the requested information.

Ministry of Education

The OHRC is grateful to the Ministry for its ongoing assistance throughout the inquiry. The OHRC obtained and reviewed relevant Ministry documents and asked the Ministry questions about the areas being considered in the inquiry.

Public engagements

The OHRC received a significant amount of information from the public through a variety of means. A total of 1,425 students, parents and guardians²⁶ completed an online Qualtrics survey and shared their experiences with learning to read and the impact on themselves and their families. A survey for educators and other professionals was widely distributed, including to every school board in Ontario. The OHRC received 1,769 surveys from educators (classroom teachers, teacher candidates, special education teachers, early childhood educators, educational assistants, school and board administrators), private tutors, and other professionals (such as speech-language pathologists, psychologists and pediatricians). Both quantitative and qualitative data was analyzed for this report.

The OHRC received surveys about school boards across Ontario. This included 100 surveys about French public and French Catholic school boards.

The OHRC received over 1,000 telephone calls or emails and many more engagements through social media.

The OHRC also received over 20 submissions from organizations representing a variety of perspectives.

The OHRC held four public hearings corresponding with the location of five of the eight school boards selected for the inquiry: Brampton, London, Thunder Bay and Ottawa. At each public hearing, up to 20 speakers or groups of speakers shared their experiences. The OHRC heard from students, families, educators, service providers (such as private tutors, a child welfare agency) and other professionals. Over 600 people attended the hearings. All but the Brampton hearing were live streamed, and all hearings are archived on the [OHRC's YouTube channel](#).

The OHRC had also planned to hold community meetings in Kenora, Barrie and Hamilton to give people in those communities the opportunity to share their experiences. However, due to the COVID-19 pandemic and the province's Emergency Order prohibiting public gatherings,²⁷ only the Kenora public hearing took place, with 25 people attending.

The OHRC held Indigenous engagements at the London, Thunder Bay and Kenora Friendship Centres, and met with representatives of an Inuit organization in Ottawa. The OHRC also met with representatives of the Métis Nation of Ontario. Further Indigenous engagements planned for Barrie and Hamilton could not take place due to the pandemic.

To mark Human Rights Day, December 10, 2019, the OHRC called on students to submit art, poetry and media on “what the right to read means to me.” The OHRC received several submissions.

Both before launching the inquiry and afterwards, the OHRC interviewed many people with specialized knowledge or expertise or unique insight into the issues in the inquiry. This included school board staff (teachers and other professionals) who approached the OHRC independently to provide confidential insight into their experiences working within boards.

All of these engagements combined provided the OHRC with a rich understanding of a variety of perspectives on the right to read. The OHRC is grateful to everyone who took the time to share their knowledge and experience. Your voices have been instrumental in shaping this report and its recommendations.

Expert assistance

The OHRC retained two experts, Dr. Linda Siegel and Dr. Jamie Metsala, to assist with the inquiry and analyze the information received.

Dr. Siegel is an international authority on reading disabilities and the former Dorothy C. Lam Chair in Special Education, an Emeritus Professor in the Department of Educational and Counselling Psychology and Special Education at the University of British Columbia and a registered clinical psychologist. She has over 200 publications on early identification and intervention to prevent reading problems, dyslexia, reading and language development, mathematical concept learning, mathematical learning disabilities, and children learning English as a second language.

Dr. Metsala is a Professor of Education and the Gail & Stephen Jarislowsky Chair in Learning Disabilities at Mount Saint Vincent University in Halifax. She was previously an Associate Professor in Educational Psychology at the University of Maryland, College Park, where she also served as the Associate Director of the National Reading Research Center. Dr. Metsala has expertise in the psychology of language and reading, dyslexia and learning disabilities, psychological assessments, has taught English language arts methods to pre-service teachers, and is a registered clinical psychologist.

The experts’ participation was central to all aspects of the inquiry. The analysis, findings and recommendations in this report are based on the combined expertise of the OHRC in human rights and discrimination and the experts in reading disabilities. While many

reports have studied the most effective way to teach reading, this report is unique in making clear how these research-based approaches are essential to meeting human rights obligations.

Research

Among other things, this report draws on extensive multi-disciplinary research into:

- How children learn to read
- What causes reading difficulties
- Which students are at risk
- The essential components of effective reading instruction
- How to identify children who may be at risk of reading failure
- Reading interventions that are scientifically supported and effective
- Teacher training
- The impact of not learning to read on the individual and society
- Best practices in other jurisdictions.

References to this research are found throughout the report.

Limitations

While the level of public engagement in the inquiry was significant, there were some limitations of note. The OHRC has been mindful of these limitations in drafting this report.

The OHRC's student/parent and educator/other professional surveys were based on self-selection (people choosing to complete the survey) rather than random sampling, (randomly selecting people to complete the survey). The risk of self-selection bias exists as the people who chose to take part may not represent the entire population of students with reading difficulties or educators/other professionals. For this reason, the OHRC has used multiple sources of information, not just the surveys, to draw its conclusions. For example, the 479 student/parent surveys and 635 educator/other professional surveys concerning one of the eight school boards selected for the inquiry were carefully reviewed to compare students' and educators' lived experiences with the information provided to the OHRC by the school boards.

A relatively low number of student/parent surveys described the experiences of:

- Racialized students²⁸ (132 out of 1,369 surveys where a race category was specified)
- First Nation, Métis and Inuk/Inuit students (44 out of 1,369 surveys where a race category was specified)
- Students whose first language learned was not English or French (68 surveys)
- Students who were not born in Canada (60 surveys).

Student/parent survey respondents also tended to have income levels higher than the Ontario average, and relatively higher levels of education. Half reported a household income of over \$100,000 before taxes, compared to the median after-tax income of Ontario families of \$66,200 in 2018.²⁹ Of the 1,405 respondents who indicated the highest level of education they completed, 31.8% had a professional degree (such as a law or medical degree), Master's degree or Doctorate degree.

The OHRC recognizes that completing a survey or attending a public hearing may have been challenging for families that are the most marginalized. More diverse engagements may have been possible had the COVID pandemic not affected the OHRC's ability to hold additional in-person meetings. The OHRC has paid special attention to the accounts it did receive from vulnerable groups to better understand intersectional barriers. As well, given the research that shows students from these groups are even more likely to fall behind in reading, it is reasonable to assume that the challenges these students with reading difficulties face are just as significant, if not more significant, than challenges faced by students with relative privilege. Concerns about the particular impacts on marginalized students are noted throughout this report.

The student/parent survey described experiences of individuals ranging in age from four to 84. The OHRC recognizes that the experiences of older students or people no longer in the public education system may not reflect the current situation in all cases. Even so, these accounts had significant value to the inquiry as they showed the profound, long-lasting impacts of failing to address a reading difficulty. Unfortunately, the OHRC also found that many of the issues these surveys identified remain today. This shows the systemic, enduring intergenerational effects of the public education system's failure to adequately meet the needs of students with reading difficulties.

The survey for educators and other professionals asked respondents to rate the effectiveness of different approaches to teaching reading, screening tools for reading difficulties, and reading interventions. Educators may have a bias toward rating as most effective the teaching approaches, screening tools and reading interventions they are most familiar with and currently use. They may not be familiar with other options, and may not be in a position to assess their effectiveness. Therefore, in assessing effective approaches to teaching reading, screening for reading difficulties and reading intervention, the OHRC has placed less emphasis on survey responses compared to scientific research and empirical validation.



4. Context for the inquiry

4. Context for the inquiry

WARNING: This section deals with topics that may cause trauma to some readers. It includes references to bullying, emotional and physical abuse, mental health challenges, self-harm and suicide. Please engage in self-care as you read this material. There are many resources available if you require additional support, including on the OHRC [website](#).

What are reading disabilities?

Reading is a fundamental skill that students must have to navigate their school experience and their later lives. Our public schools should be able to teach students to read. Yet, this may not be the reality for students with reading disabilities and others.

Reading is a complex cognitive skill. While good readers seem to read effortlessly, to get to that point, they must first learn how to decode the words on the page.³⁰ This means they must learn to turn written words into corresponding spoken words. The process of learning to decode our alphabetic system requires both knowledge of letter-sound relationships, and an ability to apply that knowledge, blending the individual sounds together, to successfully identify written words. It is this process that allows the child to then make meaning from the written words. Over time, with lots of practice at deliberately decoding words, the process becomes quicker and eventually, automatic. Once a reader can decode, fluency (reading accurately and quickly) will follow.³¹ Vocabulary (knowing what individual words mean), language comprehension and reading comprehension (understanding and interpreting what has been read) are also critical aspects of reading development.

A reading disability, formally known as a specific learning disorder with impairment in reading,³² is a type of learning disability³³ that affects one or more of these skills. A reading disability can range from mild, to moderate, to severe. Reading disabilities are due to differences in the way the brain processes specific types of information, and are not a sign of lower intelligence or unwillingness to learn.³⁴

Dyslexia or a reading disability in word reading is a specific learning disability characterized by difficulties with accurate and/or fluent word reading and/or poor decoding and spelling abilities. These word-reading difficulties may also result in problems with reading comprehension and can limit learning vocabulary and background knowledge from reading.³⁵

Although dyslexia is assumed to be neurobiological in origin, there is evidence that with early identification, evidence-based reading instruction and early evidence-based reading intervention, at-risk students will not develop a “disability.” If the education system is working as it should, a reading disability can be prevented for almost all students.

According to the DSM-5, “Dyslexia is an alternative term used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition and/or poor decoding, and poor spelling abilities.”³⁶

In practical terms, people with a word-reading disability/dyslexia may experience problems with:

- Learning letters and the sounds they represent
- Blending sounds to make words
- Reading quickly enough to understand
- Spelling
- Keeping up with and understanding longer reading assignments.

Despite this, people with learning disabilities and reading disabilities may have unique skills, strengths and talents, just as in the larger population.³⁷ Learning disabilities do not need to be impairments to life-long success. Many entertainers, designers, architects, writers, athletes, jurists, physicians, scientists, political and business leaders have self-identified as having dyslexia or another learning disability.

Prevalence

Word-reading, spelling, phonological and fluency skills exist on a continuum, with no clear-cut off point for a diagnosis of a reading disability.³⁸ The prevalence of reading disabilities has been estimated to be about 5–10% of the population.³⁹ However, many more children in Kindergarten and Grade 1 are at risk for reading disabilities (about 25%),⁴⁰ and without evidence-based instruction in these grades, many more children will meet diagnostic criteria for a reading disability.⁴¹

Reading disabilities are the most common childhood learning disability.⁴² They affect all genders, ethnic, racial and socioeconomic groups almost equally,⁴³ although the experience of having a reading disability may differ based on intersecting characteristics.

The Ministry of Education (Ministry) has recognized that students with learning disabilities are the largest exceptionality group among students with special education needs in Ontario.⁴⁴ Since reading disabilities, and dyslexia in particular, are the most common learning disability,⁴⁵ it is reasonable to assume that reading disabilities are the most prevalent disability in schools and that there are students with reading disabilities in every classroom.

Heredity component

Some reading disabilities run in families. For example, approximately 40% of siblings, children or parents of an affected person will have dyslexia.⁴⁶ This is significant for several reasons. Failing to address reading disabilities can lead to intergenerational

cycles of illiteracy. Parents with reading disabilities may have more challenges supporting their children with learning to read at home. This may be magnified if they have more than one child who struggles to read, which is more likely.

When educators or professionals assess the learning profile of a student, it is important to note if they have been told that there are other family members who experience or have experienced significant academic challenges, or been diagnosed with any disability that could affect learning.⁴⁷ This knowledge is a red flag that can allow for earlier identification and intervention. However, many children who have a learning disability will not have a family member who has been diagnosed with one. These children will also need to be flagged with universal early screening.

Overlap with other learning disabilities

Reading disabilities can exist along with other separate but related disabilities. For example, dyslexia and dysgraphia (problems with writing, including difficulties with spelling, grammar, punctuation and handwriting⁴⁸) can overlap as they both involve processing language.⁴⁹ While dyscalculia (difficulty with math) is an independent learning disability, it commonly exists along with dyslexia.⁵⁰

Reading disabilities and attention deficit hyperactivity disorder (ADHD) often go hand-in-hand. Estimates are that 30% of people with dyslexia also have ADHD.⁵¹ Where ADHD is noted at a young age, it may indicate a child is at risk of later reading problems.⁵² Of course, reading disabilities can overlap with any other disability.

Terminology

The term “dyslexia” has been used to describe word-level reading difficulties for hundreds of years.⁵³ It is commonly used in international research and practice and the education field around the world. It is highly researched and there is considerable evidence about what teaching methods and interventions work for dyslexia.⁵⁴

Many people prefer the term dyslexia to describe impairments in word-reading accuracy and/or rate rather than the more general terms reading disability or learning disability. There may be several reasons for this:

- It is more specific or descriptive, and indicates word-level reading difficulties
- This specificity helps to clarify what intervention is required
- There are many resources available, in books and websites that are specific to dyslexia.⁵⁵

One leading researcher noted: “The word [dyslexia] indexes a treasure trove of interdisciplinary scientific research, books and articles that summarize that research, advocacy and support organizations that assist parents and families, and legitimate therapeutic interventions.”⁵⁶

Many people think that dyslexia indicates a learning difference as opposed to a “disability.”⁵⁷ They may prefer the term dyslexia to avoid the socially constructed stigma often associated with the “disability” label. The OHRC’s position is that people should be allowed to self-identify and if someone objects to a term used to describe them, it should not be used.

There has been a move away from the term dyslexia in Ontario education over the past several years. This may be, in part, due to a concern that the term is sometimes misunderstood, with people thinking it refers to visual difficulties, such as the tendency to invert letters. The broader term of learning disability may have also been preferred because it includes other reading difficulties as well as sometimes related learning difficulties in other domains (such as writing or math).

The Ministry and school boards do not currently use the term dyslexia or even reading disability, preferring the broader umbrella term learning disability.

Consistent with the fact that the terms dyslexia (when the reading disability relates to word-level reading difficulties) and reading disability are more descriptive and useful, this report uses “reading disability” and “dyslexia” as appropriate throughout. The report also uses “learning disability” where the research referred to uses that term, or where the report refers to the “learning disability” exceptionality as defined by the Ministry.

The report uses “reading difficulty” when referring more broadly to all students who face challenges as they learn to read. Students from several *Code*-protected groups disproportionately have reading difficulties because of societal factors such as structural inequality. The *Code* protects the right to read of all students – not just students with reading disabilities.

This report further discusses and makes recommendations about the terminology used in Ontario’s education system in section 12, Professional assessments.

Identifying reading difficulties

It is possible, and in fact essential, to identify children who may be at risk of reading difficulties at a very young age.

Some signs of reading difficulties in children who are in Kindergarten to Grade 2 include difficulties in learning to:

- Associate sounds with letters
- Blend phonemes and segment words into phonemes
- Decode words.⁵⁸

Early screening for reading difficulties does not require psychological testing. Many professionals including educators, speech-language pathologists and physicians can administer evidence-based early screening tools. Interventions can and should be started without a formal learning disability or reading disability diagnosis.

Where a diagnosis is required, in Ontario it is typically made by a licensed psychologist. However, physicians can also make a clinical diagnosis of a learning disorder based on the DSM-5 criteria.

This report addresses many issues with how reading difficulties are identified and reading disabilities are diagnosed (see sections 9, Early screening and 12, Professional assessments).

The consequences of not teaching children to read

Introduction

Most children can learn to read.⁵⁹ Reading failure can be prevented in all but a small percentage of students with serious reading disabilities by starting early and using approaches that through decades of research have been proven to be most effective.⁶⁰ One expert on reading disability noted:

Researchers now estimate that 95 per cent of all children can be taught to read by the end of first grade.⁶¹

Despite this, many children still have difficulty reading and writing with significant, lifelong consequences. Children and adults with unsupported learning disabilities and dyslexia⁶² can struggle with many aspects of school, employment and life. They are at higher risk for negative emotional, social, educational and occupational outcomes.⁶³ The negative impacts can be substantial and affect individuals, their families and broader society.

The negative effects of struggling to learn to read can begin very early. As young as age seven, many students with dyslexia feel they have failed in school.⁶⁴ When a student is not a proficient reader by the end of Grade 1, it predicts longer-term outcomes such as ongoing reading failure throughout schooling, dropping out of school and developing psychiatric problems.⁶⁵

The difficulties that develop from having an unsupported reading disability are often interrelated, mutually reinforcing and cumulative. For example, when a student loses confidence in their learning abilities, it affects their academic performance and self-esteem. Their impaired academic performance reinforces their poor academic confidence and low self-esteem, and contributes to social, mental health and behavioural difficulties, and so on. The adverse effects can continue over the person's lifetime, leading to increased risk of underemployment or unemployment, relying on social assistance, poverty, homelessness, criminalization⁶⁶ and even suicide.

At the same time, many of these dire consequences can be reduced or prevented through effective and early instruction and intervention.⁶⁷ This can change a person's life course for the better, and lessen the burdens on individuals, their families and society.⁶⁸ Many studies note that long-term social and economic costs are reduced by investing in making sure every child learns to read.

Adverse outcomes for persons with reading and other learning disabilities have been extensively researched and documented.⁶⁹ These findings are consistent with the lived experiences we heard in the inquiry (see section 6, The experience of students and families). Given the prevalence and seriousness of these consequences, and the cost to individuals, families and society, it is essential that Ontario schools identify and appropriately respond to early reading difficulties.

School effects

Teaching students to read has been described as "the single most important task assigned to elementary schools."⁷⁰ This is because learning to read in the early grades enables children to read to learn throughout their lifetime. Students who struggle to gain word-reading accuracy and fluency fall further behind their peers in their ability to access all aspects of the curriculum in all subject areas:

No other skill taught in school and learned by school children is more important than reading. It is the gateway to all other knowledge. If children do not learn to read efficiently, the path is blocked to every subject they encounter in their school years.⁷¹

Students without foundational word-reading skills experience a chain of escalating negative academic consequences.⁷² A lack of these skills contributes to the "Matthew effect," where the academically "rich get richer and the poor get poorer" over time. Young children who are good readers experience more success, which encourages them to read more. This additional reading practice further increases their word-reading automaticity (the ability to read without conscious thought), their vocabulary and world knowledge, which all contribute to increased comprehension. This can lead to greater success in all academic areas. On the other hand, struggling readers are less likely to enjoy reading and will avoid it. They do not get additional practice, and do not improve in their word-reading automaticity, and are less likely to learn new vocabulary and knowledge from reading. As a result, their motivation towards reading and school decreases. They can fall behind in all subjects. In this way, early differences between students in acquiring reading skills can get amplified and become huge differences in later grades.⁷³

Students with reading difficulties often realize they are struggling to learn to read and write, are making mistakes, and are not meeting expectations (their own and other people's). One study noted:

This is extremely frustrating to them, as it makes them feel chronically inadequate. This in the long term can cause them a lot of problems in their personal and social life.⁷⁴

From a very young age, students with reading difficulties develop low academic self-concept (a poor perception of their abilities in school).⁷⁵ Academic self-concept affects a wide range of educational and emotional outcomes including achievement, motivation, effort, education goals, course choices and career aspirations. Academic self-concept and academic achievement are mutually reinforcing. Low academic self-concept predicts a later lack of academic success, which in turn leads to a lower future academic self-concept.⁷⁶

Students with reading disabilities often experience low academic achievement (or failure) that does not reflect their potential.⁷⁷ They can develop school avoidance behaviours and higher absence rates.⁷⁸ They are more likely to have behavioural issues at school and to be suspended.⁷⁹ They are more likely to drop out of school,⁸⁰ less likely to go on to post-secondary education,⁸¹ and they take longer to finish programs they enroll in.⁸²

Stereotyping, discrimination and victimization

Stereotyping, discrimination and victimization can compound the struggles that young students already face with learning to read. This further contributes to their academic difficulties and social isolation.

Both children and adults with learning disabilities, such as dyslexia, have been stereotyped as stupid, cheating, lazy or careless before they get a formal diagnosis.⁸³ Educators may hold negative attitudes towards students with learning disabilities, believing they are less intelligent, more difficult to teach or lazy.⁸⁴

Their peers may hold similar negative attitudes.⁸⁵ In reality, students with reading disabilities are often working extra hard.⁸⁶

As is the case with many other disabilities, attitudes in society that celebrate ability and ostracize difference have a significant impact on the experience of having dyslexia and learning disabilities.⁸⁷ People with dyslexia have reported that stereotyping, perceptions and assumptions take a greater emotional toll than the language difficulties they experience.⁸⁸

Implicit negative attitudes of some educators towards students with dyslexia may also directly affect their' educational experiences and academic performance.⁸⁹ Studies have found that negative perceptions towards dyslexic students may affect teachers' efforts to help, the opportunities they offer, the feedback they give, their nonverbal behaviour,⁹⁰ as well as their teaching.⁹¹

Researchers⁹² used Toronto District School Board data to compare teachers' subjective assessment of "learning skills and work habits" on provincial report cards⁹³ with objective measures of achievement (EQAO scores). Even when they had the same achievement level, there was a disparity in teachers' perception of students' learning skills connected to race, gender, disability and socioeconomic status. Students who self-identified as White, female, not having special education needs (excluding gifted), and who were from relatively historically privileged family contexts (for example, access to two parents, parents with university education, and living in higher-income neighborhoods) were all perceived to have "better" learning approaches than students who were racialized, male, had special education needs, and who were less socio-demographically privileged, despite the same level of achievement. The researchers concluded that this suggests that teachers have implicit biases that can influence students' academic pathways and academic outcomes.

Students with learning disabilities are also at increased risk for bullying and victimization, rejection and social isolation.⁹⁴ There is evidence that children and youth with learning disabilities are significantly more likely to be bullied than their peers.⁹⁵ They are also more likely to have greater social challenges and fewer friends.⁹⁶

One study of adults with dyslexia found a relationship between dyslexia and childhood physical abuse.⁹⁷ Using Canadian data,⁹⁸ researchers found that 35% of adults with dyslexia reported being physically abused before they turned 18. In contrast, 7% of people without dyslexia reported experiencing childhood physical abuse. Even after adjusting for variables such as age, race, sex and other early adversities such as parental addictions, dyslexia was six times more likely to be present in children who were physically abused.

In another study of adult dyslexic learners, adults described being ridiculed and punished, and facing traumatic teaching practices (for example, having to stand up and spell in front of the class; or the teacher handing back tests and assignments in the order of marks).⁹⁹ While these practices may seem outdated, several people described similar recent experiences in surveys they completed for the inquiry.

Being victimized is connected to withdrawal, stress, depression, social problems, problems with thought and attention and disruptive behaviour.¹⁰⁰ The effects of bullying can further contribute to learning difficulties. One paper on bullying noted:

For those victims with learning disabilities (LD), pre-existing cognitive difficulties can be exacerbated by anxiety and depression brought on by bullying.¹⁰¹

Self-esteem

Self-esteem is the attitude we have about ourselves and our overall sense of self-worth and personal value. Self-esteem is created by our experiences and begins to be shaped from the earliest years of our lives. Self-esteem is vital to our psychological functioning and mental health.¹⁰²

Low self-esteem is one of the most common psychological challenges for people with dyslexia and is a risk factor for children, adolescents and adults. For children with dyslexia, a lack of self-esteem often emerges in the early school years. This can interfere with establishing a healthy personality and sense of self.¹⁰³ Negative effects on self-esteem and self-concept are more likely when students are not identified as at risk for reading difficulties and supported from a young age.¹⁰⁴

The combined effects of low academic self-concept, low self-esteem and other challenges associated with reading difficulties affect individuals in many different ways, and may affect social interactions with peers or supervisors in the workplace, as well as success at all levels of schooling and employment.¹⁰⁵

When reading difficulties are identified early and effective teaching methods and interventions that improve reading skills are used, it contributes to positive self-esteem. Healthy self-esteem and a good understanding of their reading disability may help children avoid or reduce some of these difficulties.¹⁰⁶ Teaching children to read will help prevent these negative cycles from developing in the first place.

Mental health effects and suicide

Children with dyslexia may be susceptible to becoming withdrawn, anxious and depressed due to their academic underachievement.¹⁰⁷ People with learning disabilities have been shown to have more psychiatric problems, including depression, anxiety and substance use disorders¹⁰⁸ than people who do not.¹⁰⁹

For example, one study that examined comorbidities in young people (aged 7–16) with specific learning disorders (in reading, writing and math) found that 28.8% also had an anxiety disorder and 9.4% had a mood disorder.¹¹⁰ Studies have also found a relationship between reading achievement and behavioural problems, particularly among boys.¹¹¹

Sadly, some research has found an association between suicide and learning/reading disabilities. In one study, adolescents with reading disabilities were more likely to experience suicidal ideation (thinking about suicide) and suicide attempts.¹¹² Another study that analyzed suicide notes for errors in spelling and writing found that 89% of the 27 adolescents who completed suicide had problems in spelling and handwriting consistent with learning disabilities.¹¹³

Another Canadian study showed that one in every six women and one in every nine men with a learning disability had attempted suicide. Even after controlling for many of the known risk factors for suicide attempts, people with learning disabilities had 46% higher odds of having ever attempted to die by suicide than people who did not have a learning disability.¹¹⁴ Among people with learning disabilities, lifetime episodes of major depression and witnessing ongoing domestic violence as children were associated with higher incidence of suicide attempts.¹¹⁵

Overall health

Education and literacy are key determinants of overall health. Lower levels of education and lower literacy skills are associated with worse health outcomes, and may even be associated with premature death.¹¹⁶ Canadians with low literacy skills are more likely to suffer poorer health and worse health outcomes than Canadians with high levels of literacy.¹¹⁷

One paper noted:

The development of reading proficiency in childhood is a public health issue: literacy is a widely recognized determinant of health outcomes and is associated with many indices of academic, social, vocational, and economic success. A recent National Academy of Medicine summary highlights that duration of education, which is highly dependent on reading proficiency, is a better predictor of health and long life than cigarette smoking or obesity.¹¹⁸

Underemployment, poverty and homelessness

Literacy is an essential skill to get and keep a job, and to adapt and succeed at work. Yet in Ontario, a substantial portion of adults (42% according to the International Adult Literacy Skills Survey) do not have the literacy skills they need for home, work and everyday life. Sixteen per cent struggle with very serious literacy challenges and have trouble reading even the most basic text, while the other 26% can read but not well enough to meet the demands of today's society.¹¹⁹ Low literacy is worse among certain groups. For example, a Statistics Canada report found that while 17% of all persons had a literacy score in the lowest category in 2012, 30% of recent immigrants, 26% of Indigenous persons,¹²⁰ 27% of unattached non-elderly persons, and 23% of people with an activity limitation had a literacy score level in the lowest category.¹²¹

As of 2018, Ontario's five-year graduation rate was 87.1% with almost 13% of Ontario students failing to earn an Ontario Secondary School Diploma within five years of entering Grade 9.¹²² This rate is even more troubling for certain communities. Only 60% of First Nations students, 68% of Inuit students and 76% of Métis students graduated within five years.¹²³

People with low literacy skills are much more likely to experience unemployment and for longer periods of time. In Ontario, just 61% of adults with the lowest literacy levels are employed, while 82% of people with the highest levels of literacy are in the workforce.¹²⁴ Without the ability to read or write, many people become trapped in a cycle of poverty with limited opportunities for employment or earning income.¹²⁵ Approximately 29% of adults with the lowest levels of literacy live in low-income households (households whose income is below Statistics Canada's after-tax Low Income Measure), compared with only 8% of people with high levels of literacy.¹²⁶ People with low literacy skills are also more likely to receive government social assistance.¹²⁷

Fewer people with diagnosed learning disabilities are employed, and if they are they have less job satisfaction and more work-related challenges.¹²⁸ Adults with reading disabilities may have underachieved educationally and may be underemployed.¹²⁹ They may avoid jobs that have a lot of reading and writing. They may be reluctant to tell their employer about their disability because they fear discrimination.¹³⁰ A wage gap has been found between employees with and without learning disabilities.¹³¹

The higher school dropout rate for students with learning disabilities leaves them at greater risk for socioeconomic disadvantage, street involvement, and even homelessness.¹³²

People with childhood learning disabilities are over-represented among homeless youth and adults.¹³³ A 2016 pan-Canadian study of young people who experience homelessness reported:

Homeless youth have challenging and disrupted academic trajectories, with bullying and learning disabilities impacting school engagement and achievement for these youth. Among study participants, 50% reported being tested for a learning disability while at school, indicating that school staff view these youth as suffering in some way. Importantly, those who had dropped out of school were much more likely to report learning disabilities (41.8%), ADHD (46.1%), and physical disabilities (47.9%).¹³⁴

In a study examining the prevalence of math and reading difficulties in 16- to 21-year-old clients of a shelter for runaway and homeless street youth in Toronto, 52% of participants had a reading disability.¹³⁵

Criminalization and incarceration

As well as being over-represented in the homeless population, youth and adults with low literacy, learning difficulties, and who have dropped out of school are disproportionately involved with the criminal justice system and in correctional facilities.¹³⁶ The 2003 International Adult Literacy and Skills Survey found:

- Offenders are three times as likely as the rest of the [Canadian] population to have literacy problems

- 79 of 100 people entering Canadian correctional facilities don't have their high school diploma
- 65 of 100 people entering correctional facilities have less than a Grade 8 education or level of literacy skills, and 82% test lower than Grade 10.¹³⁷

Studies from other jurisdictions have found a high prevalence of learning disabilities and dyslexia in adult and youth prison populations (from 30% to 70%).¹³⁸

The Canadian Association of Chiefs of Police (CACP) has recognized the link between literacy and crime. In an 18-month project, *Literacy and Policing in Canada: Target Crime with Literacy*, the CACP identifies several ways that low literacy contributes to crime and recidivism (re-offending). In addition to statistics about lower levels of literacy among offenders compared to the general population, the CACP noted:

- Neighbourhoods with lower literacy have higher crime rates¹³⁹
- Witnesses with lower literacy have difficulty communicating effectively when giving a report to police or testifying in court¹⁴⁰
- Offenders with low literacy have a harder time successfully completing many sentencing programs that involve reading, such as programs for anger management and drug rehabilitation.¹⁴¹

The CACP report recognizes the link between literacy and factors such as poverty, racism, being an immigrant, being Indigenous, and having a disability, including learning disability.¹⁴²

CACP has identified increasing literacy as a way to prevent crime.¹⁴³

Impact on families

The challenges associated with reading difficulties do not end with the affected person. They extend to other family members including parents and guardians, siblings, grandparents and extended family.

Parents want the best for their child and often worry about their child's physical and mental health (including their confidence and self-esteem), safety (including security from bullying), development, education, future success and overall well-being. When a child experiences difficulties in any one of these areas, it takes a significant toll on parents, siblings and families. Studies that looked at the impact of a reading or learning disability on the family have confirmed that parents of children with reading disabilities experience significant additional stress¹⁴⁴ and anxiety¹⁴⁵ as well as guilt, fear, shame, helplessness, frustration, disillusionment and isolation.¹⁴⁶

Parents who themselves have a reading disability may have a trauma-like reaction to their child's diagnosis. They may feel additional guilt, for example from believing that they are genetically responsible for the reading disability, and additional responsibility for trying to protect their child from the same negative experiences they faced. Parents who do not share the disability may feel a painful loss of connection to their child.¹⁴⁷

Parents also commonly report tension in the relationship between parents and an impact on family dynamics and unity,¹⁴⁸ as well as financial impacts and interrupted careers.¹⁴⁹

Parents expend significant time, money and emotional energy to try to get help for their child.¹⁵⁰ Parents must become advocates for their child within the school system and they must also locate and pay for services outside the school system. Parental involvement and persistence are often needed to get any supports in school. Many parents cannot afford to pay for outside private supports such as psychoeducational assessments and private education services. This contributes to their guilt, stress and anxiety.¹⁵¹ An Australian paper describing the many struggles that parents, often mothers, face when their child has dyslexia noted:

Mothers become emotionally and physically drained as they become heavily involved in their child's remedial education...and worry for the child's future. Many mothers choose to quit their jobs to focus their energy and time attending to their child...Overall, the literature reports ongoing difficulties for parents as they struggle to support their child before, during and after the assessment of dyslexia...¹⁵²

When a child struggles and needs extra attention from parents and other relatives, it can also have a negative impact on siblings and sibling relationships.¹⁵³

Other families without the means for private psychologists and networks to learn about reading disabilities may be unaware of or unable to tackle the obstacles impeding their child's success at school.

Costs of low literacy

The negative impacts described above result in significant socioeconomic costs to the affected individuals, their families, and society as a whole.

The estimated financial costs that result from reading disabilities, learning disabilities and low literacy have been quantified and are substantial. A report prepared by the Roeher Institute for the Learning Disabilities Association of Canada¹⁵⁴ estimated direct and indirect costs that result from learning disabilities. It considered costs to individuals, families and society arising from:

- Hospital and medical services
- Miscellaneous health-related expenses
- Medications
- Education services

- Criminal justice services
- Income transfers through social assistance programs
- Services provided by community agencies to assist with everyday activities because of disability
- Reduced earnings of people with learning disabilities
- Reduced household incomes (forgone income related to taking care of persons with learning disabilities).¹⁵⁵

The Roeher report took a conservative approach to quantifying costs by not including costs of assessments, re-evaluations, reports to employers or accommodation costs in its calculations.

It found that the estimated simple incremental cost of a learning disability (the cost difference between the situation of a person with a learning disability and a person without, from birth to retirement) is \$1.982 million per person. The burden of these costs mainly falls on the person with the learning disability and their family (61.4% of the costs). Public programs cover approximately 38.5% of the costs and private-sector insurers take on the balance (for example, by covering medication costs).

The report quantified the estimated overall costs to society. Using a conservative estimate that 5% of the Canadian population has a learning disability, the report found that the simple incremental cost of learning disabilities from birth to retirement (to all individuals with learning disabilities, their families and to public and private programs in Canada) is about \$3,080 billion.¹⁵⁶ These figures are from the early 2000s, and would likely be much higher in today's dollars.

Similarly, in evidence submitted to a United Kingdom (U.K.) Parliamentary Committee in 2006, the Dyslexia Institute in the U.K. quantified long-term economic costs to society from the systemic failure to support children with dyslexia. The institute estimated that undiagnosed dyslexia and reading failure cost the U.K. economy \$1 billion per year.¹⁵⁷

There is an economic cost associated with students failing to complete high school, which is more likely for students with reading disabilities. One study looked at financial costs to society in the areas of health, social assistance, crime, labour and employment. The study found that a 1% increase in the graduation rate could save the Canadian economy \$7.7 billion per year (in 2008 dollars).¹⁵⁸

A report on literacy in Canada noted that Canada has a problem with literacy that is getting worse.¹⁵⁹ The report cites data showing that more than 40% of Canada's workforce does not have the literacy skills needed for most of today's jobs. It identifies several reasons for this, including low youth literacy due to failures in Canada's education system.¹⁶⁰

One of the report's main recommendations is to improve the literacy skills of graduates of Kindergarten to Grade 12 and post-secondary programs. This would have significant benefit to our economy and would lead to a "tangible return on investment."¹⁶¹ Increasing literacy skills in the workforce, particularly of people with the lowest literacy levels, by an average of 1%, would over time lead to a 3% increase in Canada's Gross Domestic Product, or \$54 billion every year, and a 5% increase in productivity.¹⁶²

A Canadian study concluded that improving health literacy,¹⁶³ which is affected by general literacy, could lead to reductions in health costs:

Although the evidence of the financial costs associated with low health literacy in Canada is sparse, there is enough Canadian and American research to suggest that policies designed to raise average health literacy levels might lead to improvements in population health and concomitant reductions in health costs.¹⁶⁴

It is well known that money spent on early education reduces the overall costs to the education system over time. In *Moore v British Columbia*, the British Columbia Human Rights Tribunal noted:

The importance of early intervention as a means of helping to ensure the academic success of all students cannot be overstated. A report prepared for the Organisation for Economic Co-operation and Development (Clarifying Report, 1995) put it this way:

Special instruction for under-achievers, especially at the beginning of primary education should be regarded...as a first-class investment....It become[s] progressively more costly to deal with the difficulties of [students with low achievement] since, as they move "up" from class to class, compensatory programmes tend to have less and less effect....Investment in compensatory education should be seen, therefore, not as a charge on educational budgets but as a deferred gain.¹⁶⁵

A special education report commissioned by the British Columbia Ministry of Education noted that research has shown "that for every education-related dollar we spend during a child's early years we save many dollars in the health care and justice systems."¹⁶⁶

Investing in ensuring every child in Ontario has the best opportunity to learn to read simply makes economic sense. The financial and social returns of investing in proven, effective methods to teach reading and prevent reading failure far outweigh the original investment.

Literacy as a social justice issue

Teaching all children to read has been identified as a social justice issue. One of the goals of a publicly funded education system is to give every child an opportunity to succeed, no matter their background.¹⁶⁷ However, children from historically disadvantaged communities, including children who are Black, Indigenous, learning

English or who live in poverty, are disproportionately represented among students who struggle with reading.¹⁶⁸ Lower literacy has been identified as one of the reasons these communities have lower academic achievement, are under-represented in professions that require higher education, and are over-represented in prison populations, among other things.¹⁶⁹

When the education system provides vulnerable children with a strong foundation in reading, it has the potential to reduce their historical and social disadvantage. When it does not, it can deepen their marginalization and entrench their risk of intergenerational inequality.¹⁷⁰

A paper written for the Canadian Education Association described the role of the education system in levelling the playing field for disadvantaged children. It said: “when children at risk receive the support necessary to develop literacy skills early in their school career, they close the gap with more advantaged peers.”¹⁷¹ It concluded that schools have a role in benefitting society and redressing social inequity by teaching children to read early and well:

Schools can better reflect Canada’s commitment to equity and inclusivity by equalizing educational opportunity for disadvantaged children at an early age. ... improving literacy outcomes is not just about raising reading scores; it truly is a matter of social justice.¹⁷²

Education in Ontario

The purpose of education

Education is essential to both individual and societal progress. International legal instruments recognize the importance of education for human development and also for collective growth. The *Universal Declaration of Human Rights*¹⁷³ (UDHR) states that the goal of education is “the full development of the human personality” and also to promote “understanding, tolerance and friendship among all nations, racial or religious groups.”¹⁷⁴

Education is so important for realizing other rights and freedoms that it is reflected in many other international and foundational documents, such as the *International Covenant on Civil and Political Rights*¹⁷⁵ (ICCPR) and the *International Covenant on Economic, Social and Cultural Rights*¹⁷⁶ (ICESCR). Education “is both a human right in itself and an indispensable means of realizing other rights.”¹⁷⁷

The ICESCR and other human rights instruments¹⁷⁸ elaborate on the UDHR and underscore the role of education in fostering a person’s capabilities, sense of dignity and self-worth so they can actively take part in and meaningfully contribute to society.¹⁷⁹

Ontario's *Education Act*¹⁸⁰ echoes these principles. The *Act* states: "A strong public education system is the foundation of a prosperous, caring and civil society," and the "purpose of education is to provide students with the opportunity to realize their potential and develop into highly skilled, knowledgeable, caring citizens who contribute to their society."¹⁸¹

Internationally and in Ontario, the consensus is that education is critical to a person's personal, social and economic development, and vital to their ability to contribute to the well-being of their community. To realize this vision, all students must have equal access to a meaningful education. In Ontario, education partners each have their own set of distinct responsibilities to ensure this reality for all students.

Responsibility for public education in Ontario

The *Education Act* and its accompanying regulations govern public education in Ontario and set out the duties and responsibilities of different education partners. The *Act* states:

All partners in the education sector, including the Minister, the Ministry and the boards, have a role to play in enhancing student achievement and well-being, closing gaps in student achievement and maintaining confidence in the province's publicly funded education systems.¹⁸²

Some of the main partners in delivering education are described below.

Ministry of Education

Under the *Education Act*, the Ministry has ultimate responsibility for education.¹⁸³ As well as funding and oversight functions, the Ministry has overall responsibility for developing legislation, regulations and policies for education. The Ministry is responsible for:

- Issuing policy directives, known as Policy/Program Memoranda (PPMs) to school boards to outline expectations for implementing Ministry policies and programs
- Monitoring the implementation of these policies and programs, making sure that school boards comply with the requirements of the *Education Act* and its regulations
- Allocating funding through a series of grants that are described annually in regulations under the *Education Act*, and establishing reporting and accountability requirements for these grants
- Issuing curriculum,¹⁸⁴ which includes the "front matter" (foundational information), curriculum expectations and teacher supports. Curriculum expectations, overall and specific, make up the mandatory Ontario curriculum. They are the standard knowledge and skills that students are expected to show in each subject by the end of the grade
- Developing and publishing policy and resource documents for Kindergarten to Grade 12. Policy documents outline mandatory requirements and standards.

Resource documents support implementation of policy, and their use is a local decision.

- Setting out the categories and definitions of “exceptionality” that school boards must use, and ensuring that boards provide appropriate special education programs and services for these students in accordance with the *Education Act* and its regulations¹⁸⁵
- Providing regional office staff with special education expertise to monitor and assist school boards in implementing special education policies
- Setting provincial standards and guidelines for all assessment, evaluation and reporting for all students
- Setting requirements for diplomas and certificates¹⁸⁶
- Requiring school boards to maintain Special Education Plans, review them annually, and submit amendments.¹⁸⁷ Special Education Plans provide information to the Ministry and the public about special education programs and services that school boards provide
- Preparing lists of approved textbooks and other learning materials¹⁸⁸
- Initiating research and grants available for school board use.¹⁸⁹

Provincial and demonstration schools

The Ministry also operates provincial and demonstration schools that provide specialized integrated programming for students with special learning needs.¹⁹⁰ Ontario has three English/American Sign Language provincial schools for students who are Deaf/hard of hearing, one English-language provincial school for students who are blind/low vision and deafblind, three demonstration schools for students diagnosed with severe learning disabilities, some of whom may also have ADHD and one French-language provincial school for children who are Deaf or hard of hearing, blind or have low vision, are deafblind or have severe learning disabilities. Unlike the other provincial and demonstration schools, this French-language school, Centre Jules-Léger (CLJ) is not governed by the Ministry. CLJ is operated by a consortium of French-language school boards. Provincial schools offer the Ontario curriculum for students from Kindergarten to Grade 12 and parallel courses provided in school boards. Demonstration schools provide a one-year residential school program for students with a possibility for a second year in certain program areas.

School boards and school authorities

The province's 72 publicly funded school boards are responsible for delivering special education programs and services in accordance with Ministry requirements – the *Education Act*, regulations and policy. These boards are made up of 31 English public boards, 29 English Catholic boards, four French public boards and eight French Catholic boards. Ten Ontario schools are operated by school authorities that oversee schools in hospitals and treatment centres, and in remote regions.¹⁹¹ School boards are

responsible for most aspects of delivering education to students and for providing education programs that meet the needs of the school community, including the needs for special education. School boards are responsible for:

- Setting standards for delivering education and services in their schools
- Developing and monitoring policies in achieving goals such as effective instruction
- Ensuring schools follow Ministry requirements
- Implementing curriculum according to Ministry policy
- Deciding how to spend funds from the Ministry
- Providing statistical reports to the Ministry as required and as requested
- Implementing procedures for early and ongoing identification of children's learning needs¹⁹²
- Developing procedures and protocols such as Multi-Year Strategic Plans and Board Improvement Plans for Student Achievement and Well-being
- Developing Special Education Plans and reviewing them annually¹⁹³
- Providing appropriately qualified staff for programs and services for exceptional students
- Preparing guides to provide parents with information about special education programs, services and procedures
- Providing professional development to staff
- Establishing new teacher induction programs (NTIP) as required by the Ministry,¹⁹⁴ including orientation, mentoring and professional learning.

Many different administrative, teaching and professional staff support student learning and achievement. Some of these staff are described below.

Principals

Principals are responsible for organizing and managing individual schools, including any budget the school board assigns to the school. They are responsible for the quality of instruction at their school and for student discipline. Principals are responsible for assigning teachers to classes and selecting textbooks and other learning materials from the approved Ministry list, with the help of teachers. Principals are also required to provide the Ministry with any information that may be required on the school's instructional program, operation or administration.¹⁹⁵

Teachers

Teachers are responsible for preparing lesson plans, effective instruction and supporting their students. They carry out different kinds of assessments – diagnostic, formative and summative. Diagnostic assessments occur before instruction begins so teachers can determine students' readiness to learn and plan instruction and assessment that are differentiated. Formative assessments occur during instruction, and help teachers monitor students' ongoing progress. Summative assessments occur

at or near the end of learning. On request, teachers report to the principal on their students' progress. Teachers are also responsible for taking part in regular meetings with students' parents or guardians.¹⁹⁶

Special education teachers

Special education teachers hold qualifications, in accordance with the *Education Act*,¹⁹⁷ to teach special education. They play a variety of roles including consulting with and assisting classroom teachers with early identification, differentiating and modifying curriculum, assessment, intervention strategies, developing and coordinating Individual Education Plans (IEPs), and in-class or withdrawal support for special education students.¹⁹⁸

Special education teachers may teach in self-contained classrooms. In a self-contained/specialized/special education class, students are placed in a smaller class with students who have similar academic needs. These students spend their whole day or at least 50% of their day outside the regular classroom.¹⁹⁹ Special education teachers may also work as a learning resource teacher or in-school support person, or may be a consultant/itinerant role where they support a variety of schools.

Registered early childhood educators

Registered early childhood educators work alongside a teacher in every Kindergarten class that has 16 or more students in Ontario. They are trained in early childhood development, observation skills and assessment skills. They focus on age-appropriate program planning that promotes each child's physical, cognitive, language, emotional, social and creative development and well-being.²⁰⁰

Educational assistants

Educational assistants work in and outside the classroom as directed by the principal. Depending on their qualifications, they enable students with a variety of emotional, behavioral, physical, personal care, and medical and academic needs to access the curriculum.

Literacy specialists

Literacy specialists work with administrators, educators and students to deepen their understanding of the reading and writing process and extend the repertoire of teaching and learning strategies. Their goals are to promote student learning and to raise achievement.²⁰¹ School boards in Ontario set their own standard for hiring specialists, and use different language to refer to their literacy support specialists – including early

literacy teachers, lead literacy teachers, literacy coaches, itinerant teachers and literacy resource teachers. Literacy specialists can be either based in school boards where they work district-wide (often assigned to a family of schools), or can work in a specific school (often with release time from teaching).²⁰²

Speech-language pathology staff

Speech-language pathologists work in school boards and provide a range of interdisciplinary supports for students, such as reading instruction using Universal Design for Learning strategies and evidence-based reading intervention for children with or at risk for reading disabilities across all tiers of instruction. They also provide screening for literacy skills, communication programming and interventions, professional assessments of literacy and oral language, and training for educators. They work with individual students, groups of students and educator teams, both inside and outside the classroom.²⁰³

School board psychology staff

School board psychology staff provide a range of services for students such as consultation, diagnostic assessments, counselling, crisis response, referral to community-based services, and professional development for staff. Psychology staff conduct psychoeducational assessments (also known as psychological assessments). These assessments identify a student's learning strengths and needs and provide programming recommendations.²⁰⁴

Ontario College of Teachers

The Ontario College of Teachers (OCT) regulates the teaching profession and governs its members, as set out in the *Ontario College of Teachers Act*.²⁰⁵ The College develops codes of conduct for teachers, investigates complaints and makes decisions about teacher discipline and fitness to practice.

The College also sets requirements for the Certificate of Qualification. This certificate is a member's license to teach in Ontario and outlines teaching qualifications. To receive this certificate, most teacher candidates complete a minimum three-year post-secondary degree, a four-semester teacher education program at a faculty of education. The College sets the standards for teacher education programs at Ontario faculties of education and monitors these programs to make sure they meet the standards.

Teachers who complete their teacher education program in Ontario have the required areas of study – known as Basic Qualifications – to teach in two consecutive divisions – Primary/Junior (Kindergarten to Grade 3), Junior/Intermediate (Grades 4–6), and Intermediate/Senior (Grades 7–12). Basic Qualifications determine what language, grades and subjects teachers can teach. Teachers can take Additional Basic Qualification (ABQ) courses through a faculty of education to add another division or subject area to what they are already qualified to teach. Additional Qualification (AQ)

courses allow teachers to expand their knowledge and skills within the divisions and subjects they are already qualified for. Examples of AQ courses include Special Education or Reading. Faculties of education and other providers across Ontario offer AQ courses, based on guidelines the College has developed establishing learning expectations, instructional strategies and forms of assessment.

Specialist and honour specialist courses allow teachers to focus on leadership and developing curriculum.

Faculties of education

Thirteen public faculties of education offer English-language initial teacher education programs in Ontario. Preparing for a career in teaching in Ontario currently involves successfully completing a three- or four-year bachelor's degree, followed by a two-year (four-semester) program of professional education accredited by the Ontario College of Teachers. After completing a four-semester teacher education program, teacher candidates apply to the OCT to receive a Certificate of Qualification. It is also possible to get certification through a concurrent program, where the five or six years of academic and professional studies are undertaken at the same time. All pre-service teacher education programs offered by Ontario's faculties of education must be accredited by the Ontario College of Teachers.

Select faculties of education are recognized providers of AQ courses accredited by the OCT.

Professional organizations and bargaining agents for teachers and other educators

The Ontario Teachers' Federation (OTF), established by the *Teaching Profession Act*,²⁰⁶ is the professional organization for all teachers in Ontario's publicly funded schools. OTF is the official liaison between teachers and the Ministry and provides advice and input about policy decisions.

Teachers also belong to one of four Ontario federations (or unions) affiliated with the OTF. Some of these unions also represent a significant number of non-teaching school board staff such as early childhood educators and other professional support staff. The four federations are:

- The Elementary Teachers' Federation of Ontario (ETFO) represents English-language elementary public school teachers
- The Ontario Secondary School Teachers' Federation (OSSTF) represents secondary teachers in English-language public school boards

- The Ontario English Catholic Teachers' Association (OECTA) represents both elementary and secondary teachers in Catholic boards
- The Association des enseignantes et enseignants franco-ontariens (AEFO) represents all teachers in French-language boards.

While some unions represent other education workers, the Canadian Union of Public Employees (CUPE) represents the majority of school-based staff who are not teachers. Members include office; clerical and technical; custodial and maintenance; early childhood educators, and educational assistant employees.

Unions represent their members in negotiations to reach collective agreements with school boards. These collective agreements include central and local terms. When negotiating central terms, school boards are represented by their school board association, and the Crown is a participant. Decisions about which items are negotiated locally or centrally are determined by the central table. Central terms could include salary, hiring practices, professional development, class sizes, funding and the exercise of professional judgment. Educator sector unions issue directives to their members on matters that affect their collective bargaining rights or public education, more broadly.²⁰⁷ They also issue internal and external policies or position statements to guide their members or set out beliefs that guide union action on issues such as equity and inclusive education, disability issues and developing curriculum.²⁰⁸

Education unions also provide resources to help their members implement the Ontario curriculum, advance equity, support student learning and negotiate their employment. Some unions also offer AQ courses accredited by the OCT on a range of subjects.

Education Quality and Accountability Office

The Education Quality and Accountability Office (EQAO) is an arm's-length agency of the provincial government that develops and administers province-wide tests to evaluate the achievement of students in Grades 3, 6, 9 and 10. Grade 3 and Grade 6 students are tested in reading, writing and mathematics based on Ontario curriculum expectations. Grade 9 students are tested only in mathematics. As a condition of high school graduation with an Ontario Secondary School Diploma (OSSD), all students, including students in private schools, must pass the Ontario Secondary School Literacy Test (OSSLT), which is usually written in Grade 10. It is possible for a student to graduate with an OSSD by completing the Ontario Secondary School Literacy Course instead of the OSSLT.

All students are expected to write these assessments, but exemptions can be made. Exemption decisions are made in consultation with the student, parents or guardians, principal and appropriate teaching staff, with the consent of the parents or guardians. If a parent or guardian want their child to write the assessment, the student must be allowed to write.

The EQAO sets the criteria for who qualifies for an accommodation and what form of accommodation is permitted. Accommodations are generally only available to students with an IEP, certain English language learners and other students with special circumstances. Examples of permitted accommodations include scribing or assistive technology.

As well as achievement scores, the EQAO collects and reports on student demographic data and questionnaire responses from students, teachers and principals. The EQAO also collects data on special education needs by category of exceptionality and on matters such as types of accommodation received and enrolment in academic vs. applied courses. The EQAO reports to the Minister of Education, the public and the education community on assessment and education issues and makes recommendations for improvement.

The mandate of EQAO is to enhance the quality and accountability of the education system in Ontario and to work with the education community.

Special education framework

School boards identify and meet students' special education needs in formal and informal ways.

School boards must identify students' learning needs early on and on an ongoing basis.²⁰⁹ This may identify students who show difficulties in learning. If these students would benefit from special education supports and accommodations, they are entitled to receive them. In addition to these special education services, these students should have an Individual Education Plan (IEP).

Some students may be referred to an Identification, Placement and Review Committee (IPRC), a formal process that might identify the student as "exceptional." If identified as "exceptional," an IEP must be created and the student must receive the necessary accommodations and special education supports. Students may have an IEP, setting out what special education services they may receive, without an IPCR.

Exceptionalities

The *Education Act* requires the Ministry to ensure that appropriate special education programs and services are provided for all exceptional students in Ontario in accordance with the *Act* and its regulations.²¹⁰ The *Act* identifies five categories of exceptionalities:

1. Behavioural
2. Communicational
3. Intellectual
4. Physical
5. Multiple.²¹¹

In policy documents, the Ministry defines these exceptionalities and lists subcategories.²¹² “Learning disability” is a subcategory of “Communicational” exceptionalities.²¹³ Although reading disability is not explicitly listed, a student with a reading disability may be identified as an exceptional student with a “learning disability.”

In a memo directed to all school boards, the Ministry has elaborated on how these categories should be interpreted broadly.²¹⁴ Including some disabilities (such as autism) is not meant to exclude other disabilities (such as ADHD).

All students with demonstrated learning-based needs are entitled to special education programs and services, including classroom-based accommodations. The determining factor for providing special education programs is the need of the student, and not a diagnosed or undiagnosed medical condition²¹⁵ or formally identifying the student as exceptional.²¹⁶

Also, under the *Code*, education providers must accommodate all students who have or may have disabilities, not just students whose disabilities are listed in the exceptionality categories.

Identification, Placement and Review Committees (IPRC)

School boards must establish Identification, Placement and Review Committees (IPRC).²¹⁷ An IPRC is the committee that meets and decides if a student should be identified as exceptional, and if so, what placement will best meet the student's needs.

If identified as exceptional, the committee decides whether a student should be placed in a regular classroom with supports, in a special education class or a combination of both.²¹⁸ Where placement in a regular classroom would meet the child's needs and is consistent with parental preferences, the IPRC must place the child in the regular classroom.

The IPRC also has the power to make recommendations, but not decisions, about special education programs and services. The IPRC must review the identification and placement at least once in each school year. A parent (or guardian) may give written notice dispensing with the annual review.²¹⁹

School boards are required to establish Special Education Appeal Boards (SEAB). Parents may appeal the decisions of an IPRC to the SEAB.²²⁰ Identification and placement decisions can be appealed, but recommendations on programs and services cannot be appealed.

Individual Education Plan

If the IPRC decision is not appealed, an Individual Education Plan (IEP) must be prepared for the student.²²¹ The student's principal is responsible for ensuring this happens. An IEP is the school's written plan of action to address the student's learning expectations. The Ministry describes it as an "accountability tool" for the student, the parent and everyone else who has responsibilities under the plan.²²²

The *Education Act* sets out certain requirements for an IEP.²²³ The Ministry has also set out additional requirements in PPMs and policy standards that school boards must follow when creating IEPs.²²⁴ The IEP must describe:

- Reasons for developing the IEP
- Student profile
- Relevant assessment data
- The student's strengths and needs
- Specialized health support services the student needs
- The subjects, courses or alternative programs the IEP applies to
- Accommodations the student needs
- Any accommodations for or exemptions from provincial assessments (EQAO)
- The student's current level of achievement in every subject or course where modified expectations are required and in every alternative program
- Modified or alternative expectations for the reporting period
- Teaching strategies and other accommodations tailored to the student's strengths, needs, learning style and interests, to support learning and determine progress in achieving modified or alternative expectations
- Human resources (both teaching and non-teaching) to be provided
- Reporting dates for evaluations and how student progress will be reported to parents
- A transition plan (for example, on entry to school, between grades, from one program area or subject to another, when moving from school to school, from elementary to secondary school and from secondary school to the next appropriate pathway)²²⁵
- A record of parent/student consultations
- A record of staff review of the IEP
- Signatures of the principal, parent, and student if 16 or older.²²⁶

The Ministry conducts reviews of selected school boards' IEPs on an annual basis to assess compliance with these standards.²²⁷

In developing the IEP, the principal must consult with the student's parent or guardian (or with the student, if they are 16 or older), and must consider any recommendations made through the IPRC process.

An IEP may also identify “modified” or “alternative” learning expectations. Modifications are changes made to the grade-level expectations for a subject or course to meet a student’s learning needs.²²⁸ Modifications can include assessment at a different grade level or changing the number and/or complexity of the regular-grade level expectations. Alternative expectations are those that are not derived from the expectations set out in the curriculum.²²⁹

Students who have not been identified with an exceptionality by an IPRC are also entitled to receive special education programs or services and accommodations to meet their education needs. In these cases, an IEP may be developed for a student who the board has deemed to require a special education program or services to attend school or achieve curriculum expectations and/or to demonstrate learning.²³⁰

Legal obligations

Equal access to education is a fundamental human right guaranteed under the Ontario *Human Rights Code*²³¹ (*Code*), the Canadian *Charter of Rights and Freedoms*²³² (*Charter*), and international law. The Supreme Court of Canada (SCC) has affirmed that all students must have meaningful access to education, which includes being provided the supports needed to learn to read.²³³ In *Eaton v Brant Country Board of Education* (*Eaton*), the SCC also emphasized the importance of inclusive education as an equality right, finding that “...integration should be recognized as the norm of general application because of the benefits it generally provides.”²³⁴

Ontario's Human Rights Code and Canadian Charter of Rights and Freedoms

The *Code* protects students from discrimination and harassment in education based on disability, including reading disability/dyslexia,²³⁵ and other prohibited grounds such as race, ancestry, place of origin, ethnic origin, citizenship, creed, sex, sexual orientation and gender identity.²³⁶

Family, friends, advocates or others are protected from discrimination based on their association with students with reading disabilities.²³⁷ The *Code* also prohibits reprisal, which is an action or threat that is intended as retaliation for claiming, enforcing or refusing to infringe a right under the *Code*.²³⁸

The *Code* has primacy over all other Ontario laws, including the *Education Act*, unless the law specifically states that it operates notwithstanding the *Code*.²³⁹ This means that where the *Education Act* conflicts with the *Code*, the *Code* will prevail. It is not enough for education providers to do what is required under the *Education Act*. They must also comply with the requirements of the *Code*, which may mean doing more than what is required under the *Education Act*.²⁴⁰

For example, while the Ministry has its own framework for identifying “exceptional pupils” under the *Education Act*, the Ontario *Human Rights Code* and human rights case law²⁴¹ establish that education providers have a legal duty to accommodate students’ disability-related needs to the point of undue hardship. This legal duty exists whether or not a student with a disability falls within the Ministry’s definition of “exceptional pupil,” has received a diagnosis, gone through a formal IPRC process, or has an IEP.

Like the *Code*, section 15 of the *Charter* guarantees students’ right to equality without discrimination based on mental or physical disability, among other grounds.²⁴² State actors (such as governments and school boards) must not infringe *Charter* rights unless the infringement can be justified as a reasonable limit under section 1 of the *Charter*.²⁴³

Forms of discrimination

Discrimination may take different forms. It may take place in a direct way,²⁴⁴ where students receive worse treatment than others because of disability and/or another *Code* ground. This form of discrimination is often based on negative attitudes, stereotypes and bias. However, intent or motive is not relevant for a finding of discrimination. Discrimination is often subtle and hard to detect. It may be unlikely that discriminatory remarks will be made directly, or that someone will freely voice their stereotypical views as a rationale for their behaviour.

Adverse effect discrimination (also called constructive discrimination) results from requirements, policies, standards, qualifications, rules or factors that may appear neutral, but have a negative effect based on a prohibited ground. Adverse effect discrimination can only be justified as reasonable and *bona fide* if the needs of the student cannot be accommodated without undue hardship.²⁴⁵

Discrimination in education can also be systemic²⁴⁶ or institutionalized.²⁴⁷ Systemic or institutional discrimination is one of the more complex ways that discrimination happens.²⁴⁸ This discrimination includes attitudes, patterns of behaviour, policies or practices that are part of the social or administrative structures of an institution or sector, and that create or perpetuate a position of relative disadvantage for students with disabilities or who identify by other *Code* grounds.²⁴⁹

Education providers have a positive obligation to make sure they are not engaging in systemic or institutional discrimination. This means that even if there are no complaints, educators are expected to consider and plan for avoiding this discrimination. An important principle that helps avoid adverse effect and systemic discrimination is inclusive design. In the education context, “Universal Design for Learning” (UDL)²⁵⁰ is a form of inclusive design that emphasizes equal participation and recognizes that all students have varying abilities and needs.

In *Eaton*, a case about inclusive education, the SCC noted the need to “fine-tune” society so that structures and assumptions do not exclude people with disabilities from taking part.²⁵¹ Education providers should never create barriers when designing new systems or revising old ones, and should design their programs, services and facilities inclusively with the needs of all students, including students with disabilities, in mind.²⁵² Effective inclusive design reduces the need for people to ask for individual accommodation.

Duty to accommodate and undue hardship

Consistent with human rights principles, education services must be designed to reflect and include all students, as much as possible. Where individual needs remain, there is a duty to accommodate those needs to the point of undue hardship.

The duty to accommodate has both a procedural and substantive component. This means that the process to explore and assess accommodation options is just as important as the accommodations that are provided. Courts and tribunals have found that education providers must at least consider alternatives in meeting the duty to accommodate, and not doing so can result in findings of discrimination even if no accommodation would have been possible.²⁵³

Accommodations must be provided unless it would cause undue hardship. Undue hardship is a very high standard. Under the *Code*, the only considerations when assessing this are cost (factoring in outside sources of funding)²⁵⁴ and health and safety requirements.²⁵⁵

The cost standard is a high threshold.²⁵⁶ The government is required to make sure that school boards have access to enough funding to safeguard equal access to education. Given the Ministry’s size and access to resources, it would be very difficult for it to establish undue hardship based on cost.²⁵⁷ School boards also have a responsibility to provide adequate funding to schools to enable them to provide accommodations. The appropriate way to evaluate cost is based on the global budget of the school board, not the pre-determined special education budget.²⁵⁸ Inclusive design at the outset can often avoid expensive costs later on.

The *Code* recognizes that the right to be free from discrimination must be balanced with health and safety considerations. Depending on the nature and degree of risk involved, an education provider may argue that accommodating a student with a disability would amount to an undue hardship, based on health and safety risks. However, the seriousness of the risk of accommodation should be judged based on taking suitable precautions to reduce it.

Factors such as business or institutional convenience,²⁵⁹ student or educator morale,²⁶⁰ third-party preferences,²⁶¹ and collective agreements²⁶² are not valid considerations in assessing if an accommodation would cause undue hardship.²⁶³

Accommodations must be both effective and timely. When educating children, accommodation delayed can be accommodation denied. Education providers must therefore provide early intervention or interim accommodation as soon as a disability-related need is suspected, and must not obstruct or delay the accommodation process by rigidly insisting on formalities, unnecessary professional assessments, or diagnosis information.²⁶⁴

Effective communication about accommodation procedures is essential to the accommodation process.²⁶⁵ Information about accommodation procedures should be readily available to students, and where applicable, their parents and guardians. The duty to accommodate is a shared responsibility that requires all parties to cooperate.²⁶⁶

However, parent behaviour cannot be the basis for failing to accommodate a student's needs, unless the behaviour interferes with an education provider's ability to accommodate.²⁶⁷

Also, before concluding that a student (or their parent/guardian) has not co-operated, education providers should consider if there are any disability or *Code*-related factors that may prevent taking part in the process. These factors may then need to be accommodated.

In *Moore v British Columbia (Education)*, the Supreme Court of Canada (SCC) unanimously affirmed that the right to meaningful access to education includes early and effective intervention.²⁶⁸ For this access to be meaningful, there must be a range of services available, and services must be specific to each student's identified needs.²⁶⁹ In this case, student Jeffrey Moore needed intensive and individualized remediation to have meaningful access. The SCC said that for students with severe dyslexia, remedial instruction to learn to read "is not a dispensable luxury," but a "ramp that provides access to the statutory commitment to education made to *all* children..."²⁷⁰ The SCC confirmed that if parents must resort to private education because the public system is found to discriminate, then boards can be ordered to compensate the parents for the cost of tuition. The Human Rights Tribunal of Ontario (HRTO) has also found that if a school board did not provide the supports necessary to provide meaningful access to education, and the school board cannot show that providing the supports would be undue hardship, the HRTO can order the school board to reimburse parents for private school.²⁷¹

The accommodation process must be individualized.²⁷² The SCC states: "The importance of the individualized nature of the accommodation process cannot be minimized"²⁷³ and disability means "vastly different things depending upon the individual and the context."²⁷⁴ Individualized accommodation also requires education providers to be mindful that many students with disabilities will identify by other *Code* grounds, in addition to disability.

Intersectionality

Discrimination may be intersectional when it occurs based on two or more *Code* grounds. Students who identify based on more than one *Code* ground can experience discrimination in unique and compounded ways because of how these identities intersect.²⁷⁵

In *Egan v Canada*²⁷⁶ and *Corbiere v Canada*,²⁷⁷ former SCC Justice L’Heureux-Dubé stated: “More often than not, disadvantage arises from the way in which society treats particular individuals, rather than from any characteristic inherent in those individuals”²⁷⁸ and individuals with more than one ground of discrimination can be “doubly disadvantaged.”²⁷⁹ The HRTO has also stated that individuals with “multiple/intersecting social identities may be particularly vulnerable.”²⁸⁰

Examples of intersecting identities creating distinct disadvantage could include:

- Black students with disabilities may be streamed into particular programs based on stereotypical assumptions about their capabilities because of their disability and race²⁸¹
- The impact of intergenerational trauma and educators’ lack of cultural competency may have a negative impact on the learning experiences of First Nations, Métis and Inuit students with disabilities²⁸²
- Racialized and First Nations, Métis and Inuit students with disabilities may be disproportionately excluded from the classroom due to suspensions or other forms of discipline²⁸³
- Francophone students with disabilities may have difficulty accessing special education services in their language
- Multilingual or newcomer students may not receive timely supports for their disability needs because of assumptions related to language or their place of origin
- Students with a disability who also have low incomes may not have the same access to private services as other students, or may not benefit equally from services offered within the school²⁸⁴
- Female and male-identified students with disabilities may receive different treatment based on stereotypes about learning potential related to their gender.²⁸⁵

OHRC Policy on accessible education for students with disabilities

The OHRC’s *Policy on accessible education for students with disabilities* (Accessible education policy) provides more detail on applying the *Code* to special education. This policy provides practical guidance for rights-holders to understand the scope of the *Code*, and for education providers to meet their legal duties.

Section 30 of the *Code* authorizes the OHRC to establish human rights policies to provide guidance on interpreting provisions in the *Code*, effectively setting standards to ensure compliance.²⁸⁶

International human rights law

Canada has signed or ratified many international documents that guarantee the right to education, including:

- *Universal Declaration of Human Rights* (UDHR)²⁸⁷
- *International Covenant on Economic, Social and Cultural Rights* (ICESCR)²⁸⁸
- *Convention on the Rights of the Child* (CRC)²⁸⁹
- *Convention on the Rights of Persons with Disabilities* (CRPD)²⁹⁰
- *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration).²⁹¹

International human rights treaties and conventions are not part of Canadian law unless the relevant legislature has implemented them.²⁹² However, even unimplemented but ratified treaties can be relevant and persuasive before Canadian courts.²⁹³ The SCC has acknowledged the importance of international law in interpreting domestic law.²⁹⁴

International law helps give meaning and context to Canadian law. The SCC has stated that courts should interpret domestic law according to the presumption that it is consistent with Canada's international obligations.²⁹⁵ The SCC has also affirmed that the *Charter* should be presumed to provide protection at least as great as that provided by similar provisions in international human rights documents that Canada has ratified.²⁹⁶

Under Canada's constitutional framework, education falls under provincial authority. Federal and provincial governments are jointly responsible for implementing international human rights treaties. Each jurisdiction must pass legislation to incorporate international law into domestic legislation. As a practice, Canada seeks the consent of provinces before ratifying treaties, and co-ordinates with provinces to meet the United Nations' reporting requirements on implementing different treaties.²⁹⁷

International human rights agreements are influential in interpreting Ontario's laws, and have also helped shape these laws. The Preamble to the Ontario *Human Rights Code*'s emphasis on the "inherent dignity" of all people was inspired by the 1948 UDHR.²⁹⁸ The UDHR is the foundation for many other international human rights agreements. Article 26 is the basis for the global right to education for all.²⁹⁹

The right to education in the UDHR has been further recognized in other international legal instruments. Article 13 of the ICESCR deals with the right to education and Article 2 allows for progressively achieving this right subject to "maximum available resources."³⁰⁰

International law recognizes that children have their own rights and deserve special protection due to their particular vulnerability. Article 23 of the CRC recognizes the rights of children with disabilities to "enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community."³⁰¹ This Article further requires state parties to extend special care to

children with disabilities, to make sure they have effective access to and receive education in a way that makes it possible for the child to achieve the fullest possible social integration and individual development. Article 3 requires decision-makers to make the best interests of children their primary concern in all actions that may affect them.³⁰²

Most recently, Article 24 of the CRPD recognizes the right of people with disabilities to education without discrimination.³⁰³ Articles 2 and 24, read together, expressly support Universal Design for Learning;³⁰⁴ and require state parties to train teachers on disability awareness, accommodation and educational techniques to promote the right to inclusive education.³⁰⁵ Article 24 further requires state parties to provide reasonable and individualized accommodation for people with disabilities to facilitate their effective education.³⁰⁶

Canada has signed the Optional Protocol of the CRPD, which means that people can complain directly to the United Nations Committee on the Rights of Persons with Disabilities. Canada has not signed the optional protocols under the ICESCR and CRC, which would allow for a similar complaint and inquiry procedure. However, Canada and other provinces must provide periodic reports to the United Nations on government initiatives and case law that address the right to education under the ICESCR, CRC and CRPD. The United Nations committees responsible for monitoring implementation of these treaties then provide recommendations.

All of these international human rights instruments highlight the link between the right to education and the ability to participate in society. Literacy is critical to the right to education. The United Nations Educational, Scientific and Cultural Organization (UNESCO) states that literacy is both a “tool for learning” and a “social practice whose use can increase the voice and participation of communities and individuals in society.”³⁰⁷ UNESCO also recognizes the impact of failing to acquire literacy: “Literacy is about more than reading and writing...Those who use literacy take it for granted – but those who cannot use it are excluded from much communication in today’s world.”³⁰⁸

In Canada, education is an inherent treaty right for First Nations, which both the federal and provincial governments must honour.³⁰⁹ Particular attention must be paid to the intersectional needs of First Nations students with special needs.³¹⁰

In addition to the *Code* and Ontario’s treaty commitments, the UN Declaration protects the right to education without discrimination for Indigenous children, including children with disabilities.³¹¹ The UN Declaration recognizes that education not only empowers individuals³¹² and improves their economic and social conditions,³¹³ but also is the means people use to transmit their culture and language. Article 13 provides that Indigenous peoples have “the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems

and literatures.”³¹⁴ Article 14 requires Canada (and Ontario) to take effective steps so that children have access, when possible, to an education in their own culture and provided in their own language.³¹⁵

In addition to the UN Declaration, several international legal instruments protect the right to education for specific groups such as the *Convention Relating to the Status of Refugees*.³¹⁶



5. How Ontario students are performing

5. How Ontario students are performing

Introduction

Too many Ontario students are not learning to read well. Education Quality Accountability Office (EQAO) data shows that a large proportion of Ontario students (one in four in Grade 3 and one in five in Grade 6) are failing to meet provincial reading standards.³¹⁷ The data is even more concerning for students with special education needs (this term includes all students with IEPs but excludes students whose only exceptionality is giftedness).³¹⁸ Approximately half of students with special education needs (53% in Grade 3 and 47% in Grade 6) are not reading well enough to meet provincial standards. Data linking reading scores to race, gender, socioeconomic status and First Nations, Métis and Inuit self-identification data shows that certain groups, particularly boys,³¹⁹ Black students,³²⁰ students from low-income homes,³²¹ and First Nations, Métis and Inuit students³²² are underperforming (for more details on the Indigenous student achievement gap, see section 7, First Nations, Métis and Inuit experiences). Low literacy is also a significant issue among Ontario adults (see section 4, Context for the inquiry for more information about adult literacy rates).

The results of the EQAO writing assessment are similar.³²³ In 2018–19:

- 31% of Grade 3 students did not meet the provincial writing standard on the Grade 3 assessment
- 18% of Grade 6 students did not meet the provincial writing standard on the Grade 6 assessment
- 53% of Grade 3 students with special education needs did not meet the provincial writing standard
- 46% of Grade 6 students with special education needs did not meet the provincial writing standard.

Research also shows that students identified with learning disabilities are disproportionately streamed into applied-level courses in Grade 9,³²⁴ and are less likely to graduate from high school.³²⁵ They are also much less likely to go on to post-secondary education.³²⁶

The quantitative data on reading achievement alone is cause for concern. However, the statistics combined with all the other evidence the OHRC gathered through the inquiry, establish that too many Ontario students are being left behind.

Significant attention has been paid in recent years to falling math scores. Although EQAO reading scores have been relatively steady, scores on international assessments have been declining.³²⁷ Ontario has also not been able to increase the proportion of students meeting baseline levels of achievement on international assessments.³²⁸ As well, there has been a significant increase in students using assistive technology and other accommodations such as scribing on EQAO reading tests, which does not provide accurate information about whether Ontario students are able to read and write well on their own.³²⁹

Regardless of whether reading test scores are falling or remaining stable, we cannot afford to be complacent about how effective our public education system has been in meeting the right to read. Ontario's Auditor General has said "Ontario should be striving for improvement."³³⁰ Many more students should be meeting standards set for reading assessments, including students with disabilities. It is simply unacceptable that close to 50% of students with special education needs are not meeting the provincial EQAO standard.

This does not have to be the case. With the proper approach, many more children can be reading proficiently in the earliest elementary grades and meeting provincial testing standards at Grade 3 and beyond. We should not settle for anything less.

Education Quality Accountability Office reading assessment data

The EQAO assesses reading levels for Grade 3 and 6 students. Students, including students in private schools, must pass the Grade 10 Ontario Secondary School Literacy Test (OSSLT) to earn their Ontario Secondary School Diploma (OSSD). Students may also earn their OSSD by completing the Ontario Secondary School Literacy Course (if they do not pass the OSSLT).

According to the EQAO's 2018–19 Provincial Elementary School Report,³³¹ only 74% of all Grade 3 students met the provincial reading standard on the primary-division assessment.³³² This means that one-quarter of Grade 3 students in Ontario are not good readers and are already at risk of, or have started to experience, the negative impacts described earlier in this report. As well, only 62% of students met the standard unassisted (without scribing or assistive technology).³³³

On the junior-division assessment, 81% of Grade 6 students met the provincial reading standard.³³⁴ In other words, in 2018–2019, one in five Grade 6 students struggled with reading. Only 72% of students met the standard unassisted.³³⁵ As it becomes increasingly hard to address reading difficulties after Grade 6, even with the best interventions in place, many of these students will never catch up.³³⁶

There are gender differences in reading achievement with boys lagging behind girls. On the Grade 3 reading assessment, 71% of boys achieved the provincial standard, compared to 78% of girls. Boys' scores were lower on the Grade 6 reading assessment as well, with only 77% meeting the standard compared to 85% of girls.³³⁷ That means that by Grade 6, almost one-quarter of all boys in Ontario were not able to read at grade-level standards.

There are also significant discrepancies between school boards, with southern boards consistently performing better than northern boards.³³⁸ In an audit of School Boards Management of Financial and Human Resources, the Office of the Auditor General of Ontario compared student EQAO achievement by region and found that the percentage

of students meeting the provincial standard in northern boards was 8% lower than southern boards, and 5% lower than the provincial average on the 2015–2016 Grade 3 reading assessment.³³⁹

The provincial EQAO results for students with special education needs are particularly troubling. Only 47% of Grade 3 students with special education needs and 53% of Grade 6 students with special education needs met the provincial reading standard.³⁴⁰ The EQAO flagged the failure of a significant proportion of students with special education needs, particularly learning disabilities, to meet the provincial standard as a concern requiring attention:

The persistent discrepancy in achievement between students with special education needs and those without requires attention. EQAO data show that students with learning disabilities are the largest group in the cohort of students identified as having special education needs. Historically, students with learning disabilities have had a low level of achievement despite having average to above average intelligence. It would be beneficial to review supports available and strategies for success.³⁴¹

The results of the OSSLT show similar outcomes for students with special education needs. Eighty per cent of all fully participating students³⁴² taking the test for the first time were successful, as were 50% of previously eligible students.³⁴³ However, only 50% of students with special education needs were successful taking the test for the first time, and 34% of previously eligible students with special education needs were successful.³⁴⁴ There is also a significant achievement gap between multilingual students (who are learning the language of instruction at the same time as they are learning the curriculum) and other students on all assessments, but particularly the OSSLT.³⁴⁵

There is a significant discrepancy in achievement on the OSSLT based on whether students are in applied or academic courses. Only 41% of fully participating students in applied English courses passed the OSSLT the first time, compared to 91% of students in academic English courses. As discussed below in the section on streaming, students with learning disabilities are disproportionately streamed into applied-level courses, as are Black and Indigenous students and students from lower-income families.

EQAO data from 2017–2018 tracking the progress of students over time is consistent with the “Matthew Effect” described in section 4, Context for the inquiry. Of the 64,643 students (64%) who had met the reading standard in both Grade 3 and Grade 6, 94% (60,462) were successful on the OSSLT. However, of the 13,385 students (13%) who had not met the reading standard in both Grade 3 and Grade 6, only 28% (3757) were successful on the OSSLT.³⁴⁶

Students who did not meet the standard on either the Grade 3 or 6 reading assessment also had a lower success rate on the OSSLT.³⁴⁷ The EQAO has noted the importance of early success on its assessments to future education and later life, saying “analysis

of student outcomes going back to 2004 show that students who do not meet the provincial standard in reading and writing in the early grades are at a greater risk of not having the literacy skills required in secondary school and beyond.”³⁴⁸

The EQAO also assesses student engagement with reading using a student questionnaire. In 2018–2019, a little less than half of students (44% in Grade 3 and 42% in Grade 6) said they do not like to read. About one-third (38% in Grade 3 and 33% in Grade 6) said they do not think they are good readers most of the time.³⁴⁹ This suggests that current approaches to reading are failing to teach many students to read, and to promote reading confidence and a love of reading in many more.

Accommodations

The EQAO results for reading achievement in Ontario are even more concerning when accommodations are factored in. A large proportion of students with special education needs receive accommodations during EQAO testing. These include verbatim scribing of responses and using assistive technology (such as Read and Write for Google Chrome).

Accommodations are important and necessary to give struggling readers an equal opportunity to be assessed on their understanding of written text and to convey their ideas in writing. However, the accommodations provided mean that the EQAO data, which is already concerning, likely significantly under-represents the magnitude of reading difficulties among Ontario students. For example, the International Dyslexia Association (IDA) analyzed provincial EQAO data. It found high rates of assistive technology and scribing for students with IEPs (students with special education needs), and an increasing use of these accommodations over time. For example, the IDA found:

In 2019 84% of Grade 3 students with an IEP completed the reading assessment using these accommodations up from 36% in 2005. Rates of AT/scribing also increased over time in Grade 6 (2005: 19.6%, 2019: 72%) and OSSLT (2005: 14.25%, 2019: 38.7%).³⁵⁰

The IDA’s data also showed that 87% of Grade 3 students with a learning disability exceptionality used scribing.³⁵¹

The IDA found that only 8.5% of Grade 3 students with special education needs achieved the provincial standard on the EQAO reading assessment without using assistive technology or scribing. This is similar to the OHRC’s findings from the school board data. The IDA also found little to no improvement in the unaccommodated pass rate for students with special education needs between 2005 and 2019.³⁵²

Therefore, for students with word-reading disabilities and other special education needs, the EQAO assessment does not accurately measure whether they can read and write unassisted. Overall EQAO scores for all Ontario students do not reflect whether the education system is equipping students to read independently.

Exemptions

Two to three per cent of all Ontario students in Grade 3 or 6 receive a formal exemption from having to complete the EQAO reading assessment. Exemptions are permitted when the student is unable to participate in part or all of the assessment even with accommodations.³⁵³ A student must be exempted from the reading assessment, if they must be read to by a teacher or another adult.³⁵⁴

The exemption rate is much higher in some boards. For example, in Keewatin-Patricia, up to 13% of students do not participate in the EQAO reading assessment in either Grade 3 or 6. Several other Ontario boards have high exemption rates. Examples are Moosonee (7% in Grade 3, 8% in Grade 6) and Superior-Greenstone District School Boards (12% in Grade 3, 6% in Grade 6).

Students with special education needs are much more likely to be exempted from assessment.³⁵⁵ The issue of whether some students should be exempted from standardized testing is complex. However, when students with disabilities are exempted from taking part in standardized assessments, we cannot know how they would have performed. Valuable information about the student's learning is lost. System-level information that can guide policy decisions about areas such as curriculum, teaching methods and interventions is also compromised.³⁵⁶

Inquiry school board data

The OHRC requested EQAO data from the inquiry's eight school boards to better understand how their students with special education needs, particularly learning disabilities, are performing on EQAO reading assessments. As school boards do not break down learning disabilities further, it was not possible to assess the performance of students with reading disabilities specifically. However, as discussed in sections 4, Context for the inquiry and 12, Professional assessments, since reading disabilities are the most common learning disability, it is likely that a significant proportion of students identified as having a learning disability in the EQAO data have reading disabilities.

Another limitation in assessing the performance of students with reading disabilities was that boards were only able to provide data for students with a formally designated learning disability (LD) exceptionality (meaning students who had gone through the IPRC process and been designated under the LD exceptionality category). Not all students with a learning disability have been diagnosed by a health professional or formally identified through the IPRC process. It is also possible that students identified through the IPRC process as having "Multiple Exceptionalities" have a reading disability as one of their exceptionalities.

Consistent with provincial data, students with special education needs in the eight inquiry school boards fared poorly on the Grades 3 and 6 EQAO reading assessments for 2018–2019. For example, in Keewatin-Patricia, only 13% of Grade 3 and 35% of Grade 6 students with special education needs achieved the provincial standard.

Lakehead had the highest percentage of students with special education needs achieving the provincial standard in Grade 3. However, at 55% this figure was still concerningly low. More Ottawa-Carleton students with special education needs achieved the provincial standard in Grade 6 than in any of the other inquiry boards. However, once again the percentage was low, at only 60%.

When looking specifically at students with an LD exceptionality, only 12% of Grade 3 students in Hamilton-Wentworth met the provincial standard. Simcoe Muskoka Catholic had the highest percentage of students meeting the provincial standard in Grade 3 at 60%. In Grade 6, Keewatin-Patricia had the lowest percentage of Grade 6 students at 33%, while another northern board (Lakehead) had the highest percentage of Grade 6 students meeting the standard at 69%. In most cases, only about half of students with an LD exceptionality were able to meet provincial EQAO standards, even with the high rate of accommodations, as reported below.

Quantitative data from school boards and qualitative data from surveys confirms the EQAO's finding that all students with special education needs, a significant proportion of Ontario's student population, and not just students with learning disabilities, struggle with reading.³⁵⁷ This suggests that Ontario's current approach does not reflect Universal Design for Learning, which requires effective reading instruction for **all** students.

Ottawa-Carleton, the only board in our sample that provided us with its own in-depth analysis of student achievement data, stated:

Across all provincial assessments, achievement outcomes continue to be lower for English Language Learners (ELLs), students with special education needs (excluding gifted; SpEd), students residing in low income neighbourhoods (SES), and those who identify as Indigenous (INDG) compared to all students. The data suggests that the more groups the students belong to – the lower their achievement is, especially in numeracy. Outcomes based on gender tend to favour boys in mathematics, girls in reading, writing and the OSSLT. Gaps are much wider in literacy than they are in math.

Table 1 sets out data, obtained through the inquiry, on the percentage of students³⁵⁸ who met the provincial standard (achieved a level 3 or 4) in the 2018–2019 EQAO reading assessment including:

- Overall percentage of board students who met the provincial standard in the EQAO reading assessment in each of Grade 3 and 6³⁵⁹
- Percentage of students with special education needs who met the provincial standard in the EQAO reading assessment in each of Grade 3 and 6³⁶⁰
- Percentage of students with an LD exceptionality (as identified through an IPRC) who met the provincial standard in the EQAO reading assessment in each of Grade 3 and 6³⁶¹

- Percentage of students with an LD exceptionality (as identified through IPRC) who needed accommodation (questions read to them, assistive technology, scribing) and met the provincial standard in each of Grades 3 and 6.

Table 1: Percentage of students who met the provincial standard in the 2018–2019 EQAO reading assessment³⁶²

	Overall met the standard Grade 3	Students with special education needs met the standard Grade 3	Students with LDs met the standard Grade 3	Students with LDs met the standard had accommodation Grade 3	Overall met the standard Grade 6	Students with special education needs met the standard Grade 6	Students with LDs Met the standard Grade 6	Students with LDs met the standard had accommodation Grade 6
Hamilton-Wentworth	67	33	12	100	73	42	48	95
Keewatin-Patricia	59	18	N/D	N/D	72	35	33	100
Lakehead	71	55	50	100	75	48	69	82
London Catholic	72	39	50	100	78	47	44	78
Ottawa-Carleton	76	52	58	89	82	60	61	94
Peel	75	50	42	100	81	35	46	96
Simcoe Muskoka Catholic	67	35	60	100	79	51	49	94
Thames Valley	63	32	53	100	73	35	45	98

Accommodations

The low percentage of students with learning disabilities who met the provincial standard is even more concerning when accommodations are factored in. Most or all students who met the standard had test questions read to them, had verbatim scribing or used assistive technology. In several boards (Hamilton-Wentworth, Lakehead, London Catholic, Peel, Simcoe Muskoka Catholic and Thames Valley), every student with a learning disability who met the provincial standard in Grade 3 did so with accommodation. In Grade 6, most students who met the standard did so with accommodation. Very few students with an LD exceptionality met the provincial standard without accommodation. Lakehead had the lowest percentage of students meeting the provincial standard without accommodation at 2%, and London Catholic had the highest percentage of Grade 6 students with an LD exceptionality meeting the provincial standard without accommodation at 22%. So even students with LD exceptionalities who are meeting the provincial standard may not be able to read and write adequately without assistance.

Exemptions

The OHRC found that in the eight school boards, between 6% and 60% of students with special education needs were exempted from the Grade 3 EQAO reading assessment and between 5% and 35% from the Grade 6 EQAO reading test. Among students designated as having an LD exceptionality, between 0% and 5% were exempted from the reading assessment in Grade 6.³⁶³

Table 2 sets out data³⁶⁴ on exemptions from the Grades 3 and 6 EQAO reading assessment (2018–2019 school year) received from the eight school boards in the inquiry including:

- Overall percentage of board students who were exempted from the EQAO reading assessment
- Percentage of students with special education needs who were exempted from the EQAO reading assessment
- Percentage of students with an LD exceptionality who were exempted from EQAO reading assessment.

Table 2: Percentage of exemptions from the Grades 3 and 6 EQAO reading assessment, 2018–2019 school year

	Overall exempt Grade 3	Students with special education needs exempt Grade 3	Students with LDs exempt Grade 3	Overall exempt Grade 6	Students with special education needs exempt Grade 6	Students with LDs exempt Grade 6
Hamilton-Wentworth	4	12.	0	4	8	1
Keewatin-Patricia	13	60	N/D ³⁶⁵	13	35	0
Lakehead	4	6	0	4	5	0
London Catholic	2	12	0	3	6	0
Ottawa-Carleton	4	8	0	3	5	2
Peel	3	17	2	3	8	2
Simcoe-Muskoka Catholic	4	15	0	3	9	5
Thames Valley	4	19	0	3	11	1

Other observations

Data about students with special education needs includes all students with an IEP, whether or not they have been formally identified through the IPRC process. Many of these students likely have a reading disability or other learning disability.³⁶⁶ The EQAO data provided by the eight school boards suggests that very few students with reading disabilities, relative to their likely prevalence in the population, have been identified as having an LD exceptionality through the IPRC process. For example, one school board told us that only 30% of students with a learning disability diagnosis go through the IPRC process. Undoubtedly, there are also other students who have or are at risk for a reading disability but who have not been assessed and diagnosed.

Although an IPBC designation is not needed to receive interventions and accommodations, in the current system, when students with learning disabilities are not identified through this process, there is no way to capture data about their performance on EQAO assessments. Section 13 includes recommendations on improved data collection for students with reading and other learning disabilities.

Progress in International Reading Literacy Study (PIRLS)

The Progress in International Reading Literacy Study (PIRLS) is an international assessment that reports every five years on the reading achievement of Grade 4 students worldwide. It is the only international program that assesses reading achievement of Canadian students in the earlier years of education.

PIRLS is administered by the International Association for the Evaluation of Educational Achievement (IEA), an independent cooperative of research institutions and governmental agencies. It was first administered in 2001 and has been administered every five years since then.³⁶⁷

The last PIRLS assessment was in 2016, when 50 countries took part. A random sample of over 18,000 Canadian students in eight provinces, including Ontario, were assessed on reading achievement. Information about students' homes, schools and classroom contexts was also collected using background questionnaires. The questionnaires were completed by the students, their parents or caregivers, their school principals, and their teachers.³⁶⁸

Grade 4 was selected for the PIRLS assessment because it represents an important transition point in students' development: "the point at which students are expected to have already learned how to read and are now using their reading skills to learn." PIRLS assesses reading skills defined as "the ability to understand information presented in the written format required by society and favoured by the person, and the ability to use it."³⁶⁹

The purposes of the PIRLS study are to:

- Assess the reading skills of nine-year-olds (Grade 4 students)
- Determine the contexts that influence reading development
- Understand how young children learn to read
- Improve teaching and learning methods in reading for all children
- Assess and understand differences among education systems to improve teaching and learning methods in reading throughout the world.

PIRLS uses sampling to identify schools, both public and private, and students who will take part in the test. Schools and students can be excluded from the test for various reasons, such as disability (if the school serves students with disabilities or the student has a disability). The PIRLS exclusion rate should not be higher than 5%, and students

with dyslexia are not supposed to be excluded but rather accommodated in test-taking, where possible.³⁷⁰ Nevertheless, some have argued that the way PIRLS has been constructed and reported systematically excludes marginalized students and students with disabilities.³⁷¹

In 2016, Ontario had a score of 544, which is above the PIRLS centre point of 500 and the international average of 511. Ontario scored one point above the Canadian average (543) but lower than British Columbia (555), Quebec (547) and Alberta (547).³⁷²

Table 3 shows jurisdictions with a higher score than Ontario.

Table 3: Jurisdictions with a higher score than Ontario on PIRLS 2016

Russian Federation	581
Singapore	576
Hong Kong, SAR	569
Ireland	567
Finland	566
Poland	565
Northern Ireland	565
Norway (Grade 5 was assessed)	559
Chinese Taipei	559
England	559
Latvia	558
Sweden	555
British Columbia	555
Hungary	554
Bulgaria	552
United States	549
Lithuania	548
Italy	548
Denmark	547
Quebec	547
Alberta	547
Macao SAR	546
Netherlands	545
Australia	544

Ontario's performance on PIRLS decreased in 2016 (544) compared to 2011 (552), 2006 (555), and 2001 (548).³⁷³ Importantly, data is not presented for students with learning disabilities separately, nor is the rate of accommodations for students with learning disabilities.

A report by the Canadian Council of Ministers of Education noted that PIRLS scores and other data point to the need to identify and respond early to children who are struggling with reading:

Although Canadian students are among the most proficient readers in the world...and Canadian Grade 4 students obtained strong results in PIRLS 2011...**there remains a significant proportion of youth who do not possess the necessary knowledge and literacy skills to adequately benefit from educational opportunities.** Indeed, the PIRLS 2011 results revealed that 14 per cent of Grade 4 students did not reach the intermediate international benchmark, although there were significant differences across provinces and by language and gender...Results from the most recent Pan-Canadian Assessment Program (PCAP) assessment show that 12 per cent of Grade 8/Secondary II students in Canada did not reach Level 2 in reading, the baseline level of reading proficiency or the expected level for their grade in reading...**Thus, it is of the utmost importance to be able to identify, as quickly as possible, those areas in which students encounter difficulties, so as to enable Canadian parents and educators to intervene early.**³⁷⁴ [Emphasis added.]

Programme for International Student Assessment (PISA)

The Programme for International Student Assessment (PISA) is a collaborative effort among members of the Organisation for Economic Cooperation and Development (OECD). In Canada, PISA is carried out through a partnership between Employment and Social Development Canada (ESDC) and the Council of Ministers of Education, Canada (CMEC). PISA is administered every three years and measures 15-year-olds' abilities in reading, mathematics and science. Private school and public school students take part in PISA.

In 2018, a year that PISA focused on literacy, 79 countries and economies, including Canada, took part.

Ontario students perform well in PISA with scores above the average of the participating OECD countries. However, some research suggests that Canada's results may not be comparable to results of other participating countries due to Canada's comparatively high student exclusion rate, low levels of school participation and high rates of student absence. Excluded students were mainly students with intellectual disabilities³⁷⁵ (5%), limited language skills (1.5%), and physical disabilities (0.5%).³⁷⁶

Despite Ontario's and Canada's generally strong performance in PISA, there are areas of concern:

- Girls perform significantly better than boys in reading³⁷⁷
- Students in the English-language public education system in Ontario perform better in reading than students in the French-language public education system³⁷⁸

- Since 2000, overall reading scores have declined³⁷⁹ and the number of students who cannot read to international standards has increased³⁸⁰
- The reading skills gap between students with the highest and lowest performance levels, an important indicator for the equity of educational outcomes,³⁸¹ has widened
- 13% of students (or about one in seven) performed at the lowest levels of PISA (below level 2)³⁸²
- Socioeconomically advantaged students performed better than socioeconomically disadvantaged students by 63 points (or 4.8%).³⁸³ Approximately 24% of advantaged students in Canada, but only 7% of disadvantaged students, were top performers in reading in PISA 2018.³⁸⁴

The CMEC's discussion of Canadian students' performance concluded:

In spite of these strong results, PISA 2018 achievement in reading literacy also suggests that there is cause for some concern. Reading performance in PISA has declined in Canada overall and in many provinces since 2000. One in seven Canadian students scored at the lowest levels identified by PISA (below Level 2), and students in minority language settings achieved lower results in reading compared to their counterparts in majority-language settings in most provinces. Furthermore, the gap in reading achievement between girls and boys persists.³⁸⁵

Higher Education Quality Council of Ontario

The Higher Education Quality Council of Ontario (HEQCO), an agency of the Government of Ontario, is mandated to bring evidence-based research to the continued improvement of Ontario's post-secondary education system. It reports to the Ontario Minister of Colleges and Universities.

In 2016–2017, the HEQCO led a project called the Essential Adult Skills Initiative (EASI).³⁸⁶ The project measured literacy, numeracy and critical-thinking skills in students entering and graduating from 20 colleges and universities.³⁸⁷

For the inquiry, the results from the literacy assessment of students who were starting their post-secondary studies are most relevant to assessing whether students are graduating from high school with the literacy skills needed to perform well in today's economy.

Incoming students were assessed using the Education and Skills Online (ESO) assessment. The ESO is the commercial version of the Organisation for Economic Co-operation and Development's (OECD) Programme for the International Assessment of Adult Competencies (PIAAC) assessment. The test has been validated for adults between the ages of 16 and 65. It measures the key cognitive and workplace skills needed for adults to participate in society and for economies to prosper.

Thirty-four per cent of incoming college students and 26% of incoming university students scored level 2 or lower. This means they did not meet the minimum literacy standard the OECD considers necessary to perform well in today's economy.³⁸⁸

The HEQCO has issued several other reports on the importance of core skills, such as literacy and numeracy, for students to be able to successfully take part in post-secondary education and in the workplace.

Streaming

Streaming is the process of grouping students according to perceived ability.³⁸⁹ It is most associated with steering students towards either academic, applied or locally developed level courses beginning in Grade 9. Students typically take most or all their courses at the same level, "stream" or "track."³⁹⁰

Streaming affects students' post-secondary choices, career pathways and life outcomes, and results in other disadvantages. For example, students in applied English and math classes are less likely to:

- Meet the provincial standards on math and reading tests
- Graduate from high school
- Enroll in post-secondary education.³⁹¹

Because of data collection issues, provincial data on the demographic characteristics of students in academic versus applied-level streams does not exist. However, available board-level data confirms longstanding concerns that marginalized students are more likely to be streamed into pathways that limit course selection and post-secondary opportunities.³⁹²

Data from two school boards that have conducted a school census shows that racialized students, particularly Black and Latin American students, and Indigenous students are more likely to be taking applied courses. For example, the 2019 Review of the Peel District School Board³⁹³ found:

- Black students are disproportionately streamed into applied and locally developed courses³⁹⁴
- Indigenous students are over-represented in applied and locally developed courses³⁹⁵
- Latin American students are over-represented in applied and locally developed courses.³⁹⁶

Also, only 34% of Peel students enrolled in applied-level courses "passed" the Grade 10 OSSLT in 2018–2019, compared to 90% of students in academic-level courses.

Data from the Toronto District School Board (TDSB) shows similar outcomes for Black and Indigenous students.³⁹⁷ Students from lower socioeconomic backgrounds are also disproportionately streamed into applied-level courses.³⁹⁸

The OHRC requested data from the eight inquiry school boards to attempt to determine whether students identified as having an LD exceptionality were being disproportionately streamed into applied courses in Grade 9.³⁹⁹ The OHRC learned that the boards do not have a consistent way to store and access this data. The boards do not appear to be proactively monitoring whether certain groups of students are disproportionately in course pathways that limit post-secondary options. One board could not produce the requested data, saying that this information is not tracked or available through its current student information management system. Several other boards had difficulty providing the requested information.

The data that was provided suggests that a concerning proportion of students with learning disabilities are taking mostly applied courses and that students with identified learning disabilities are significantly more likely to be taking mostly applied courses than students who have not been identified with an LD exceptionality. This data showed that students with an LD exceptionality were about two to four times more likely to be taking mostly applied courses in Grade 9.

Table 4: Percentage of students with LD exceptionalities and students without LD exceptionalities taking mostly applied level courses, Grade 9

	Students with LDs	Students without LDs
Hamilton-Wentworth	71	27
Keewatin-Patricia	69	35
Lakehead	86	41
London Catholic	71	20
Ottawa-Carleton	40	11
Peel	44	28
Simcoe Muskoka Catholic	No data	No data
Thames Valley	16	8

As discussed in greater detail in sections 6, The experience of students and families, and 11, Accommodations, the inquiry revealed that streaming happens in other ways.⁴⁰⁰ Two notable examples are streaming students with reading disabilities into segregated special education classrooms that are not equipped to address their reading skills, or out of French Immersion programs. Ottawa-Carleton trustees have expressed concerns about the large number of students with IEPs in the English stream.⁴⁰¹ As well, a report prepared by the board in 2019 found that students at English-only schools tend to come from lower-income areas than students attending schools that offer French Immersion.⁴⁰²

In June 2020, the Ministry of Education (Ministry) recognized the negative outcomes caused by streaming and announced that beginning with Grade 9 math in 2021, it would begin a process of deferring streaming from Grade 9 to Grade 10.⁴⁰³ At the time of writing this report, there was little information about the de-streaming process, or the resources and supports that will be available to change the pathways of children and

youth. Addressing the inequities that lead to streaming is complex and should begin in the earliest elementary school years.⁴⁰⁴ Ensuring that more students have the reading skills necessary to achieve their academic potential is consistent with the goal of de-streaming in Ontario.

Graduation rates

Research shows a relationship between scores on literacy assessments and high school completion. For example, students with poor scores on the PISA reading assessment are less likely to complete high school. Reading proficiency continues to influence high school graduation rates even after controlling for other variables such as gender, mother tongue, parental education, family income, location of residence, and academic and social engagement.⁴⁰⁵

As of August 31, 2018, 81.2% of Ontario students were graduating with an Ontario Secondary School Diploma (OSSD) in four years and 87.1% were graduating with an OSSD in five years. Table 5 shows the five-year graduation rate of students in the eight inquiry school boards, as reported by the Ministry.

Table 5: Five-year graduation rate, as reported by the Ministry

Hamilton-Wentworth	79.7%
Keewatin-Patricia	76.1%
Lakehead	75.5%
London Catholic	90.4%
Ottawa-Carleton	88.3%
Peel	89.2%
Simcoe Muskoka Catholic	88.2%
Thames Valley	79.1%

The OHRC requested data from the eight inquiry school boards to attempt to determine whether, consistent with the research, students identified as having an LD exceptionality are more likely to leave school without getting their OSSD. Based on the responses, school boards in Ontario do not appear to be tracking graduation rates by exceptionality.

With the data provided, we were unable to draw conclusions about whether students with learning disabilities are less likely to obtain their OSSD. One board, Ottawa-Carleton, provided an Annual Student Achievement Report (2018–2019) that analyzed achievement data to measure progress in student learning. The stated goal of this was to help inform strategies in the board’s improvement plan for student achievement and well-being. In terms of accumulating credits and graduating, the report found that “specific groups of students, especially Indigenous students and students with special education needs continue to underperform as compared to all students.”

While this was one good example of a board analyzing data on student achievement, it was not consistent practice across the inquiry school boards. For a detailed discussion on shortcomings in data collection and monitoring student outcomes, see section 13. Systemic issues.

Post-secondary attendance

According to the HEQCO, students with disabilities, students from low-income families, Indigenous students and students whose parents do not have a post-secondary degree or diploma continue to be excluded from post-secondary education and the economic benefits it brings.⁴⁰⁶

Little Ontario data is available on post-secondary pathways for students with special education needs generally, or learning or reading disabilities specifically. However, data that does exist shows that students with special education needs or who do poorly on literacy assessments, including EQAO and PISA, are much less likely to enroll in post-secondary education.⁴⁰⁷

A 2012 research paper published by the HEQCO looked at TDSB data on students with “special needs” (students identified with an exceptionality through the IPRC process). The paper noted that only a small proportion of students with a special needs designation, in this case defined as an IPRC designation, are in a position to transition successfully to either an Ontario university or college.⁴⁰⁸ The paper found:

...the post-high school pathways of the TDSB students in our sample generally conformed to those reported in the literature. When compared to graduates without [special needs] a higher proportion of students with [special needs] dropped out or went directly to the workforce. Only 18 per cent of students with [special needs] confirmed university acceptance while 58 per cent of students without [special needs] did so. However, 24 per cent of students with [special needs] pursued community college while only 14 per cent of students without [special needs] followed this path.⁴⁰⁹

There is also a correlation between scores on standardized assessments and post-secondary attendance. Students with disabilities tend to score lower on standardized assessments (see for example EQAO data). A Higher Education Quality Council of Ontario (HEQCO) paper noted that studies have found that the likelihood of attending post-secondary education increases as PISA reading scores increase.⁴¹⁰ One study on Canadian students found that only 28% of 15-year-old students who scored at level 1 in

reading (the lowest level) in PISA in 2000 had attended some form of post-secondary education by age 19. This number rose to 45% for level 2, 65% for level 3, 76% for students at level 4 and 88% for students at level 5 (the highest level of reading proficiency).⁴¹¹

Students with higher PISA literacy scores are also more likely to attend university rather than college. The paper noted:

Reading proficiency at age 15 had the most significant effect on a student's choice of postsecondary pathway, even after controlling for other variables such as gender, mother tongue, place of residence, parental education and family income...⁴¹²

This finding shows how important early literacy and reading achievement is for traditionally marginalized populations, and for promoting equity in the Ontario education system.

The OHRC requested data from the eight inquiry school boards on acceptance to college or university for graduating students with and without an LD exceptionality. Once again, the OHRC found that school boards do not consistently or reliably track this information. This report makes recommendations related to better data collection and monitoring of student achievement in section 13, Systemic issues.



6. The experience of students and families

6. The experience of students and families

Warning: This section deals with topics that may cause trauma to some readers. It includes references to bullying, emotional and physical abuse, mental health challenges, self-harm and suicide. Please engage in self-care as you read this material. There are many resources available if you require additional support, including on the OHRC [website](#).

Introduction

Children are inherently vulnerable. They depend highly on others to satisfy their basic needs and make decisions for their physical, emotional and intellectual well-being. This is even more true for children who start life facing societal barriers – whether poverty, low parental education, racism and/or ableism.⁴¹³

When addressing reading disabilities, experts say “there is not a knowledge gap...but an action gap.”⁴¹⁴ With effective instruction approaches, most students can learn to read proficiently. Providing science-based instruction and early intervention to students who struggle to learn to read sets them up for future success in academics, employment and life.

Most subjects in school require reading to access the material, so the ability to read is key to future learning. However, when schools do not provide effective, evidence-based instruction and interventions, children fall further behind in school and may suffer lifelong negative consequences.

Because of structural inequality, Black and other racialized children, First Nations, Métis and Inuit children, English language learners⁴¹⁵ or children who live in poverty may face extra barriers. They may be at risk for reading difficulties, and their parents do not always have the same access to resources as more advantaged parents.⁴¹⁶ These students may rely heavily on a public education system to prevent or alleviate achievement gaps.

Students with reading difficulties, and their parents/guardians, provided information to the inquiry on avoiding school, stereotyping, self-esteem, mental health effects, low expectations by schools, and lifelong consequences. Parents also reported impacts on the family related to finances, mental health effects, navigating the school system and family relationships. Besides being felt in families, these impacts have additional costs to society as a whole.

The inquiry received 1,425 surveys from students, parents and guardians. It was evident that individuals spent a major amount of time – sometimes hours – completing their responses while juggling the many demands in their lives. The inquiry also heard from around 100 presenters at public hearings and community meetings. Presenters ranged in age from nine to 84.

It takes courage, time and energy for people to share their experiences whether in writing or in person. The OHRC is grateful to everyone who shared their experiences and contributed to the findings of this report.

This section draws from the OHRC's public hearings, community meetings and student/parent surveys.

The word "supports" is used broadly in this section and throughout the report to include additional instruction, intervention and accommodations.

Inquiry survey

Surveys were completed primarily by parents on behalf of a student (96%), and some parents included quotes or submissions from the student. A small portion (4%) of current and former students completed the survey about their own experiences.

This section also briefly discusses some of the limitations of the inquiry's survey and what the OHRC did to address these concerns. See section 3, Methodology for more discussion on survey limitations.

Profile of students

This section provides a general overview of the characteristics of students who either had a survey completed on their behalf or completed their own survey.

Table 6 offers a snapshot of student demographic information from the survey.

Table 6: Profile of students as reported by survey respondents

Age (in years)	
Average	12
Median	11
Mode	9
Average grade	Grade 6
Gender⁴¹⁷	
Boy/man	59%
Girl/woman	40%
Transgender boy/man	0.1%
Transgender girl/woman	0.2%
Other (non-binary, gender fluid, two-spirit, etc.)	0.2%
Questioning	0.1%
Prefer not to answer	1%
School system	
English public	69%

English Catholic	19%
Private school	4%
French Catholic	4%
French public	2%
Provincial/demonstration	1%
Enrollment in school	
Currently in school	90%
Graduated with an OSSD	8%
Not in school and did not receive an OSSD	2%
Reading disability⁴¹⁸	
Yes	80%
Possibly	13%
No	4%
Unknown	2%
Family member has a reading disability	46%
Reading disability and another disability⁴¹⁹	
Yes	53%
Possibly	7%
No	36%
Unknown	4%
Country of origin	
Born in Canada	96%
Other ⁴²⁰	4%
First language learned at home	
English	92%
French	3.5%
Other ⁴²¹	4.5%
English language learner (identified by school)	
Yes	25%
No	71%
Unknown	4%
Race⁴²²	
White	83.5%
Other ⁴²³	3.4%
Black	2.6%
First Nations	1.8%
Latino	1.7%
Middle Eastern	1.6%
South Asian	1.6%
East Asian	1.5%
Métis	1.3%
Southeast Asian	0.7%
Inuk/Inuit	0%

Profile of survey respondents

Most survey respondents did not represent families from diverse racial and socioeconomic backgrounds. They were mostly White and wealthier and more educated than the average Ontarian. Tables 7–9 show demographic information about survey respondents based on race, family income and education level.

Students were more representative of Ontarians (9.7% racialized) than the respondents who completed surveys on their behalf (6.5% racialized).

Table 7: Race/ancestry of students and survey respondents⁴²⁴

	Race of respondent	Ontario population
White	88.0%	70.7% ⁴²⁵
Black	1.3%	4.7%
First Nations	1.3%	1.8%
Latino	1.4%	1.5%
Middle Eastern	1.3%	2.8% ⁴²⁶
South Asian	1.5%	8.7%
East Asian	0.8%	6.6% ⁴²⁷
Métis	0.9%	0.9%
Southeast Asian	0.2%	3.4% ⁴²⁸
Inuk/Inuit	0%	0% ⁴²⁹
Other ⁴³⁰	2.9%	N/A

Most respondents (57%) reported a household income of over \$100,000 before taxes in 2018. This is well above the median total income of \$74,600 for Ontarians in 2018.⁴³¹

Table 8: Income of survey respondents (before taxes in 2018)

Less than \$25,000	2%
\$25,000 to \$35,000	2%
\$35,000 to \$50,000	4%
\$50,000 to \$75,000	7%
\$75,000 to \$100,000	14%
\$100,000 to 150,000	22%
More than \$150,000	35%
Prefer not to say	14%

Respondents were more educated than the average Ontarian; 88% of survey respondents completed a post-secondary degree or diploma compared to the Ontario percentage of 55%.⁴³²

Table 9: Highest level of education of respondents

Education level	Survey respondents	Ontario population
Elementary school	1.3%	17.5% ⁴³³
Secondary school diploma (or its equivalent)	5.4%	27.4%
Apprenticeship or trades certificate or diploma	1.4%	6.0%
College diploma	20.5%	20.8%
Bachelor's degree	34.3%	17.3%
Professional degree (law/medical degree)	11.5%	N/A
Master's degree	16.8%	5.4%
Doctorate degree	3.5%	0.9%
Other ⁴³⁴	5.3%	N/A

Barriers to survey completion

Research suggests that White people with higher incomes and education are more likely to complete self-report surveys compared to racialized people and people with lower incomes and less education.⁴³⁵

Reasons for lower response rates for certain communities are unique to the circumstances of a given community. However, some communities share similar experiences of ongoing systemic discrimination and historical violence such as colonization, slavery, assimilation, criminalization, segregation and displacement. These social factors have a greater effect on First Nations, Métis, Inuit and Black communities today. These factors contribute to intergenerational trauma, breed distrust of public institutions, and undermine social and economic conditions for affected groups⁴³⁶ – which can all influence survey response rates.

Families that lack financial resources often face barriers completing surveys and attending public meetings. These types of engagements require time, and families with less flexible work schedules and less time are at a disadvantage. One inquiry respondent noted: “I am doing my best as a single mother working full time and squeezing in the time to do this survey before getting some groceries and coming home to sleep.”

To reduce some of the barriers to completing a survey,⁴³⁷ the OHRC allocated open-mic time during its public hearings, and held community meetings for attendees to share their experiences. The OHRC took steps to make sure presenters at public hearings represented the views of communities that face barriers to self-advocacy, such as refugees and children in care. The inquiry also included engagements with First Nations, Métis and Inuit communities in Ontario. The OHRC was available to help people who were unable to complete a survey. Finally, the OHRC had a dedicated phone line and email account to receive submissions, stories and requests for assistance from the public. Some other in-person engagements were planned but cancelled due to the COVID-19 pandemic.

Although responses were not proportionate to Ontario's population in terms of race and income level, the inquiry still heard from hundreds of people from intersecting *Code*-protected groups, who shared critical information and experiences. We have paid particular attention to these accounts and highlighted them throughout this section.

Impact on students

The inquiry found overwhelming similarities in student and parent accounts. A common narrative emerged from surveys, submissions and presentations at community meetings and public hearings.

When schools do not provide evidence-based reading instruction, identify reading difficulties early and provide effective interventions, achievement gaps develop and grow. The window of opportunity closes and students with reading difficulties fall behind their peers. The system's failure is downloaded to these students – they feel like they did something wrong or that something is wrong with them. This makes students vulnerable to school avoidance and oppositional behaviours, negative self-talk, bullying and other mental health disabilities.

As students move through the system, these burdens worsen. Educators may tend to blame the students' abilities or potential, rather than blaming the education system. Students are streamed out of education opportunities and feel further isolated. Parents who were concerned about whether their child would catch up in elementary school are now worried about their child's future and well-being after they graduate, or if they will even graduate.

This situation can be worse for students with intersecting identities. Students from some identity groups (racialized, First Nations, Métis, Inuit, low-income, multilingual, newcomers) face extra barriers and burdens.

Respondents who completed surveys about Black and/or First Nations, Métis, Inuit students disproportionately reported that race or ancestry had a negative or somewhat negative impact on the student's school experience related to their reading disability.

Table 10: Race/ancestry and negative impact on school experience

Black	52%
First Nations	39%
South Asian	30%
Southeast Asian	18%
East Asian	18%
Métis	17%
Middle Eastern	7%
Latino	8%
White	2%

Survey respondents with lower incomes also noted that their socioeconomic status had a negative or somewhat negative impact on the student's school experience related to their reading disability.

Table 11: Income and negative impact on school experience

Less than \$25,000	41%
\$25,000 to \$35,000	58%
\$35,000 to \$50,000	30%
\$50,000 to \$75,000	23%
\$75,000 to \$100,000	16%
\$100,000 to 150,000	7%
More than \$150,000	8%

School avoidance

Students with reading difficulties can experience school-related stress for many reasons. Research shows that from an early age, children can recognize what appears to come easily to their peers, is difficult for them.⁴³⁸

In reading, these differences can be quite obvious. Reading is an important and widespread skill in society. Learning to read is a primary objective in elementary school and an essential step to building skills and knowledge in many domains. It is necessary for everyday life, whether reading print on paper and street signs, or digital text on screens.

Repeated failure, despite working hard, can lead to negative feelings such as frustration, anger, sadness, worry and fear. These feelings make students vulnerable to low self-esteem and other problems at school, such as lack of academic motivation.⁴³⁹ Students may feel they have also let down others, like parents and teachers.

Students react or cope with this stress in different ways. Some may react to stress outwardly – by being oppositional (pretending not to care, not listening or following rules, acting up in class) or through aggressive behaviour.⁴⁴⁰ In the student/parent surveys, 8% of respondents reported student outbursts or behaviour challenges such as acting like the class clown, constant fidgeting, screaming, or exhibiting rage, anger or violence.

Some students may internalize the stress. This can show in school avoidance, withdrawal, anxiety, depression and somatic experiences (body aches).⁴⁴¹ In the student/parent survey, 9% of respondents reported school avoidance tendencies such as running away from school, often going to the bathroom, causing outbursts to avoid going to school, and complaining about head and stomach aches.

Students and parents also wrote about students withdrawing while in class, and 9% of students felt embarrassed because of their disability. These students hid their reading disability from classmates and attempted to avoid reading in public.

It is often not an either/or scenario – a student may withdraw and be oppositional at different times. One parent described her son's range of behaviour as he progressed in his schooling:

[He] had regular meltdowns after school from Grade 1 from frustration and fatigue. In Grade 3, he came home and told me that he was the "dumbest and stupidest kid at [name of school]." He tends to act out to avoid doing work that is too difficult for him and so he is often in trouble at school. In Grade 5, he developed anxiety and a facial tic. In Grade 7, he would refuse to go to school or go and hide in the bathroom because he had so much anxiety. In Grade 8, he was purposely acting out so that he would be sent out of the classroom because he could not do the work. He said his dream was to be able to read and do the same work as the other students.

The inquiry also heard about the experience of school avoidance from the President of the Pediatricians Alliance of Ontario:

Imagine an 8-year-old girl with school avoidance. It is very difficult to get her out of bed and ready for school in the mornings. Mom holds down a full-time job and has been late to work because of this. She has multiple somatic or body complaints which are symptoms of anxiety. She struggles to sleep at night – worried about school the next day and is tired throughout the school day. She struggles to read at a Grade 1 level and mom is given the names of psychologists in the community because she is told, no interventions can be put in place until they have a formal Individual Education Plan. The mom is told the school's waiting list is at least two years to get an assessment. The mother is near to tears in my office and her voice is full of frustration and worry. How are they going to afford the expense of a psychological evaluation? These children experience poor self-confidence, will say things like "I'm stupid...why was I born,["] and face ridicule by classmates.

Students desperately want to learn to read. However, when they are excluded academically and socially, they may protect themselves through avoidance to regain control and shield themselves from harm.⁴⁴² One parent noted:

My son's apprehension about going to school is because of the lack of support in the classroom and the lack of proper reading instruction based on reading science, not because something is wrong with him.

Stereotyping and victimization

Students require a learning environment where they feel safe, to develop self-esteem and confidence.⁴⁴³ However, this does not always exist for students with reading difficulties.

Students with learning disabilities, including reading disabilities, are at an increased risk of bullying and victimization.⁴⁴⁴ This was evident in the survey responses, where 8% of students experienced bullying or teasing because of a reading disability.

The surveys included these examples of how students with reading difficulties are treated by their peers:

- Ostracized for not being able to contribute to group projects
- Ridiculed for spelling or reading mistakes
- Laughed at for asking for help
- Teased when singled out for accommodations
- Called names
- Physically assaulted.

Surveys mentioned that students found it hard to make and keep friends. Even when students are not bullied, sometimes the fear of being singled out or “found out” can have an impact on the student. One student explained at a public hearing:

Now people look at me a bit funny...because...before I was diagnosed, everyone would make fun of the people with a Chromebook.⁴⁴⁵ So I was really scared that I would be made fun of.

Educators want students to succeed, and most are doing their best to respond to their students' needs in the classroom. However, sometimes educator behaviour negatively affects students. The inquiry heard about explicit negative attitudes from some educators. Examples included teachers singling out students in class, asking students to read in front of the class after finding out they had a reading disability, calling them “lazy,” “slow,” “stupid” or “dumb,” or telling students they did not take enough risks and exaggerated their difficulties. These stereotypes have a heavy emotional impact on students with reading difficulties. One survey respondent reported that a teacher told a student that he would be a “bum on the streets.”

Respondents also reported that some teachers refused to acknowledge the student's reading disability, would not provide accommodations or discouraged using them because the student did not "deserve it," and "punished" the student by taking away recess because the student did not complete work.

Sometimes negative stereotypes were less explicit but still detrimental. One former student, who is now in his seventies, still remembers his report card reading "Good child, having a lot of reading difficulties and won't apply himself." Survey responses from students currently in school similarly reported examples of being told that they do not apply themselves or try hard enough.

Consistent negative feedback from peers or educators has an adverse effect on mental health and can cause trauma for students. Some students and parents reported that they paid for counselling or therapy because of bullying and victimization. Bullying can also lower self-confidence, which has further negative impacts on learning. When a student is rejected by their peer group, it affects their sense of self, engagement in class and possibly their academic achievement. For example, one parent reported that bullying affected her child's confidence in asking for help in the classroom.

Social isolation can also occur in indirect ways. The extra time that children with reading difficulties spend on their studies takes them away from socializing with friends, taking part in extra-curricular activities and athletics, or relaxing. One parent said: "My son went to school twice every day. Once at school and then again at home." In survey responses, 14% of respondents reported social isolation such as loss of friends, time away from the classroom or after-school time spent at a private reading program instead of with friends and family.

Students who identify with other *Code*-protected grounds can experience more stereotyping. One parent reported that her son has experienced repeated bullying for his gender-fluid expression and his learning disabilities, which has increased his anxiety.

One parent of a racialized and First Nations student noted that "colonization and colonial stereotypes" had a negative impact on her son's experience at school because of their intergenerational impacts:

If my son felt excited about going to school, if he excelled in reading and was respected by the education system for his diverse cultural background (and given reading material that reflected this diversity), and was taught structured literacy approaches based on reading science, I would not have to even think of writing this survey. I expect more than "lowered expectations" from teachers and the education system...My son's ethnicity, Indigeneity and gender are things to be proud of and bring strength to him daily. Students need to see their ethnicity and Indigeneity reflected in their teachers, school staff, principals, trustees, the Ministry of Education, government, etc.

Self-esteem

Positive self-esteem and coping strategies are critical to learning and success in school. When students continue to fail at school, they question their academic abilities and feel inferior. The inquiry found that students with reading difficulties often reported low self-esteem.

In survey responses, 31% of respondents reported negative self-talk or low self-esteem. During public hearings, many students talked about feeling “dumb” or “stupid,” compared themselves to their classmates and could tell that the work they were given was well below the work assigned to peers. Parents reported that their children referred to themselves as “stupid/dumb” and believed that they cannot or will never be able to read.

Low expectations from educators can also affect a student’s self-image as a learner. One parent talked about how teachers had “pre-conceived glass ceilings for what [her daughter] would be able to achieve in their class” and how this negatively affected her daughter’s “thoughts about her abilities both scholastically as well as her hopes for the future.”

Many parents talked about the painful process of seeing their once “bubbly” or enthusiastic child develop feelings of low self-worth and struggle to find meaning in life. Parents talked about seeing their once happy, socially adaptable child who was eager to go to school now feeling stupid, struggling with self-worth and becoming “a shell” of themselves. One 12-year-old student wrote: “I want to be like the other kids but school breaks my spirit. I feel confused. I see every colour in gray.”

One parent explained the cumulative impact of going to school, where every day, you feel you do not belong and are not adequate:

Ten months of the year, five days a week, our son goes to a place where he feels like a failure. It's a place that exhausts him because he has to work so much harder than neurotypical students to not even keep up. He has been called stupid by peers at school. That wears on his mental health and overall happiness. Not surprisingly, he is a completely different, far happier child during the summers.

Mental health effects

Low self-esteem makes students more vulnerable to mental health issues such as anxiety and depression. Almost six in 10 respondents (59%) reported student mental health challenges, including students experiencing depression, eating disorders, difficulty with emotional regulation such as anger management, sleep disturbance, trauma and/or anxiety including General Anxiety Disorder, Social Anxiety, Separation Anxiety and Panic Disorder.⁴⁴⁶

Survey responses stressed the connection between mental health challenges and academic success. These challenges contributed to school avoidance tendencies, absenteeism and even dropping out of school.

Very young children were not immune to severe effects on their mental health. There were several accounts of students experiencing a mental health crisis in elementary school or experiencing anxiety as young as age five. There were accounts of young children thinking about suicide. Parents also reported that their children engaged in self-harming behaviours or attempted suicide. At a public hearing, the President of the Pediatricians Alliance of Ontario related this account about attempted suicide:

When I was involved in in-patient child psychiatry, a young patient under the age of 10 was admitted because of an attempted suicide. The child had developed school refusal/avoidance, and was so worried about going to school that on the way to school the child attempted to jump out of the car on a busy express highway...We contacted the school to obtain the school reports and spoke with the school psychologist. The child was discharged and within a few weeks had a psychological assessment which showed a severe learning disorder. The school psychologist called me at my office...called to apologize..."the child had slipped through the cracks."

Many respondents reported some relief from mental health issues once the reading disability was identified. In some cases, when students learned they had a reading disability, this self-knowledge motivated them to know that it was possible to catch up:

Once he was given the tools to manage the [learning disability], his behaviour, mental health and confidence has improved – which has helped the entire family.

Many surveys that noted mental health challenges also talked about accessing counselling services, but stressed that effective reading interventions were what made a significant difference. Evidence-based instruction in the classroom and early interventions will prevent mental health difficulties from developing in the first place. Also, once students with reading difficulties receive evidence-based instruction, intervention and support to learn to read, there should be improvements to their mental health.⁴⁴⁷

Students and parents who talked about successful interventions noted improvements to the student's psychological well-being. They observed boosts to self-confidence, increased motivation, better self-regulation, decreased anxiety, and healthier self-esteem. One parent talked about the transformation in her son after he received a private evidence-based reading and language program:

He went from tantruming when asked to read a short levelled reader, to reading chapter books with a flashlight after bedtime. I can't help but reflect on where he would still be, and the resultant impacts to his mental health and to our family, if we hadn't been able to pay privately for what he needed.

The President of the Pediatricians Alliance of Ontario also found this to be the case:

Many years ago, I had a patient who was being seen for mood and anxiety problems and suicidal threats. Eventually she received a diagnosis of dyslexia, and spent a very long time on the waiting list for the Orton Gillingham evidenced based reading and language program. After one year, her reading and language skills had improved so significantly that her self-confidence, mood symptoms improved and suicidal threats abated.

Effective interventions improve student achievement and mental health, and also improve family dynamics. Many parents talked about the improvements to student and family life when their child had effective interventions. One parent talked about how exciting it was to see her son “move from being a non-reader to loving reading and even reading to his younger siblings,” and “sharing with them strategies he was taught during his intervention” once he received an evidence-based intervention in school.

Evidence-based instruction and interventions and timely accommodation are essential for student and family well-being, and also reduce cost to the overall health-care system.⁴⁴⁸ Still, students with reading difficulty will need access to appropriate mental health supports to help cope with their struggles in school. However, students who do not experience reading failure will rely less on mental health services, and students who receive effective interventions will need fewer ongoing services.

Low expectations and false assumptions

The inquiry heard from students, parents and educators about a culture of low expectations. These are harmful because they can affect student self-esteem and mental health. As well, when schools routinely expect less from certain students, these expectations become normalized and can affect student outcomes. Low expectations can also prevent students from getting the support they need to learn to read.

Lower expectations can be compounded when students are also members of other Code-protected groups. Parents of Black students reported that their children were viewed differently or through a “deficit lens” because of institutional racism. Respondents also noted the lower expectations for boys, students whose parents were low-income or living with a disability and multilingual students.

Parents reported gendered assumptions about their children. Some parents reported that schools thought their son’s future would be “okay” because he was athletic. One parent reported that the school said “given he was a good-looking kid, he would be fine.” Many parents reported being told by educators that learning to read is delayed for boys, and they would “grow out” of their reading difficulties.

The inquiry heard examples of lowered expectations for students because of their parents’ disability and low socioeconomic status. One guardian noted that the school was aware the student’s parents had low literacy, lived in social housing, lived with

disabilities and received Ontario Disability Support Program income, and this factored into the school's lower expectations for the student. The guardian reported that the student was misdiagnosed with a mild intellectual disability (MID), due to her father living with an MID. She was only reassessed in Grade 10 because the guardian insisted, and was found to have a reading disability and not MID. The student was also put on a pathway that would preclude her from graduating from high school or pursuing post-secondary education.

Educators reported seeing racialized students inappropriately identified with an MID when they really had a reading disability. Low expectations and ineffective approaches to reading instruction are harmful in different ways. They can create reading difficulties that could have been prevented with effective instruction. They can also result in under-identifying students for reading disabilities because of assumptions that difficulties are the student's fault rather than a disability that needs to be addressed.

Objective assessments of foundational reading skills are essential for all students, but particularly for students who belong to *Code-protected* groups. Research shows that implicit bias, which stems from unconscious stereotyping, can affect teacher perception of student ability and performance, particularly for Black students, boys, students with special education needs (excluding gifted), students from less affluent neighbourhoods and single-parent households.⁴⁴⁹

Evidence-based screening, monitoring and interventions are therefore important measures to guard against implicit bias that creates lower expectations for certain students.

Multilingual learners

Low expectations, false assumptions and cultural bias in widely used assessment measures and practices also have detrimental impacts for English language learners (ELL students), a term used in the education system for multilingual students who are learning the language of instruction at the same time as they are learning the curriculum.⁴⁵⁰ Although multilingual learners are just as likely to have reading difficulties as other students,⁴⁵¹ this population has historically been either over- or under-identified.⁴⁵² Research shows that teachers have a difficult time identifying reading difficulties in children learning English as a second language.⁴⁵³

Students can be over-identified when educators and other professionals do not know how to recognize challenges associated with learning the language of instruction.⁴⁵⁴ Research has also shown that bias and negative attitudes towards certain populations, such as Roma and Indigenous children, contribute to over-identifying for special education.⁴⁵⁵

Students can be under-identified when schools delay assessing them in the false belief that students must become proficient in English before they can be assessed for reading disabilities.⁴⁵⁶ Delay can also happen because educators believe that reading difficulties are due to the student's limited English skills or a different cultural background.⁴⁵⁷

Educator survey respondents reported similar trends. They reported that their schools assume that when multilingual students struggle with reading, it is because they have not been exposed to English, not because they have a reading difficulty. One educator noted: "It is initially assumed that if they are struggling to learn to read it is due to the [English language learner] status." Schools sometimes operate on this assumption when there is evidence to the contrary. For example, one educator reported that students from Caribbean countries, who had received instruction in English and special education supports before immigrating to Canada, were treated as if their reading difficulties stemmed from being an English language learner.

These presumptions lead to delayed supports. Educator respondents reported that multilingual students are "under-served," get "pushed back" in assessments and interventions, and do not receive supports until they have lived in Canada for a long time. One educator said:

I understand that learning another language could present itself as a reading problem when it isn't; however, waiting a certain number of years to intervene means you have a child who is increasingly frustrated and missing an opportunity to be helped.

There is no scientific basis for waiting a certain number of years to provide evidence-based interventions or assess multilingual students for reading difficulties. Multilingual students should receive regular academic assessments and interventions for difficulties as soon as the need arises.⁴⁵⁸

EQAO data also shows a disparity in the level of documented support received by multilingual students compared to other students.⁴⁵⁹ Table 12 shows that far fewer multilingual students have an IEP.

Table 12: Percentage of English language learners (ELL) with an IEP in 2019⁴⁶⁰

	ELL	Non-ELL
Grade 3	9.5%	19%
Grade 6	12%	21%
Grade 10	7%	22%

With appropriate instruction, multilingual students can perform just as well as other students.⁴⁶¹ The recommendations in this report will benefit multilingual students equally if not more than students who speak English as a first language.⁴⁶²

The inquiry heard from a refugee advocate who talked about the unique challenges refugee children face in the education system. He referenced a 2012 study that discussed the lack of support for struggling Afghan boys in Toronto.⁴⁶³ He stated that current approaches do not work for newcomer students with limited prior schooling:

There is currently no system to monitor and provide support for a newcomer child who struggles to keep up with their peers – by the time the “wait and see” strategy has played out, the child will have transitioned to middle school.

One educator respondent noted:

ELL students who have been through trauma (e.g. Syrian refugees) need more support in school. They have parents who are also traumatized and they are alone, separated from families, often at home with a new baby. School is very challenging for these ELL children.

Streaming

Low expectations can also factor into decisions about a student’s learning expectations and academic pathways.

Streaming has serious effects on student academics, mental health and employment. Streaming has disproportionate impacts on certain groups and is not applied to all groups of students equally. Perceptions about ability and potential can be influenced by normalized biases against students who are Black, First Nations Métis, Inuit, learning English, living with other disabilities or living in poverty.

The inquiry found that schools streamed students with reading difficulties by:

- Modifying course expectations and setting up students to be streamed into applied or locally developed courses in high school
- Recommending against students enrolling or continuing in French Immersion
- Segregating students into special education classrooms that do not address reading skills.

Consistent with other reports,⁴⁶⁴ responses from the OHRC survey suggest that students from lower income families are more likely to be streamed. Lower-income respondents and respondents with lower levels of education mentioned streaming at a higher rate than other survey respondents.⁴⁶⁵

A significant number of students/parents from the Ottawa-Carleton District School Board reported that students were streamed out of French Immersion. Parents consistently reported that they were discouraged from choosing or continuing French Immersion for their children because of their reading difficulties. Some were told that there would be no accommodations or support if the student enrolled or continued in French Immersion.

This meant that students had to switch schools, because many schools in Ottawa-Carleton are exclusively French or English. The switch changed their academic pathways and uprooted them from their friend network. Parents reported that this increased their children's school avoidance tendencies and mental health difficulties, and created a feeling of displacement.

Parents also reported that they observed a much higher proportion of children with learning and behavioural needs, newcomers, children from low-income households and boys in the English versus French stream. One parent reported that "boys who struggled were encouraged to leave in large numbers." She felt that had her son been a girl, there would have been more of an attempt to accommodate within French Immersion.

Parents talked about the disadvantage for their children with reading difficulties of not learning French in Ottawa, where French is a requirement for many jobs. Parents also said that there is a "two-tiered system" in Ottawa-Carleton schools, and students who are unable to learn French are relegated to a "lower tier."

This lived experience is consistent with reports that have found that students at English-only schools tend to come from lower-income areas than students in schools that offer French Immersion.⁴⁶⁶

Negative assumptions about aptitude affect the education of students with reading disabilities and other disabilities. Some parents of students with reading and other disabilities, such as Autism Spectrum Disorder, reported that their child's placement in segregated classrooms or streaming into locally developed courses was not based on actual ability. One parent noted that students who do not use speech are presumed to be unable to use text in most schools and are not provided with reading supports.

ARCH Disability Law Centre's submission to the inquiry reported similar themes that "attitudinal barriers and low expectations" affect the way students with disabilities are taught in the classroom and classroom placement decisions. Through targeted interviews, ARCH learned that children in segregated or special education classes are not receiving meaningful instruction or being taught to read. ARCH also found that expectations of student achievement are often based on assumptions and stereotypes about students with disabilities.

Disproportionate numbers of racialized students are in segregated or special education classes.⁴⁶⁷ Some educator survey respondents reported seeing a higher proportion of Black students being streamed into behavioural classes⁴⁶⁸ versus programs for students with learning disabilities or for gifted students. One educator expressed concern that these students, who may have a reading disability, were not receiving necessary interventions because of structural and individual biases.

Some survey respondents reported that their children were placed in the TDSB's Home School Program (HSP). The HSP offers support from a special education teacher in the student's home school and focuses on Language and Mathematics. Students spend half of their day in the program and the other half in an integrated classroom.⁴⁶⁹

One study showed that students who were racialized (particularly Black students), living in low-income areas and whose parents did not have post-secondary education were over-represented in the HSP.⁴⁷⁰

Other consultations with Black communities in the Greater Toronto Area have also reported concerns about streaming Black students into special education programs.⁴⁷¹

Educator and parent respondents from Toronto and Brampton wondered whether segregated special education classes are serving as "de facto ghettos for racialized and Indigenous children within individual schools, particularly those located in wealthier districts:"

My personal observation is that during the 2.5 years that [my child] spent in the segregated HSP class, there was a disproportionately high number of racialized (non-White), low-income, ESL students in this segregated program. [My child] was one among many children with different needs that were mixed together.

Survey respondents gave mixed reviews about the success of the HSP. Some felt the program made a positive impact because the school provided an intervention program or assistive technology. One student noted that he liked the program because in the regular classroom he was made "to feel stupid." Others reported few gains and said it contributed to them "feeling left out." One parent of a racialized student felt the decision to place his child into the program was done early and hastily without exploring other options.

Lifelong consequences

Students with learning disabilities are less likely to graduate from high school.⁴⁷² The ability to read and graduate from high school are important factors in securing a job. Low levels of literacy skills are correlated with higher rates of unemployment and lower incomes.⁴⁷³

Parents of students in elementary or secondary school expressed concern about whether their children would graduate, or if they did graduate whether they would have functional reading skills to ensure successful employment. The inquiry also heard from students and parents of students who did not graduate from high school. Respondents consistently cited mental health issues as the reason for dropping out, and talked about the difficulty in getting basic jobs due to low reading levels.

There were success stories of students who overcame barriers, graduated from high school, applied to college and university, graduated with diplomas, bachelor, masters and PhD degrees. Students reported studying or working in different fields, such as engineering, teaching, social work, communications, music, art, film, law, commerce, public policy, banking, political science, industrial design, academics, chemistry, human resources and real estate. Some students' career or education choices were influenced by the desire to help students who struggled like they did, or to pursue studies that complemented their creative skills or ability to "think outside of the box."

However, these positive accounts also included challenges. Success often came at a high financial cost and toll on families. One family reported spending roughly \$40,000 so their son could graduate high school and be able to choose his educational path. This included the cost of assessments, private tutoring and programs until Grade 12. Another parent reported: "We're university educated with financial resources and we just barely got him through the public system."

Students said that effective interventions played a critical role in their ability to graduate from high school. One student reported how an effective intervention program received at a demonstration school was the key to "saving her life," "eliminating the welfare pathway" and put her in a position to apply to university.

Some students with reading disabilities who graduated from high school attributed their success to factors outside the school system:

I have succeeded so far in spite of the "education" I received not because of it. It is because of my excellent family and friends that I have found success in university and at the end of high school...Had my parents not stepped in to help me, and fight the school on every issue, the school system as it is set up now would have failed me as it has with so many of my peers in a similar situation.

Past students also talked about how their successful experience was unique and that they were the "lucky ones" in making it to university:

It saddens me to hear that these issues are still on going in schools. It has been nearly 10 years since I have left elementary school but most of the struggles I went through are still persisting...I made it to university but most others don't. I knew others with the same disability from elementary/high school and out of all them I was the only one to pursue higher education (one did not even graduate high school). Their future quality of life is highly likely to suffer because of this.

Some students emphasized the lifelong consequences of learning struggles in their school years. When one person with dyslexia found out his daughter was diagnosed with dyslexia, he said it "ripped [his] heart out" because he feared she would go through the same experiences. He talked about his alcohol dependency and other struggles that stemmed from his experience in elementary school:

My sense of worthlessness has followed me into adulthood. My self-esteem is so low. I have difficulties relating to people and making friends because I always think that people are judging me. I have gone through series of depressions in my life because of how I was treated in school related to my reading difficulties. The majority of the other kids that were taken out of class with me into “special ed” have turned to substance abuse, been killed because of incidents while intoxicated, [died by] suicide or ended up in jail. I really thought we were a cursed group and in a way we were. As each year goes by and I hear of another death of one of these friends I was waiting for something to happen to me. But I realize now that I am the lucky one. I have been given a chance to speak out on their behalf and that's what I'm doing now.

Other former students talked about the mental health struggles that still follow them in their adult lives, such as a “lifelong sense of inferiority.” One tenured professor, who has published many papers and books, talked about moments that he still finds himself thinking “I am stupid.”

The inquiry also heard about historical accounts of physical and emotional abuse relating to reading disabilities, from students who have long since left the system:

It was 76 years ago and I remember as if it was this morning. I was in Grade 3 and was strapped for not being able to read. I failed Grade 3. Dropped out of high school at Grade 11. People who are not dyslexic will never know what a dyslexic student goes through. The way we treat these children, even today, is a living tragedy.

Another student shared his story of trauma:

I have PTSD [Post Traumatic Stress Disorder] from the effect of the nuns making me stand, while waiting for me to read a children's version of the Bible, for a period of, what seemed to be five minutes, in complete silence. This occurred weekly for three years...My mother was constantly worried about my inability to read. This caused her a great deal of distress. My parents had both gone to university. They both were so worried and this caused stress in their marriage. Each thought the other should have the answer.

Although, these accounts are historical, the inquiry found that experiences within the current school system are similar. Students reported being made to feel stupid and humiliated. One respondent said:

One of the...teachers made my daughter write her last name...before she could go to the washroom. At the time, I couldn't understand why my five-year-old was peeing in her pants every day. She was holding her pee so much, she stopped drinking, developed a urinary tract infection and was severely constipated. As a five-year-old, she didn't know to inform us of this abusive “requirement” that was happening at school.

It is apparent that the current public education system is failing students with reading difficulties. These students are being subjected to biases and adverse treatment and their educational needs are neglected, resulting in detrimental effects on their mental health and life outcomes. Children are not alone in suffering these consequences. Families are bearing the financial, employment, social and emotional costs.

Impact on families

Family members of students with reading difficulties are exhausted. Unmet educational needs for students in the schools negatively affects parents' resources, relationships and mental health.

Half of parents (51%) felt that their need to be involved in their child's education placed an unreasonable burden on the family.

Financial impact

The inquiry found that parents who could afford to do so spent a significant amount on their children's education. Parents paid for psychoeducational assessments, tutoring, reading interventions outside of the school, technology, private schools and mental health counselling.

More than half (56%) of the families reported having a psychoeducational assessment completed outside of the school. Of these families, 63% paid for all or part of the cost.⁴⁷⁴ The average cost of a psychoeducational assessment was almost \$3,000, and on average parents paid around \$1,800 of this cost.⁴⁷⁵

Most parents (89%) who accessed private services such as programs or tutoring paid for these services.⁴⁷⁶ The median cost was \$3,500 per year and the average was around \$5,000.

Some families put their children in private schools or specialized schools for students with dyslexia. This school change was due to lack of progress in learning to read and/or bullying in their home school, and the negative effects on their child's mental health. This cost families personal sacrifices and thousands of dollars each year.

Families able to pay for psychoeducational assessments, private programs, tutoring and private school do so at great financial cost. They reported having to:

- Take unpaid time off work
- Work longer hours
- Quit their jobs
- Give up their business
- Withdraw funds from retirement and education savings

- Get a second mortgage
- Sell their house
- Skip rent payments
- Borrow money from family members or a bank.

Some parents reported that spending money on services to help their children learn to read meant limiting extra-curricular activities, which added to their child's sense of social isolation.

Families who could afford such services made financial sacrifices for their children as it was "the most important thing" to set their children up for future success, or because they felt that their child's mental health challenges were so severe, it was a necessary life-saving measure. These parents felt alone and unsupported in "subsidizing what should be part of a child's education."

There were differences in the financial impact on families and in their ability to pay for services. Families with more than one child with a disability experienced additional financial and personal stress. While all families talked about some sort of sacrifice, the degree and level of hardship varied. For some, it meant delaying retirement, while for others it meant worrying about current basic needs like food and shelter. One parent reported having to choose between private education services or mental health supports because she could not afford both.

Income disparities

There were significant differences in access to private services based on family income. Low-income respondents were less likely to report receiving services for reading difficulties, such as interventions and private tutoring, outside of school. Respondents with a total income of \$150,000 or more before taxes (2018) received private services at a higher rate (88%) than families earning less than \$25,000 (52%) or families earning \$25,000 to \$35,000 (54%). However, even families with fewer financial resources felt the need to find ways to supplement their child's public school education.

Table 13: Access to private services for reading difficulties and income level

Income level (2018 and before tax)	Private services for reading difficulties	Parent paid for these services
Less than \$25,000	52%	65%
\$25,000 to \$35,000	54%	35%
\$35,000 to \$50,000	53%	73%
\$50,000 to \$75,000	71%	86%
\$75,000 to \$100,000	73%	89%
\$100,000 to 150,000	79%	88%
More than \$150,000	88%	93%

Many families (33%) with a total income that exceeded \$150,000 before taxes acknowledged that their privileged position positively affected their child's education. One parent said:

As much as it has been frustrating at times, we have had an easier time than many...I believe that this is because our education levels and income made it relatively easy for us to navigate the system, quickly decide on a course of action, and pay privately for an assessment. We were also quick to decide on private tutoring because we knew that we would be able to afford it, and that it would be more effective than anything the school could provide.

Parents also reported feeling that being White or presenting as White positively affected their child's education experience.

Survey data showed troubling trends in access to psychoeducational assessments and income levels:

- More high-income families are accessing private assessments
- More low-income families need to advocate for school assessments to receive them
- More low-income families are on waiting lists for psychoeducational assessments
- More low-income families asked the school for an assessment but did not receive one.

Table 14: Access to psychoeducational assessments and income level

Income level (2018 and before tax)	School assessment	School assessment (but had to ask school)	On the school waiting list	Asked school for assessment but did not receive one	Private assessment
Less than \$25,000	9%	19%	0%	22%	22%
\$25,000 to \$35,000	31%	19%	8%	19%	19%
\$35,000 to \$50,000	11%	18%	7%	19%	28%
\$50,000 to \$75,000	16%	16%	3%	10%	43%
\$75,000 to \$100,000	13%	13%	3%	11%	51%
\$100,000 to 150,000	10%	9%	2%	8%	62%
More than \$150,000	10%	5%	1%	7%	68%

Low-income respondents waited longer for a psychoeducational assessments. The average wait time for families with an income of less than \$25,000 per year was 20.5 months, while the average for families with an income of more than \$150,000 per year was 11.5 months. The lack of access to these assessments for lower-income families is

highly problematic – particularly if assessments help access reading interventions or other supports. Many respondents (42%) reported that a psychoeducational assessment was required for students to gain access to a school reading intervention program.

Access to effective reading interventions in the private sector, provided by adequately trained instructors, is also costly. One parent receiving social assistance explained how the cycle of poverty continues because families with low incomes do not get the help they need. While she researched reading disabilities extensively and determined the best supports for her son, she also knew that most of these supports were “unavailable if you are low-income.” Overwhelmingly, parents who could not afford necessary supports reported feeling a considerable amount of guilt.

Vulnerable groups protected by human rights legislation are more likely to experience low social and economic status or conditions.⁴⁷⁷ One parent explained the additional barriers he faced due to his low-income status as well as other intersecting identities:

I was a low-income, racialized parent in a generally White wealthy school...district and my concerns and verbal requests for testing...were never taken seriously. In retrospect, I also believe that I was at a disadvantage regarding what I suspect are [the school's] expectations for children who are struggling readers: that the families in this district can afford private testing, expensive tutors, and private school tuition. This was a suggestion that teachers and administrators made to me again and again. They made me feel badly that I could not afford a tutor, as if it was my responsibility to teach [my child] to read, not theirs.

Other survey respondents echoed this sentiment. They felt their school treated them differently because of their lower incomes, and were told to “pick [themselves] up from [their] bootstraps.” One parent noted: “With the current school system, I don't see how any child from a poor family, from a non-university educated family, from a single-parent family could possibly succeed.”

Some parents reported that the school only put accommodations or interventions in place after they hired a lawyer to advocate on their behalf. Other parents said they had to take time off work to make presentations to school boards, for their children to be admitted into special education programs.

Educator survey respondents also raised concerns about the disadvantage faced by children whose families do not have the time or money to dedicate to this type of advocacy. They noted that parents with the time and money to “exert pressure” or “fight for their child” receive interventions and supports. Many educators found that higher socioeconomic status and parent involvement are highly correlated to a student’s likelihood of receiving services. One educator said:

Parents with more wealth will do things like get a private [psychoeducational assessment] done and will advocate for their child more to get things in place for an IEP or accommodations, or specialized programming. My students...who

struggle making ends [meet], their outcomes are more negatively impacted by their [parents] having less access.

Educator respondents also reported differences between students who attend schools in affluent areas, where there is a greater access to fundraising pools to purchase technology and licenses for reading interventions. A People for Education study showed that elementary schools with low poverty rates raise twice the amount raised by schools with higher poverty rates. They noted:

This creates a double advantage for students in higher income schools – they come from families that can afford to pay for enrichment opportunities outside of school **and** they attend schools that fundraise as much as \$150,000 per year to provide enrichment at school.⁴⁷⁸

Families from high-income households still overwhelmingly reported challenges and negative experiences with the school system, but acknowledged that they were in a better position due to private access to support services and technology. Some parents even recognized other privileges. One parent said:

We are White, upper-middle class, a teacher and a child of teachers/principals. We know how the system works. We worked it as fast as possible and can afford the required supports outside of the school. It still took 2.5 years of active supports before we started to see progress. This should have started in Kindergarten.

One high-income family reported having to sell their house to afford sending their daughter to private school. Although the student was two years behind and all her subjects were modified, the school told the family that she was “not exceptional enough” to receive any reading intervention.

Mental health effects

The financial burden alone of paying for necessary supports not provided by the school can have negative mental health consequences for families. This burden was disproportionately shouldered by mothers. Some parents put their careers on hold, cut down to part-time work or quit their jobs to home-school their children, provide extra tutoring support or drive their child to appointments. Many parents described the support they provided (researching reading disabilities and instruction, and acting as tutor and advocate) as equivalent to a “full-time job.” Although, parents reported being willing to do what was necessary, they also commented that this interfered with their sense of well-being, professional fulfillment and financial resources.

Parents reported additional stressors such as navigating unfamiliar systems, lacking expertise and feeling guilty for not acting sooner. These stressors can have a negative effect on a person's mental health. One parent reported that the feeling of failure in students is also mirrored in parents: "As much as students feel like they are the failures, parents do too – that they didn't recognize the signs."

As parents learn about the critical role of effective early interventions, feelings associated with not acting sooner build. Many parents reported feelings of guilt: wondering if they had "passed on" their own reading disability to their children, worrying the critical window for intervention was missed, wishing they had pushed the school more to provide supports, not knowing what to do, not being able to afford to pay for private services, and a general sense of thinking they were not doing enough.

Parents often reported how heartbreakingly it was to see their children in pain. The experience is not only traumatic for students with reading disabilities, but also for their parents.⁴⁷⁹ Some parents reported experiencing severe and prolonged depression, anxiety, sleep disturbances and other serious mental health concerns. One parent reported:

It is starting to have an impact on my health. I do not sleep well and have now started to grind my teeth...I am doing self-care...but there is never enough time. All of my spare time is spent researching how to help him and educating the educators. It is exhausting.

Stress of navigating the school system

Families whose first language is not English face even more barriers in advocating for their children. These parents reported that schools did not inform them about available supports such as interventions. One newcomer parent talked about the additional challenges of navigating an unfamiliar school system:

I migrated to Canada as a refugee...fleeing a brutal civil war...I am grateful that my son lives in a country where he is guaranteed an education and where he has the right to achieve his full potential, something that I was denied myself as a child. At the same time, my lack of experience with a formal education system made the process of understanding the [school board's] bureaucracy, the institutional responses to [my child's] learning disability, and the need to advocate for [my child's] educational rights extremely stressful, perplexing, and frustrating. While I was in [Ontario city name], I often felt so despairing in the face [of] a system that is completely impenetrable and unresponsive. It is difficult to express just how exhausting it was to struggle for [my child's] basic rights to education with no progress.

He also explained why figuring out the school process was harder because of a foreign cultural context:

There were basic communication problems with [the school] that were based on cultural differences. I come from a culture where the most important issues are discussed orally, face-to-face, as a sign of respect, and this is how I handled the

first two years of requests about [my child's] education needs and testing. I see now how this approach was at odds with the culture in which I now live, where the most important issues are communicated in writing and produce a paper trail that holds administrators and teachers accountable and, therefore, motivates them to action. I believe this communicative dissonance and failure to take my concerns seriously contributed to the delays in testing and an inappropriate placement.

A study of the achievement gap for Afghan boys in Toronto also speaks about these challenges for newcomer and refugee parents. In that study, many parents felt frustrated about their communication with schools, most often citing the lack of interpreters or lack of materials in their home languages as significant barriers.⁴⁸⁰

One parent of adopted children talked about the unique needs of children who experience developmental trauma and grief stemming from the loss of their family.

The inquiry also heard from the Thunder Bay Children's Aid Society (CAS) about the unique challenges of children in care. These children were still living with their biological families (not in foster care), but their families were receiving services from CAS. The CAS reported that parental struggles like mental health and addiction, poverty and partner violence are among the reasons why the CAS becomes involved. These children faced barriers to learning such as early childhood adversity, including the impacts of intergenerational trauma and poverty. A representative said:

Frequently the families that we work with aren't aware of the programs, services and assessments the school can offer...Often the families we service feel powerless in these types of meetings due to the adversities they themselves have experienced.

Families with low incomes and/or single-parent families may also have less time to be involved in their child's education, because they may have less flexibility in their work and are struggling to provide basic necessities for their child. Sometimes they may not be able to attend school meetings to discuss their child's needs.

Many single-parent families, overwhelmingly mothers, reported additional challenges. These included being taken less seriously by the school. Many single mothers reported feeling dismissed by the school because they did not have a male partner. One respondent asked: "Would they be as dismissive and bully me if I had a husband with me?" Another respondent said she "was generally bulldozed until I brought a man or professional advocate with me to meetings."

One single mother with a learning disability dropped out of high school but eventually completed a Master's degree. She talked about how her struggle gave her strength, knowledge and understanding of the challenges ahead. She felt that these qualities

gave her the ability to advocate and support her daughter. Many parents do not have the experiences or know-how to be effective advocates in a complex and sometimes unwelcoming education system.

Even when parents had financial flexibility, were well-educated, lived in large urban centres and worked in professions that gave them “insider” knowledge (such as teachers, speech-language pathologists, advocates), they still reported that they struggled to navigate the system and felt overwhelmed. Many parents who were also teachers reported not knowing how to teach students with reading difficulties until they had a child with a reading disability. Their reports provide telling insight into the lack of knowledge of effective reading instruction and interventions in the public school system.

Rural families

Families that lived in more rural and remote areas also reported extra challenges in accessing supports. If supports were available, they came at an increased financial cost and increased travelling time, which was sometimes prohibitive. Many families talked about the lack of evidence-based programs, tutoring or supports even outside the school system, in smaller or more remote cities. For some families, particularly in Northern Ontario, services were a two-hour drive away or only accessible by flight. The inquiry also heard that some parents had to go out of Ontario or out of Canada to access psychoeducational assessments, programs or tutoring.

Many educator respondents commented on the disparity in services in rural compared to urban schools. One educator noted that “rural/small schools can be particularly impacted by strained resources, limited personnel and the impact of poverty and deprivation.”

Franco-Ontarian families

Franco-Ontarians faced additional barriers in trying to access supports in French both inside and outside of school. Many noted that the combination of being Francophone and living in rural areas prevented them from accessing many supports. However, even families living in cities reported having to leave the city to access assessments, programs and tutoring in French. One parent explained the impact of the lack of supports in French for students with reading difficulties:

En Ontario, nous avons le droit à l'enseignement en français par contre lors de trouble d'apprentissage, il y a très peu de ressources ou programmes disponibles pour le personnel enseignants et les élèves. C'est en partie pour cette raison que nous avons retiré notre enfant du système scolaire francophone.

[In Ontario, we have the right to be taught in French. However, there are very few resources or programs available for teachers and students with learning disabilities. This is part of the reason why we removed our child from the French school system.]

Francophone rights-holders have a constitutional right to education services that are substantively equivalent to those of the English-language majority.⁴⁸¹ If interventions are not available in French, this raises concerns about fulfilling the purpose of this *Charter* right – to protect against assimilation.⁴⁸²

Family relationships

Family dynamics are affected by students' experiences of learning struggles, failing to learn how to read, and navigating what feels like an unsupportive school system. Parents talked about strained parent-child, parent-sibling and parent-parent relationships.

The day-to-day experience of parents supporting their children with reading difficulties can be very stressful. Parents reported spending a lot of time trying to get their children out of bed in the morning, which was particularly challenging when their child was dealing with school avoidance and mental health issues.

Evenings were equally stressful. Students and parents felt exhausted after stressful school and workdays. Many parents reported that homework took most of the evening and resulted in “tears,” “outbursts,” “exasperation” and “frustration” from both children and parents.

Some parents tutored their children because they could not afford to pay for a private program, or because they lived in a more rural area. Parents felt they had to assume the tutor or teacher role rather than just being allowed to focus on being a parent, and there was little time or energy left for down time. Parents reported that these experiences had a significant negative impact on the parent-child relationship. One parent said she felt like she spent more time tutoring her children than playing with them. Another parent said:

That's a huge struggle because I want to spend my nights with him, enjoying him, but he fights me every night to read and do the program that I feel is best for him. So I don't get to have those joyous nights as often because I'm constantly in a battle and it's hard.

Sometimes parents made the difficult decision to separate the family so the student could receive the support they were not receiving at their school. This meant either sending the student to a year-long residential school program, a summer course elsewhere in the province, or enrolling the student in a school abroad (U.S. and U.K.). Parents felt that this helped academic progress and mental health but negatively affected family relationships.

Parents reported negative impacts on siblings and used words such as “animosity,” “friction,” “tension” and “jealousy” to describe the relationship between siblings and the affected child. Parents often felt guilty because they put the needs of other siblings “on hold” to invest time, money and energy supporting and advocating for their child with a reading difficulty. Parents took extra time to provide one-on-one homework help,

research the science of reading, drive their child for reading interventions outside of school and to counselling appointments, and attend meetings at the school. Parents reported not having enough time or money to spend on other siblings' academic studies, well-being, extra-curricular activities or sports, or on celebrating achievements.

Parents also reported the strain on their marriages or relationships with their partners. Some parents separated from or divorced their partners because of the stresses related to their child's reading difficulty. Other parents reported that their marriages suffered because of arguments over decisions about how to best support their children. One parent reported:

As a family, my older son gets only a fraction of the attention [my other child] gets as I am now responsible for teaching my child to read and write...My marriage is crumbling. My career has been put on hold. This has been devastating to put it simply. I don't care about the loss of wages, the trips we can't take, the things we can't buy – all I want is my child to have the same opportunities as others and the possibility of a bright future.

Students and parents are losing faith in the current education system. They feel overwhelmed and unsupported. Students and parents often used the word "struggle" to describe school experiences. Although the impact of failing to teach students to read affects society, students and parents feel they carry the burden of addressing the issue. However, as one survey respondent stated, "No child should be left alone to carry their burden of shame. This is a burden for all of us to share."

The recommendations in the following sections will help all students learn to read, and will help to reduce the negative consequences experienced by students, their families and society.

A close-up photograph of a young boy with dark hair, wearing a blue polo shirt. He is smiling broadly, showing his teeth. He is holding a black pen in his right hand, which is resting on a white worksheet with some handwritten text. In the background, another person's head and shoulders are visible, though blurred. A large, semi-transparent dark blue hexagon is positioned behind the boy's head, partially obscuring the background.

7. First nations, Métis and Inuit experiences

7. First Nations, Métis and Inuit experiences

Introduction

As of 2018, Ontario estimated there are 64,000 First Nations, Métis and Inuit students in provincially funded schools across the province.⁴⁸³ These students attending provincially funded schools⁴⁸⁴ have the right to read under the Ontario *Human Rights Code* as well as education rights that flow from their inherent Indigenous rights, Treaties, the Canadian Constitution and *Charter of Rights and Freedoms* and international law.⁴⁸⁵ For example, the *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) emphasizes that Canada (including the provinces) has a responsibility to make sure Indigenous children have the right to all levels and forms of State education without discrimination, and access, when possible, to an education in their own culture and in their own language (Article 21). Article 22 affirms that particular attention must be paid to the rights and special needs of Indigenous children and persons with disabilities.

The term Indigenous is also used to collectively describe First Nations, Métis and Inuit. However, using First Nations, Métis and Inuit better recognizes that there are distinct groups of Indigenous peoples in Ontario who have their own political organizations, urban agencies, economies, histories, cultures, languages, spiritual beliefs and territories. There are also distinctions within these groups (for example, there are many distinct First Nations communities in Ontario). Although a distinctions-based approach is better, sometimes this report uses “Indigenous” to identify experiences that may be held in common by First Nations, Inuit and Métis peoples. This is consistent with the approach used in other inquiries, such as the National Inquiry into Missing and Murdered Indigenous Women and Girls.⁴⁸⁶

Legal decisions have affirmed that First Nations children are entitled to at least the same level of services as non-First Nations children, whether they live on- or off-reserve. Extra measures may be necessary and legally required to overcome the historic disadvantage and unique challenges First Nations, Métis and Inuit children face.⁴⁸⁷

Despite this, First Nations, Métis and Inuit students are behind other students when it comes to the right to read. Data shows that First Nations, Métis and Inuit persons are showing poorer literacy skills and educational achievement compared to other people. The inquiry gathered information on the unique and compounded forms of disadvantage that contribute to this achievement gap. Particular attention needs to be paid to the intersectional needs of First Nations, Métis and Inuit students with special needs to meet their substantive equality rights, treaty rights and their rights under international law.

The discussion below focuses on the right to read in English and/or French. However, it is important to note that there are many First Nations, Métis and Inuit languages in Ontario.⁴⁸⁸ These languages are fundamental to the identities, cultures, spirituality, relationships to the land, world views and self-determination of First Nations, Inuit and Métis peoples.⁴⁸⁹

Colonial and assimilation policies in Canada targeted First Nations, Métis and Inuit languages. For example, children in residential schools were often forbidden to speak their languages, severely punished for speaking them, and made to learn English or French.⁴⁹⁰ This had a multigenerational impact, as residential school survivors were not able to pass their languages on to their children.⁴⁹¹ As a result, generations of First Nations, Inuit and Métis peoples have lost access to their ancestral languages. Several Calls to Action by the Truth and Reconciliation Commission of Canada (TRC) relate to promoting Indigenous languages, including in education.⁴⁹²

Under section 35 of the *Constitution Act*,⁴⁹³ “Aboriginal” rights include Indigenous language rights.⁴⁹⁴ Although Indigenous language rights are beyond the scope of this report, the OHRC acknowledges and supports the central importance of preserving, revitalizing and strengthening Indigenous languages, alongside achieving the right to read in English and/or French.⁴⁹⁵

The OHRC also acknowledges that First Nations, Métis and Inuit communities must be full participants in decision-making about their own education (for example, when developing programs to support First Nations, Métis and Inuit students in provincially funded schools) or education about them (for example, when integrating First Nations, Métis and Inuit history and perspectives into provincial curriculum). This report’s recommendations about First Nations, Métis and Inuit students must be implemented in partnership with First Nations, Métis and Inuit governments, communities and organizations.

Context for understanding First Nations, Métis and Inuit students’ right to read

Warning: This section deals with topics that may cause trauma to some readers. It includes references to mistreatment of First Nations, Inuit and Métis peoples, physical and sexual abuse of children, racial and sexual violence, self-harm and suicide. Please engage in self-care as you read this material. There are many resources available if you need additional support, including on the OHRC [website](#).

Colonialism, racism and assimilationist policies

The starting point for any consideration of First Nations, Métis and Inuit students' right to read is the broader context of the treatment of Indigenous peoples in Canada. *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* recently summarized this:

Canada is a settler colonial country. European nations, followed by the new government of “Canada,” imposed its own laws, institutions, and cultures on Indigenous Peoples while occupying their lands. Racist colonial attitudes justified Canada’s policies of assimilation, which sought to eliminate First Nations, Inuit, and Métis Peoples as distinct Peoples and communities.⁴⁹⁶

Many of Canada's assimilationist policies and structures were targeted to First Nations, Métis and Inuit children and families. Two significant examples are residential schools and the “Sixties Scoop.”

An estimated 150,000 First Nations, Métis and Inuit children attended residential schools from the 17th century until the late 1990s. Children were forcibly removed from their homes, taken to residential schools that were often far from their communities,⁴⁹⁷ and prevented from leaving.⁴⁹⁸ They were subjected to harsh discipline; malnutrition and starvation; poor health care; physical, emotional and sexual abuse; neglect; and their languages and cultures were deliberately suppressed. Thousands of children died while attending residential schools, and the burial sites of many children remain unknown.⁴⁹⁹ In 2021, many unmarked graves were found at former residential school sites,⁵⁰⁰ providing further evidence of the violence and loss of life in residential schools.

The residential school system “was an integral part of a conscious policy of cultural genocide.”⁵⁰¹ Its real goal was not to provide an education:

The residential school system failed as an education system. It was based on racist assumptions about the intellectual and cultural inferiority of Aboriginal people – the belief that Aboriginal children were incapable of attaining anything more than a rudimentary elementary-level or vocational education. Consequently, for most of the system’s history, the majority of students never progressed beyond elementary school. The government and church officials who operated the residential schools ignored the positive emphasis that the Treaties and many Aboriginal families placed on education. Instead, they created dangerous and frightening institutions that provided little learning.⁵⁰²

Between 1890 and 1950, an estimated 60% of residential school students failed to advance beyond Grade 3. In addition to the other harms caused, residential schools’ failure to provide an adequate education has contributed to a legacy of poverty, lower education levels, and ongoing social and economic marginalization for Indigenous peoples.⁵⁰³

Some Métis children attended residential schools.⁵⁰⁴ However, the federal government thought the provinces and territories should be responsible for educating and assimilating Métis people. Provincial and territorial governments did not make sure there were schools in Métis communities, or Métis children were admitted into the public school system.⁵⁰⁵ For a period of time, Métis children were not allowed in federal residential schools or provincial day schools and received no schooling.⁵⁰⁶ When they did attend provincial schools, they were often unwelcome and experienced stigma and racism.⁵⁰⁷ After the 1950s, many Métis children attended residential schools operated by provincial governments in northern and remote areas. The TRC report noted: “There is no denying that the harm done to the children, their parents, and the Métis community was substantial.”⁵⁰⁸

The TRC report discusses some of the unique elements of residential schooling in northern Canada. Residential schools in the north were established much later than in the south. Inuit students began entering residential schools in the 1950s. The schools contributed to the rapid transformation of traditional, land-based lifestyles and economies in the region.⁵⁰⁹

The more recent history of residential schools in the north means there are many living Survivors today. The TRC report noted that the impacts of these schools is particularly strongly felt in the north and among Inuit:

Inuit students face one of the largest gaps in terms of educational attainment. A disproportionately high number of northern parents are residential school Survivors or intergenerational Survivors and that Inuit students face one of the largest gaps in educational attainment.⁵¹⁰

Although there were some differences in the northern experience, much of the harm done to Inuit students, families and communities is the same as suffered by other Indigenous peoples in other parts of the country:

While the northern experience was unique in some ways, the broader themes remain constant. Children were taken from their parents, often with little in the way of consultation or consent. They were educated in an alien language and setting. They lived in institutions that were underfunded and understaffed, and were prey to harsh discipline, disease and abuse.⁵¹¹

In addition to disrupting the intergenerational transmission of values and skills, northern schools did not provide students with the skills needed for employment.⁵¹²

The residential school system and the racist assimilationist policies it embodied fed into another systematic targeting of First Nations, Métis and Inuit children and families: the “Sixties Scoop.” Starting in the 1950s, child welfare authorities removed children from their families and communities in great numbers. Children were sent to be fostered or placed for adoption in mostly non-Indigenous families all over Canada, the United States and even abroad.⁵¹³ As residential schools began to close, increasing numbers of Indigenous children were taken into care by child welfare agencies. By the late

1970s, Indigenous children accounted for 44% of the children in care in Alberta, 51% in Saskatchewan, and 60% of the children in care in Manitoba.⁵¹⁴ The significant over-representation of First Nations, Métis and Inuit children in child welfare continues in Ontario today. Despite being only 4.1% of the population in Ontario under age 15, First Nations, Métis and Inuit children represent approximately 30% of children in foster care.⁵¹⁵

These are just two examples of centuries of colonialist policies and practices aimed at undermining cultural identity and assimilating First Nations, Inuit and Métis peoples.⁵¹⁶ In recent years, the Government of Canada has publicly apologized for these policies.⁵¹⁷ Most recently, in response to the discovery of children's remains at a residential school in Kamloops, Canada acknowledged:

The mistreatment of Indigenous children is a tragic and shameful part of Canada's history. Residential schools were part of a colonial policy that removed Indigenous children from their communities. Thousands of children were sent to these schools and never returned to their families. The families were often provided with little to no information on the circumstances of their loved one's death nor the location of their burial. Children in residential schools were forbidden to speak their language and practice their own culture. The loss of children who attended residential schools is unthinkable and Canada remains resolved to supporting families, Survivors and communities and to memorializing those lost innocent souls.⁵¹⁸

Ongoing oppression, racism and disadvantage

Current conditions for First Nations, Inuit and Métis peoples are a direct consequence of this history. Today, First Nations, Inuit and Métis peoples in Canada experience multiple negative social and economic disadvantages. Although the experience of individuals and communities varies, these disadvantages include low levels of education, high levels of unemployment, disproportionate involvement in the criminal justice system, extreme levels of poverty, inadequate housing, and physical and mental health disparities.⁵¹⁹

First Nations, Inuit and Métis peoples continue to face high levels of systemic discrimination as well as individual acts of racism.⁵²⁰ A Coroner's inquest examining the deaths of Reggie Bushie, Jethro Anderson, Jordan Wabasse, Kyle Morrisseau, Curran Strang, Paul Panacheese and Robyn Harper, seven youth from the Nishnawbe Aski Nation (NAN) who died when attending a First Nations high school in Thunder Bay (the Seven Youth inquest), heard evidence of pervasive racism experienced by First Nations youth:

Racism is often directed against First Nations people when they are off-reserve. Many witnesses spoke of experiences like being called a "stupid savage" or told "Indians go home." As one witness put it, "They treat me like something, not someone." Dennis Franklin Cromarty High School students report that they

routinely experience verbal abuse and objects thrown at them as they walk on city streets. Serious violence, including assault and murder, are known to have occurred.⁵²¹

First Nations, Inuit and Métis peoples are both disproportionately victimized and imprisoned.⁵²² The National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) found that the violence First Nations, Inuit and Métis people, particularly women, girls and 2SLGBTQQIA⁵²³ people, have experienced amounts to a race-based genocide of Indigenous peoples.⁵²⁴

First Nations, Inuit and Métis peoples experience higher rates of mental illness, major depression, Fetal Alcohol Spectrum Disorder (FASD), prescription and illegal drug use, alcoholism and gambling addiction. Indigenous Friendship Centres have reported that undiagnosed mental health issues such as depression, anxiety, FASD and attention deficit disorder have been increasing within urban Indigenous communities in Ontario.⁵²⁵ The COVID-19 pandemic has worsened pre-existing mental health disparities between Indigenous peoples and others.⁵²⁶

Suicide rates are higher among First Nations, Inuit and Métis peoples than among other people, although they differ by community, Indigenous group, age and sex.⁵²⁷ Rates among youth in some NAN communities in northern Ontario are among the highest in the world.⁵²⁸ These deaths by suicide deeply affect family, friends, peers and Indigenous communities at large. The impact can be especially severe when the deceased is a young person and in smaller communities where many people are related.⁵²⁹

Due to intergenerational trauma, social isolation, poverty and food insecurity, as well as inadequate health and community services, First Nations, Métis and Inuit children experience high levels of childhood adversity such as abuse, neglect⁵³⁰ and household substance abuse.⁵³¹ As discussed below, these conditions compound other vulnerabilities. This has implications for students' instructional needs related to their right to learn to read.

The experience and effect of trauma

The trauma⁵³² caused by residential schools, the child welfare system and other experiences of oppression and discrimination, both past and present, has affected generations of First Nations, Inuit and Métis peoples. One study on the historical, multigenerational and intergenerational trauma experienced by Indigenous peoples explains:

Over an extended period of time, the effects of this trauma can reverberate throughout an entire population, resulting in a legacy of physical, psychological, and economic disparities that persist across generations...Not only are individuals and families affected, but their communities are affected as well...⁵³³

Dr. Amy Bombay, a researcher who is Ojibway (Rainy River First Nation), has studied how trauma is transmitted across generations and the enduring effects of residential schools and other trauma on Indigenous health. Chronic exposure to trauma results in individual effects such as anxiety, depression, addiction (as a coping mechanism), low self-esteem, anger, self-destructive behaviours, and high rates of death by suicide.⁵³⁴ It also affects families and communities including by contributing to a breakdown of family and social structures and relationships. Trauma becomes cyclical and cumulative with new stressors and traumas building on previously existing trauma.⁵³⁵

Colonial systems and institutions such as residential schools broke cultural and familial ties, so current institutional systems that ignore the importance of culture and family for First Nations, Inuit and Métis peoples can perpetuate, rather than alleviate, intergenerational trauma.⁵³⁶

Under-resourcing of federally funded First Nations schools

In Ontario, Métis and Inuit students generally attend provincially funded schools. First Nations students may attend First Nations schools on reserve or provincially funded schools. Approximately 14,000 First Nations students attend First Nations schools in Ontario.⁵³⁷

First Nations schools on reserve receive their funding from the federal government. Historically they have been chronically under-funded and under-resourced.⁵³⁸ The federal government's investment in a student in a First Nations school has been significantly less than the provincial government's investment in a student in a provincially funded school. Comparing per-pupil funding is challenging, because funding formulas are complex, and allocations to provincial boards can vary based on the needs of the board.⁵³⁹ However, some past estimates for Ontario suggest that First Nations schools received less than half the funding per student than small, rural, provincially funded schools that have high-needs students.⁵⁴⁰ This discrepancy is magnified because First Nations schools often have greater educational challenges. Relative to the provincially funded schools being used as comparators, the schools on reserve often have fewer students, are more remote, confront much worse socioeconomic conditions and have a particular language and culture.⁵⁴¹

In addition to per pupil funding differences, First Nations schools historically received no money for things students in provincially funded schools take for granted like libraries, technology, extra-curricular activities and school board services. Also, First Nations schools received no funding for language and culture activities.⁵⁴²

Underfunding of special education and related services has been a particular issue in First Nations schools. First Nations schools have received less funding than provincially funded school boards to meet the special education needs of First Nations students. Specialist services such as speech language therapy are often unavailable or very

expensive.⁵⁴³ For First Nations students living in remote northern areas, underfunding of services intersects with inaccessibility, since barriers to a variety of health and community services are a chronic problem.

In 2009, the Mississaugas of the Credit First Nation filed a human rights challenge with the Canadian Human Rights Commission alleging unequal and inadequate special education services for First Nations communities. The challenge led to the 2017 First Nations Special Education Review Report,⁵⁴⁴ the product of in-depth and collaborative work by First Nations educators and administrators from across the province.

This report showed that particular attention needs to be paid to the intersectional needs of First Nations students with special needs, and made recommendations to Ontario and Canada. The recommendations were incorporated into a Chiefs of Ontario position paper⁵⁴⁵ and received the full support of Ontario First Nations leaders at the Chiefs of Ontario's 2017 All Ontario Chiefs Conference. In Resolution 38/17, the Ontario Chiefs in Assembly declared that they "fully support and accept the recommendations."⁵⁴⁶

The First Nations Special Education Review Report described serious inequities in First Nations special education. These include underfunding; lack of access to special education staff and specialists; lack of comprehensive early childhood education programs; and inadequate facilities, among others. It noted the unique needs and costs in northern and isolated First Nations, and the need for additional funding to address those challenges.⁵⁴⁷

Underfunding and remoteness have also made it hard for First Nations schools to attract and retain qualified teachers and support staff. Teachers at First Nations schools are paid less than their provincially funded school counterparts, work in more challenging conditions (for example, in schools that are in disrepair), have little or no opportunities for professional development, and may have limited access to housing.⁵⁴⁸ This has a negative impact on the quality of education in First Nations schools.

In 2019, the federal government and Assembly of First Nations (AFN) announced a new co-developed approach to funding First Nations schools.⁵⁴⁹ The goal of the new approach is to make sure on-reserve schools have access to more predictable and sustainable funding based on real needs and real costs.⁵⁵⁰ The OHRC hopes this new approach will help address some of the issues affecting First Nations schools that have persisted for years. In the meantime, many First Nations students who start off attending First Nations schools face many challenges entering the provincially funded school system. They may be many years behind in their education, including with their reading.

First Nations schools in Ontario often follow the provincial curriculum. Their teachers receive the same training as all other teachers who complete a teacher education program in an Ontario faculty of education. Therefore, this report's recommendations on Ontario's curriculum and teacher preparation are relevant to and will directly affect reading instruction in First Nations schools.

Efforts to promote First Nations, Métis and Inuit children's substantive equality

In recent years, there is a growing recognition that to have substantive equality, First Nations, Métis and Inuit children must have timely access to the same level of services other children receive. They may also need extra measures to address their unique needs.

First Nations children can seek access to products, services and supports they need through federal Jordan's Principle funding, and Inuit children through the federal Inuit Child First Initiative. The Métis Nation of Ontario (MNO) is a Métis-specific governance structure in Ontario that supports its Métis citizens. In recent years, the MNO launched an Education Support Advocacy program in Ontario schools to help its citizens navigate the public education system and connect with services such as tutoring supports, psychological assessments and speech-language therapists.

It is not clear if school boards know about these supports for First Nations, Métis and Inuit students, or whether they are proactively identifying situations where they could be accessed.

Jordan's Principle

Jordan's Principle is a legally binding child-first principle that any public service ordinarily available to all other children must be made available to First Nations children without delay or denial. It is named in memory of Jordan River Anderson, a First Nations child from Norway House Cree Nation in Manitoba. Jordan had complex medical needs and spent more than two years in hospital unnecessarily because the Province of Manitoba and the federal government could not agree on who should pay for at home care. Jordan died in the hospital at the age of five without ever having spent a day in his family home.

Jordan's Principle is a child-focused legal principle that confirms First Nations children should not experience gaps in levels of service, including in education, due to jurisdictional or funding disputes between the provincial and federal governments or among government departments. It aims to ensure substantive equality for First Nations children, by making sure they can access all public services in a way that reflects their distinct cultural needs and takes full account of historical disadvantage linked to colonization. The goal of the principle is to ensure that children do not experience any service denials, delays or disruptions because they are First Nations.

Jordan's Principle can be used to access services to support students, such as early childhood services, speech therapy, professional assessments (including speech language and psychoeducational assessments), mental health services, assistive technology and tutoring. First Nations children meeting any one of the following criteria are eligible for consideration under Jordan's Principle:

1. A child resident on or off reserve who is registered or eligible to be registered under the *Indian Act*

2. A child resident on or off reserve who has one parent/guardian who is registered or eligible to be registered under the *Indian Act*
3. A child resident on or off reserve who is recognized by their Nation for the purposes of Jordan's Principle
4. A child who is ordinarily resident on reserve.⁵⁵¹

The inquiry heard examples of First Nations students with learning disabilities receiving services such as assessments through the Jordan's Principle process. The process for applying for Jordan's Principle funding is set out in handbooks and resource guides.⁵⁵²

Inuit Child First Initiative

The Inuit Child First Initiative is administered by the federal government.⁵⁵³ It is similar to Jordan's Principle as its goal is to address the needs of Inuit children based on principles of substantive equality, cultural appropriateness and the best interests of the child.⁵⁵⁴ The types of health, social and educational supports that can be funded include:

- Cultural services from Elders
- Mental health counseling
- Assessments and screenings
- Therapeutic services (speech therapy, occupational therapy)
- Tutoring services
- Educational assistants
- Specialized school transportation
- Professional assessments
- Assistive technologies and electronics.

To be eligible, Inuit children must be recognized by an Inuit land claim organization in Canada and must be under age 18.⁵⁵⁵

Métis Nation of Ontario Education Support Advocacy program

Due to a long-identified gap in school supports that negatively affects Métis students' success in school, the MNO launched an Education Support Advocacy (ESA) program in Ontario schools to help its citizens navigate the public education system and connect with services such as tutoring supports, psychological assessments, speech-language therapists and other services. The program has been so successful it has been expanded and there is now an Early Learning ESA program with a focus on early childhood and early intervention.

Impact on the ability to learn to read

Whether a First Nations, Métis and Inuit student has a disability or not, the context described above has a significant impact on their experience of learning to read. First Nations, Métis and Inuit students who also have reading difficulties are further disadvantaged. They have also been significantly affected by the COVID-19 pandemic.⁵⁵⁶

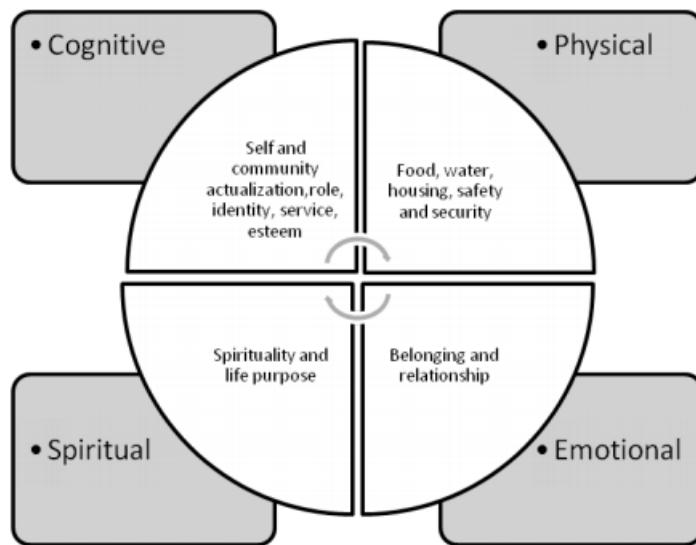
Students are unlikely to be able to achieve their full educational potential when their needs are not being met. Abraham Maslow's Hierarchy of Needs is a theory that has implications in education. It suggests that students' learning will be compromised if their following fundamental human needs are not being met:

1. Physiological needs: food, water, sleep, clothing and warmth
2. Need for safety: feeling safe and secure at home and in school
3. Need for belongingness and love: family, friendships, belonging, inclusion
4. Esteem needs: self-esteem, confidence, achievement, respect by others
5. Self-actualization: achieving one's full potential.

Within Maslow's theory, needs are hierarchical and some needs are more foundational than others. Maslow described physiological needs and the need for safety as the most basic and important. A student cannot reach their full potential – at the top of the pyramid – when basic needs are not being met.

Maslow's theory was informed by the time he spent with the Siksika (Blackfoot) Nation in Alberta.⁵⁵⁷ Maslow's theory has been re-framed to better reflect Indigenous relational world views by Native American child welfare expert Terry Cross. Reinterpreting human needs through Indigenous eyes incorporates greater interconnectedness between individual needs and family, community, society and the world.⁵⁵⁸

The Medicine Wheel symbol is used to represent the teachings and beliefs of many First Nations peoples.⁵⁵⁹ Traditional medicine wheels (sacred circles) are thousands of years old and were often depicted using stones set out in the form of a wheel. Although the beliefs underlying the Medicine Wheel are widely held among First Nations, the representation and recognition of those beliefs varies.⁵⁶⁰ Some Métis and Inuit may also identify with the Medicine Wheel.⁵⁶¹ The model below uses the First Nations Medicine Wheel diagram to show the interconnectedness of needs, which must come into balance for optimal well-being.⁵⁶²

Figure 1

The historic and ongoing disadvantage First Nations, Inuit and Métis peoples experience means that students are more likely to:

- Live in poverty
- Experience food insecurity
- Lack access to clean drinking water⁵⁶³
- Live in substandard, overcrowded housing conditions
- Be at greater risk for abuse and neglect
- Have experienced trauma
- Have experienced racism
- Have experienced or witnessed violence or death of a family or community member
- Lack a sense of belonging in school
- Experience eroded cultural identity and spiritual disconnection.

When any or several of these factors are present, it can have a negative effect on a First Nations, Métis or Inuit student's education, including their experience in learning to read.

A Statistics Canada report⁵⁶⁴ looked at factors that are associated with lower perceived school achievement among off-reserve First Nations children. It found several factors have a negative impact on achievement:

- School attendance, specifically having missed school for two or more weeks in a row during the school year
- Having a learning disability or ADHD
- Having parents who attended residential schools.

Conversely, among off-reserve First Nations children, these factors were associated with relatively higher perceived achievement at school:

- Having good relationships with teachers, or with friends and classmates
- Having parents who were satisfied with school practices (such as when the school provides information on the child's academic progress, attendance and behaviour)
- Reading books every day
- Playing sports at least once a week, or taking part in art or music activities at least once a week
- Living in a family in the highest household income quintile (the top 20%).

Many of these findings are consistent with what we heard in the inquiry. In our student/parent survey, we asked respondents whether the student's Indigenous ancestry had a positive, negative or no impact on their experience in school related to their reading disability. For First Nations students, 18% of respondents reported a positive or somewhat positive impact, 33% reported no impact and 45% said it had a somewhat negative or negative impact.⁵⁶⁵ For Métis students, 25% said their ancestry had a positive impact, 60% said it had no impact, and 10% said it had a negative impact. There were no responses about Inuit students.

Table 15: Impact of Indigenous ancestry on the student's school experience related to their reading disability⁵⁶⁶

	Total	First Nations	Métis
Positive	13%	11%	15%
Somewhat positive	9%	7%	10%
No impact	43%	33%	60%
Somewhat negative impact	13%	15%	10%
Negative	17%	30%	0%
Unknown	2%	0%	5%
Not applicable	2%	4%	0%

Impact of residential schools

Having parents or guardians who attended residential schools is associated with lower success at school. All other factors being equal, First Nations children from these families were less likely to be doing "very well" or "well" at school compared to First Nations children whose parents/guardians had not attended residential schools.⁵⁶⁷ The impact of residential schools came up often in our First Nations, Métis and Inuit engagements. For example, one First Nations person said: "Residential schooling is still fresh in our memory. That is a consideration that needs to come up in your inquiry."

The OHRC heard that low levels of education and low literacy are a challenge for some First Nations, Métis and Inuit parents and grandparents:⁵⁶⁸

I really don't know how to write. I asked a teacher to help me in Grade 5 but no one was there to help me. So I tried to help myself. I still don't know how to write. It was really hard, especially after having my kids. I couldn't help them.

Impact of trauma

School board representatives and First Nations, Métis and Inuit participants told the inquiry that intergenerational trauma or trauma related to a death or tragedy in the family or community can affect student learning. First Nations, Métis and Inuit participants noted that schools are not well equipped to use trauma-informed teaching strategies, particularly for Indigenous trauma, and students with trauma and other mental health issues “get passed over” without ever receiving effective assessment, teaching or supports. They can be two to three grades behind their peers.

A First Nations adult with a learning disability stressed the importance of trauma-informed schools for First Nations, Métis and Inuit students, especially students with learning disabilities. He talked about how the experience of trauma is shaped by intersections between Indigenous identity and disability. He described the trauma he experienced as an Indigenous person being compounded by the trauma of being singled out in front of the class: “Teachers should be trauma-informed” so they know not to engage in traumatic practices “like when an Indigenous kid who can’t read is asked to read at the front of the class and the rest of the class starts laughing.”

One of the inquiry school boards with a very high First Nations, Métis and Inuit student population, Keewatin-Patricia, has recently announced it is moving towards becoming a trauma-informed board. Alberta is also promoting trauma-informed practices in its schools.⁵⁶⁹

First Nations, Métis and Inuit students who are in foster care face their own unique challenges in school. For example, the inquiry heard that they have additional issues with school attendance. This may be due to having to relocate often, and deal with bureaucracies with different enrollment and registration eligibility for services. There is also a lack of comprehensive system-wide resources to support them.

Impact of poverty

Poverty and social disadvantage affect school readiness and performance. Poverty undermines the ability of families and children to engage in at-home learning, due to lack of access to books, technology and other resources and supports. One inquiry school board described poverty as one of the biggest barriers to learning for all students, but noted that poverty is deeper and more prevalent among the board’s First Nations families. The board noted that students who experience poverty are often at a

disadvantage before they even start school: “When students are living in intergenerational poverty, the environment they are in, through no fault of anything other than poverty, does not have components necessary for pre-school.”

An organization that serves urban Inuit described housing and food insecurity as significant issues affecting Inuit students.

School attendance

Irregular school attendance is a significant barrier to Indigenous student achievement⁵⁷⁰ and is caused by many of the systemic issues identified in this report. Both parents and educators told the inquiry that some First Nations, Métis and Inuit children miss school for several reasons often related to historical disadvantage, current systemic barriers and discrimination, as well as the other reasons children may miss school.

The legacy of residential schools as well as current negative experiences with racism and marginalization in the education system have resulted in mistrust and anxiety.⁵⁷¹ One First Nations participant at an Indigenous engagement said: “Thunder Bay has an attendance problem. Our people do not trust schools.”

Representatives from an inquiry school board also noted that mistrust affects school engagement: “There is a trust issue with Indigenous children and families due to the residential school system as, historically, their trust has been abused.”

First Nations, Inuit and Métis peoples’ experiences with child welfare can intersect with poverty to also have a negative impact on school attendance. The OHRC heard that parents who live in poverty and struggle with food insecurity may not send their children to school if they cannot afford food, fearing that school authorities may view this as parental neglect and alert child welfare authorities.

Intersectional effects of being First Nations, Métis and Inuit and having a learning disability

Significantly for the inquiry, another factor that has been found to have an impact on Indigenous student achievement is being diagnosed with a learning disability:

Having been diagnosed with a learning disability or with attention deficit disorder was also associated with lower success at school. All other factors being equal, the odds of doing “very well” or “well” at school for off-reserve First Nations children who had been diagnosed with a learning disability were half (0.5) the odds for children who had not. As well, the odds of doing “very well” or “well” for children who had been diagnosed with attention deficit disorder were about half (0.6) the odds for children who had not.⁵⁷²

Disabilities such as reading disabilities can magnify the unique challenges First Nations, Métis and Inuit students face. For example, the MNO told the inquiry: “Individuals with learning/reading disabilities are marginalized. When they are Métis as well, they are a marginalized group within a marginalized group, which makes their needs even more complex.”

There are longstanding harmful stereotypes of First Nations, Inuit and Métis persons having inferior intelligence and ability to learn. These have serious negative implications for how educators perceive and interact with First Nations, Métis and Inuit students, and the students’ own sense of self-worth. There are also stereotypes about students with learning disabilities being less intelligent or being lazy. One survey respondent described the intersectional effect of stereotypes about First Nations peoples with learning disabilities:

It also appears to us that it is assumed he is not trying hard enough and he just needs to put in more effort – when he has a diagnosed learning disability – and it is hard not to think this does somehow relate to deep rooted stereotypes and perceptions regarding First Nations peoples.

The inquiry heard that Métis students are often discouraged from academic achievement, which affects their engagement with school. When they also have a disability, their needs go unnoticed and they “fall through the cracks” or are pushed ahead even though they are not achieving at grade level.

The inquiry heard that many of the challenges all students and families with reading difficulties face are amplified for First Nations, Métis and Inuit families:

- Navigating the education system is complex and difficult
- As in-school supports for students with disabilities tend to be limited, it puts the onus on parents to work with their children at home. This may be more challenging for First Nations, Métis and Inuit parents due to an intergenerational lack of literacy or reluctance towards the traditional school system
- The parents may themselves have learning disabilities that were never identified or supported
- First Nations, Métis and Inuit parents may have greater challenges supporting assistive technology accommodations.

As well, First Nations, Métis and Inuit students may face barriers accessing non-stigmatized services, have higher rates of poverty making it impossible to pay for private services, and often live in rural or northern locations that lack access to services due to geography.

For example, the inquiry heard that in parts of northern Ontario, access to holistic services that take language and cultural needs into account are limited due to lack of funding or lack of specialists in that field. It is very common for people to have to travel considerable distances, even out of Ontario (for example, from northwestern Ontario to Manitoba) to access services such as speech-language or psychology services.

Barriers due to need for parent advocacy

In an education system that often puts the onus on parents to advocate for their children to receive supports and accommodations, students whose parents are not able to do so are at a disadvantage. The inquiry heard that advocacy can be more challenging for First Nations, Métis and Inuit parents and students.

One parent of a First Nations student with dyslexia attending school in a northern board stated that limited resources mean that Indigenous students may fall through the cracks:

There are no resources, what little resources are here are unavailable until a student is a specific age and has already given up AND the family is harassing the school for help. I have seen so many kids without support from family falling through the cracks and they are all Indigenous. Systemic racism.

The OHRC heard that due to the trauma from the residential school system, some parents fear “setting foot” in their children’s school. The MNO told the inquiry that residential and day schools have affected Métis parents and grandparents, making them feel their way of communication and interaction is unacceptable. They also said that when a school board denies an initial request, a Métis parent may see that as a “stopping point” and not feel they can continue to advocate, which is often necessary to gain access to a program, service or support.

A worker at an Indigenous Friendship Centre told us: “A lot of parents in the Indigenous community don’t get involved in their child’s education because they don’t feel like they have a right to or they feel intimidated by the school system.” Like other parents, First Nations, Métis and Inuit parents are reluctant to advocate for supports or accommodations for their child due to worries that “it’s going to come back to your child if you don’t shut up.”

First Nations, Métis and Inuit parents described fears that they would be judged by educators:

The system can be very intimidating. I’m not even visibly Indigenous but it didn’t make any difference for me going into the school system with my three kids. I had my children very young. You have young parents having children and made to feel like you’re just another young parent having kids out of wedlock.

Parents described feeling like they were being “talked down to” and said that students feel the same way.

Lack of belonging and experiencing discrimination

We heard that First Nations, Métis and Inuit parents do not feel a sense of belonging in the schools:

When there's a group of people, Indigenous and non-Indigenous, the Indigenous people don't speak up because they might feel like they don't belong or they could say something wrong or they aren't educated. If the parent themselves has a learning disability or English is not their first language it is even more difficult.

First Nations, Métis and Inuit students also feel a lack of belonging when they experience racism and discrimination. The OHRC heard that this is an all-too-common experience. One parent described the impact of racism on her First Nations son with a reading disability:

[My son] has experienced discrimination at school from his peers with respect to being First Nations and has been teased for his last name. This has impacted his self-esteem and self-confidence and his schoolwork more broadly.

Another person talked of stereotyping:

People have an assumption that Native people are just lazy and they don't want to work. That's not true. We're healing from a lot of intergenerational trauma. There's a lot happening with our families that people just don't understand.

A parent who completed a survey said her First Nations son has experienced "a lot of racism" and has brought books from the "school library and a social studies assignment with racist views."

One parent of a racialized, First Nations student noted that "colonization and colonial stereotypes" had a negative impact on her son's experience at school because of their intergenerational impacts:

If my son felt excited about going to school, if he excelled in reading and was respected by the education system for his diverse cultural background (and given reading material that reflected this diversity), and was taught structured literacy approaches based on reading science, I would not have to even think of writing this survey. I expect more than "lowered expectations" from teachers and the education system...My son's ethnicity, Indigeneity, and gender are things to be proud of and bring strength to him daily.

The MNO described systemic racist beliefs, attitudes and stigma that start in the early years of schooling and have an impact throughout a student's education.

The Ontario Federation of Indigenous Friendship Centres (OFIFC) states:

In school, Indigenous students continue to face racism and a general ignorance of their cultures among education staff and students. Anxiety, alienation, distrust, low self-confidence, and culture shock are just a few of the symptom[s] that can occur when Indigenous students are placed in an education system that has

been slow to respond to their needs and where they may struggle to see themselves and their values reflected in the pedagogy, curriculum, and in the overall structure of Ontario's education system. These conditions make learning a difficult, even painful experience, which can cause students to disengage.⁵⁷³

The OHRC also heard that teachers' lack of cultural competency has led to stereotyping students. An example is assuming First Nations, Métis and Inuit students are lazy if they are not comfortable speaking up in class or are tired after being up late the previous night doing cultural activities like ice fishing.

Importance of languages, culture and mentoring

Parents talked about the importance of exposure to First Nations, Métis and Inuit languages and cultural programming in schools for student engagement: "There's a hole in them. They are missing that culture piece. They have this need." An organization that serves urban Inuit talked of the importance of Inuit students learning to read and write Inuktitut.

Reports have confirmed the importance of exposure to Indigenous languages, cultures, histories, perspectives and contributions to the success of Indigenous students, including through the core curriculum and experiences that all students receive.⁵⁷⁴ Ontario's Indigenous Education strategy includes this commitment.⁵⁷⁵

The MMIWG report found this is still not happening in schools:

Indigenous children and youth experience challenges and barriers in accessing education, particularly culturally relevant knowledge. Indigenous children and youth have the right to an education and to be educated in their culture and language. Most Indigenous children continue to be educated in mainstream education systems that exclude their Indigenous culture, language, history, and contemporary realities. A high-quality, culturally appropriate, and relevant education is the key to breaking cycles of trauma, violence, and abuse.⁵⁷⁶

The OHRC's 2018 report, *To dream together: Indigenous peoples and human rights dialogue report* also identifies the importance of making education about First Nations, Inuit and Métis peoples and their languages, cultures and world views a priority in the education system.⁵⁷⁷

First Nations, Métis and Inuit self-determination in education leads to better outcomes.⁵⁷⁸ For example, 20 years ago, the Nova Scotia Mi'kmaq First Nation took control of their education system when only 30% of their students were graduating from secondary school. Now over 90% of their students are graduating.⁵⁷⁹ Alternative secondary school programs operated by Friendship Centres in Ontario are another example of the success of Indigenous-led education.⁵⁸⁰

The inquiry heard that mentoring and exposure to positive role models is vital: “We need older students to mentor. We also need mentoring from more Indigenous teachers.” A Government of Canada survey on First Nations education also found supportive relationships are critical, particularly for students transitioning from on-reserve First Nations schools to provincially funded schools:

Participants suggested that First Nation[s] students need a supportive person or persons at the off-reserve school to provide guidance and support. This could be a mentor or buddy arranged through a buddy program, or it could be a counsellor, community liaison worker, or teacher. These persons or groups could help students deal with racism, bullying, or other challenges.⁵⁸¹

Elders also provide a vital role as knowledge keepers, in transmitting cultural knowledge to the younger generation, and in building stronger, healthier and more resilient young people, families and communities.⁵⁸²

Lack of representation

First Nations, Métis and Inuit students need to see themselves reflected in the education system, in what is taught and how it is taught and in educator, school and board leadership.⁵⁸³ One inquiry participant said:

Students need to see their ethnicity and Indigeneity reflected in their teachers, school staff, principals, trustees, the Ministry of Education, government, etc.

The inquiry heard that lack of representation is an issue. Where there is representation, it may not reflect each of First Nations, Métis and Inuit communities. For example, even where there are many Métis students in a school board, the board may have First Nations but not Métis representation. This lack of distinction alienates Métis students. The inquiry heard that an approach that recognizes the unique identities of and distinctions between First Nations, Métis and Inuit students and communities is very important.

Challenges with transitions

First Nations inquiry participants and school board representatives discussed the challenges associated with transitions between First Nations schools and provincially funded schools. Many students who attend First Nations schools will at some point transition to a school in the provincial system.⁵⁸⁴ Most reserves do not have high schools.⁵⁸⁵ Youth who grow up in remote and fly-in First Nations communities must often leave their community to attend high school in northern Ontario cities like Thunder Bay, Kenora, Dryden and Sioux Lookout.⁵⁸⁶ A First Nations student who lives on-reserve may attend a provincially funded school anywhere in Ontario, subject to space availability and payment of tuition by the First Nation to the local school board. In some cases, families move off-reserve so their children can attend provincially funded schools.

First Nations students who transition from their community schools to provincially funded schools and Inuit students who come from Northern communities experience many new challenges as they adapt to new situations, friends, cultures and environments.⁵⁸⁷

The inquiry heard about “culture shock” when students leave their communities.⁵⁸⁸ The Seven Youth inquest also heard significant evidence about the serious and sometimes grave challenges that youth from remote NAN communities face when they must leave their communities to attend high school in cities such as Thunder Bay.⁵⁸⁹

Many inquiry participants noted that underfunding of First Nations schools, shortage of teachers, teacher inexperience and teacher turnover affect the quality of education that students received before entering the provincial system: “Teachers fly into our communities for a year or less and then they leave.”

Another participant said: “We find that kids are three to four grades behind when they come from reserve schools to Ontario public schools.”

Several inquiry participants noted that students entering provincially funded schools are sometimes identified as having a learning disability for the first time. However, it is not clear if the disability was not flagged in the First Nations school, or they do not have a learning disability but are behind due to the quality of teaching in the First Nations school:

The ones that really struggle are the ones that attend reserve school then go into public education system. Is it really a learning disability or is it that they were not taught properly?

For Inuit students, there can also be delays in receiving records from Inuit Nunangat⁵⁹⁰ schools.⁵⁹¹

The evidence in the Seven Youth inquest was that students entering high school after elementary education on-reserve often need to catch up to peers academically, and are dealing with other challenges. Schools in the provincial system must be prepared to identify and respond to this reality.⁵⁹²

A Chiefs of Ontario position paper on special education also emphasizes the importance of making sure transitions to and from provincial boards and schools do not detract from student success. The paper recommends that the provincial government provide better overall support for First Nations children with special needs attending provincially funded schools; public school boards be culturally responsive to better meet the needs of First Nations learners; and improvements be made in communication between schools, school boards and First Nations.⁵⁹³

Overcoming barriers

Despite these significant barriers, First Nations, Métis and Inuit students and parents are working hard to find success in education.⁵⁹⁴ Parents are doing as much as they can to support their children, including children with reading difficulties. Many talked about taking their children out of an on-reserve school in the hopes they would receive better supports in the provincial system. They described trying to find and pay for tutoring and other supports to address their children's needs. A single mother of three talked about her efforts to balance her work, keep her children busy and out of trouble through afterschool activities like hockey and gymnastics, and provide homework support. Another mother said she did everything she could to help her child with schoolwork despite never receiving a proper education herself.

A First Nations man with a learning disability described how he overcame trauma and poverty, including coming to school hungry, to learn how to read. Now he is pursuing a master's degree, while also having a job. He described how hard he must work to keep up with the volume of reading and writing in his graduate program.

First Nations, Métis and Inuit governments and organizations are also stepping in to fill the gaps the system has left. For example, the MNO's Education Support Advocacy program helps its Métis citizens navigate the public education system, connects them with tutoring supports, psychological assessments and speech-language services, and provides other services that meet the needs of Métis learners. However, the provincial government does not fund the MNO to deliver these education services. The MNO has made this work a priority using resources from other areas.

Indigenous Friendship Centres also have education services and supports for urban Indigenous communities. They offer an Alternative Secondary School Program that combines the Ontario curriculum with cultural programming and an Indigenous pedagogical model.

Tungasuvvingat Inuit also has a focus on education for urban Inuit. It provides education policy advocacy and education supports for Inuit living outside of Inuit Nunangat.

Achievement gap

Given the systemic challenges, it is not surprising that there is an achievement gap between Indigenous and non-Indigenous students in Ontario schools. Some gains have been made in recent years. However, using EQAO scores, credit accumulation rates and graduation rates as measures,⁵⁹⁵ students who have voluntarily identified as First Nations, Métis or Inuit are still behind other Ontario students.⁵⁹⁶

Ontario has an *Ontario First Nation, Métis, and Inuit Education Policy Framework, 2007* (the Framework) to improve achievement among Indigenous students, and reports on progress every three years. The most recent report is from May 2018: *Strengthening*

Our Learning Journey: Third Progress Report on the Implementation of the Ontario First Nation, Métis, and Inuit Education Policy Framework. Using EQAO data from 2015–16, it reports:

- 47% of First Nations, 39% of Métis and 52% of Inuit students in the English-language system did not meet the provincial standard on the Grade 3 reading assessment, compared to 28% of all English students⁵⁹⁷
- 21% of First Nations and 23% of Métis students⁵⁹⁸ in the French-language system did not meet the provincial standard on the Grade 3 reading assessment, compared to 18% of all French students⁵⁹⁹
- 38% of First Nations, 30% of Métis and 45% of Inuit students in the English-language system did not meet the provincial standard on the Grade 6 reading assessment, compared to 19% of all English students⁶⁰⁰
- 22% of First Nations and 10% of Métis students⁶⁰¹ in the French-language system did not meet the provincial standard on the Grade 6 reading assessment, compared to 9% of all French students⁶⁰²
- The percentage of fully participating, first-time eligible students who were successful on the Ontario Secondary School Literacy Test (OSSLT) in the English-language system was 59% for First Nations, 71% for Métis and 63% for Inuit students, compared to 81% of all students⁶⁰³
- The percentage of fully participating, first-time eligible students who were successful on the OSSLT in the French-language system was 92% for First Nations and 93% for Métis students, compared to 91% of all students.⁶⁰⁴

Five-year graduation rates for self-identified First Nations, Métis and Inuit students in provincially funded schools are lower than provincial rates for all students.⁶⁰⁵

Voluntary self-identification and analysis of student data

The Ministry has encouraged all Ontario school boards to develop policies to have First Nations, Métis and Inuit students voluntarily self-identify. Among other things, this data should be collected to better support these students with literacy and numeracy (including better outcomes on EQAO reading, writing and mathematics assessments); improve graduation rates; and support advancement to post-secondary studies.⁶⁰⁶

There are challenges with getting students to self-identify. Many First Nations, Inuit and Métis persons continue to view data collection with suspicion or concern. We heard they may feel they have been “researched to death,” often by colonial institutions that have not used culturally safe research practices. They may not want to self-identify because of historic mistreatment, past misuse of data, and mistrust of the education system due to the legacy of residential schools, among other reasons. They may be afraid that data will be used to portray them negatively or not used in a respectful way.⁶⁰⁷ We heard that they may be afraid that if they identify as First Nations, Métis or Inuit, their child may be more likely to be taken into the child welfare system. We also heard that they may not know whether and how self-identification is being used for the benefit of First Nations,

Métis and Inuit students. Therefore, provincial and school board data may not include all First Nations, Métis and Inuit students. More effort is needed to consider and incorporate Indigenous research methodologies⁶⁰⁸ and create a safe environment for voluntary self-identification.

The OHRC requested information from the eight inquiry school boards to learn more about First Nations, Métis and Inuit students with reading disabilities. As each school board has a self-identification policy, they were able to provide more information about First Nations, Métis and Inuit students than other student groups. However, there was still inconsistency in the quality of the data. For example, one board reported it does not break down data by First Nation, Inuit and Métis identification, and does not collect data on achievement (such as on course completion or graduation rates) for students who have self-identified. Several boards did not provide data on credit accumulation, whether First Nations, Métis and Inuit students have IEPs or have been identified with an LD exceptionality, or graduation rates.⁶⁰⁹

Only one board, Ottawa-Carleton, provided an Annual Achievement Report, which shows that it proactively monitors achievement data for students who self-identify as First Nations, Métis or Inuit. Another board, Thames Valley, said it produces a similar report. The Ministry said there is an Indigenous Education Analytical Profile Tool which supports school boards and the ministry to conduct in-depth analysis of Indigenous education data.

The inquiry school boards were able to provide some data about EQAO scores for First Nations, Métis and Inuit students. The data presented in Table 16 includes participating and non-participating students. Although school boards should break down and analyze data by First Nations, Métis and Inuit identification for their own purposes, and should provide targeted responses to any issues they identify for each group, this report does not break down the school board data by First Nations, Métis and Inuit identification due to the small sample sizes and risk of compromising individual student identities.

Table 16: Percentage of First Nations, Métis and Inuit students who met the provincial standard in the 2018–19 EQAO reading assessment⁶¹⁰

	Percentage of students who have self-identified as Indigenous	Overall met the standard Grade 3 EQAO	Indigenous met the standard Grade 3 EQAO	Overall met the standard Grade 6 EQAO	Indigenous met the standard Grade 6 EQAO
Hamilton-Wentworth	0.1	67	67	73	68
Keewatin-Patricia	52	59	39	72	51
Lakehead	21	71	53	75	57
London Catholic	0.5	72	N/A	78	N/A
Ottawa-Carleton	2	76	63	82	61
Peel	0.1	75	Not provided	81	Not provided
Simcoe Muskoka Catholic	1.5	67	69	79	89
Thames Valley	2.5	63	45	73	48

Consistent with provincial EQAO data, with a few exceptions,⁶¹¹ students who have self-identified as First Nations, Métis and Inuit in the eight inquiry school boards were less likely to meet the provincial reading standard.⁶¹²

The inquiry heard concerns that EQAO data is not shared with First Nations, Métis and Inuit communities, so they are not aware of any issues and cannot respond to them. For example, EQAO data about Métis students is not shared with the MNO. The MNO said it needs this data to act for the benefit of its Métis citizens.

Board Action Plans on First Nations, Métis and Inuit Education are supposed to be developed in partnership with Indigenous communities. The inquiry heard that in practice not all First Nations, Métis and Inuit communities that are represented among students in the board are always consulted. For example, Métis communities can be overlooked in developing these plans.

Teaching reading to First Nations, Métis and Inuit students

Although there are additional considerations to adequately meet the instructional needs of First Nations, Métis and Inuit children, there is evidence that “First Nations children who are failing to read tend to be more similar than different when compared with children from non-First Nations cultures that are also failing to read.”⁶¹³ One paper noted that as with other children:

[P]honological awareness variables and rapid naming were the strongest predictors of reading achievement for First Nations children. This supports what has been repeatedly found in reading literature that suggests that phonological ability is core to reading and specific learning disabilities...⁶¹⁴

Similarly, another study concluded:

As far as the present study is concerned, we showed that the relationship between cognitive processes and reading that is found in the general population is replicable irrespective of the children's membership in the FN community...⁶¹⁵

Like all students, First Nations, Métis and Inuit students require the same foundational skills in phonological awareness to learn to read:

There is extensive correlational and experimental evidence that oral language and phonological awareness are key to success in learning to read in English... This finding has been corroborated in all other languages studied...and holds even when age, language ability, IQ, social class, and...memory are controlled...**For these reasons, identifying the most effective methods for teaching reading to Aboriginal children may have the strongest long-term results when directed at the beginning steps to reading.**⁶¹⁶ [Emphasis added.]

Direct instruction in foundational reading skills for word-level reading is just as important for First Nations, Métis and Inuit students as for other students. Overall, the studies found lower word reading skills among First Nations students,⁶¹⁷ making direct instruction in foundational skills extremely important to help narrow literacy gaps between Indigenous and non-Indigenous students. For example, studies of the literacy gap seen in Indigenous children in Australia discuss the importance of using science-based approaches for developing the building blocks for early reading skills, including phonological skills, for Indigenous student success.⁶¹⁸

Similarly, interventions that target phonological awareness, letter-sound correspondence knowledge and decoding are just as effective, if not more effective, for Indigenous students. One study looked at ABRACADABRA, a web-based reading tool, and found:

Indigenous students [in Australia] gained significantly more per hour of instruction than non-Indigenous students in phonological awareness and early literacy skills. Results suggest that ABRACADABRA prevents lags in foundational literacy experienced by poor readers including Indigenous students.⁶¹⁹

A school board in Fort Nelson, a small rural town in the northeast corner of British Columbia, reported positive outcomes for all students, particularly Indigenous students, after implementing a framework for addressing reading difficulties. As well as daily reading instruction, all students were screened with phonological awareness measures in Kindergarten and Grade 1. Students identified as requiring additional support received supplemental instruction in phonological awareness, decoding and reading fluency. As a result, student literacy scores increased in each of the four years of implementation:

[S]tudents' scores on the Grade 4 provincial reading comprehension assessment were far above the provincial average for all students, with 92% meeting or exceeding expectations (compared with 68% provincially), and **Aboriginal students, with 94% meeting or exceeding expectations (compared with 51% provincially)**. These outcomes have been realized despite high vulnerability in a

provincial measure of child development, including ranking in the top five most vulnerable districts in the province in terms of social competence and emotional, maturity.⁶²⁰ [Emphasis added.]

The Model Schools Literacy Project (MSLP), a partnership between First Nations schools and the Martin Family Initiative, has shown the potential of evidence-based literacy programs in Kindergarten to Grade 3 to improve early literacy achievement for First Nations students.

The MSLP emphasizes professional learning for teachers and school leaders because research shows that teaching is the most influential school-based factor in children's reading achievement, and because teacher education programs in Canada do not cover the specific skills needed to teach reading and writing to young children.⁶²¹ In addition to supporting teachers, the project focuses on formative assessment to guide literacy instruction; teaching, including direct instruction in all core reading and writing skills; and contexts for learning (such as parental involvement and community engagement).⁶²²

The report on the initiative stated:

The plan's effectiveness was demonstrated in the earlier pilot program (2010–2014). Before the pilot began, 13% of Grade 3 children were reading at grade level on the Ontario provincial assessment; when it ended, 81% reached or exceeded that level, and the percentage of children identified for speech and language support decreased from 45% to 19%.⁶²³

Although the MSLP is an English-language literacy project, in each school, the community's Indigenous language and culture are taught. The project values both languages in the school equally and recognizes that gaining skills in one language strengthens learning skills in other languages.⁶²⁴ The report stated:

...multiple cognitive, social and cultural benefits accrue to children with proficiency in their own Indigenous language and English. To strengthen that interdependence, classroom teachers in the MSLP are encouraged and supported to incorporate language, history and culture into children's reading and writing activities.⁶²⁵

Some studies also suggest that Indigenous students respond well to teaching methods that use elements of Indigenous culture.⁶²⁶ Teaching early foundational skills should incorporate First Nations, Métis and Inuit culture (for example, through words, music and movement) for teaching phonological awareness, letter-sound correspondences and word reading.⁶²⁷ As with all students, foundational word-reading skills need to be developed within the overall context of a full literacy program for Indigenous students.

Along with high-quality, evidence-based instruction on early foundational reading skills, First Nations, Métis and Inuit students need holistic approaches to learning and high-quality learning environments that are consistent with Indigenous world views.⁶²⁸ Educators need to connect with local First Nations, Métis and Inuit communities to find ways to incorporate their experiences and values throughout classroom content.⁶²⁹ These elements are additions to rather than substitutes for direct and systematic instruction in foundational reading skills. Families reported wanting their children to experience and learn about their culture **and** to have the instruction they need to be successful across the school curriculum and beyond. The MSLP report noted:

First Nations want their children to know their own language and culture, be proud of their identity and have the literacy skills necessary to pursue unlimited options and opportunities for their lifetime.⁶³⁰

The recommendations relating to curriculum, instruction, early screening, accommodation and professional assessments later in this report will benefit First Nations, Métis and Inuit students. Also, the recommendations below address some of the unique needs of these students in Ontario schools.

Recommendations

The OHRC makes the following recommendations:

Recognize distinctions

1. The Ministry of Education (Ministry), school boards and others should use “First Nations, Métis and Inuit” when possible and appropriate. Recognizing and distinguishing between First Nations, Métis and Inuit makes sure that all First Nations, Métis and Inuit children and youth see themselves in the school system, feel represented, and have trust that their unique needs are understood and being met.
2. The recommendations in this report should also be interpreted and implemented in a way that addresses the unique needs of distinct Indigenous peoples. First Nations, Métis and Inuit self-identification in terms of community and Nation as well as geographic or region-specific distinctions should be taken into account.⁶³¹ Local decision-makers such as school boards should learn about and consult local Indigenous communities.

Follow existing recommendations for supporting First Nations, Métis and Inuit students

3. Many reports have made recommendations to improve First Nations, Métis and Inuit students’ learning, experiences and well-being in school. Recommendations have included improving access to First Nations, Michif and Inuktut language instruction, First Nations, Métis and Inuit culture, knowledge and perspectives for all students; providing professional development for educators and board

professional staff; easing transitions for students; and taking steps to address racism and systemic discrimination. The Ontario Ministry of Education and every Ontario school board should implement all existing recommendations for supporting First Nations, Métis and Inuit students including:

- a. The May 2017 First Nations Special Education Review Report and the 2017 Chiefs of Ontario Position Paper recommendations that relate to Ontario's role in First Nations special education⁶³²
- b. The Ontario Federation of Indigenous Friendship Centres' recommendations on how to address the accessibility needs of urban Indigenous students, in its July 2017 Response to the Development of an Accessibility Standard for Education⁶³³
- c. The recommendations to Ontario from the Seven Youth inquest⁶³⁴
- d. The Truth and Reconciliation Calls to Action, particularly those related to education and updating all provincial curriculum to include Indigenous perspectives and content⁶³⁵
- e. The National Inquiry into Missing and Murdered Indigenous Women and Girls' Calls for Justice, particularly those related to education.⁶³⁶
- f. The Council of Ontario Directors of Education Listening Stone Project Reports⁶³⁷
- g. The OHRC's recommendations in *To Dream Together: Indigenous peoples and human rights dialogue report*.⁶³⁸

When implementing recommendations in these reports related to Indigenous content in curriculum and culturally appropriate resources for First Nations, Métis and Inuit learners, the Ministry and school boards should make sure First Nations, Métis and Inuit are each reflected and children from these communities see their own identities positively reflected in the materials. This will give them a sense of belonging and pride.

4. The Ontario Ministry of Education and all Ontario school boards should review and, where necessary, revise the First Nations, Métis and Inuit Policy Framework and Indigenous Education Strategy, to make sure it reflects these recommendations.
5. The Ontario Ministry of Education, and all Ontario school boards, should make sure boards have an Indigenous Education Advisory Council as required under the *Ontario First Nation, Métis, and Inuit Education Policy Framework Implementation Plan*.⁶³⁹ School boards should make sure the Councils, and any other places where First Nations, Métis and Inuit students are discussed, are representative of each of the Indigenous communities that are represented in the school board, to ensure that distinct needs and perspectives of students and families are addressed.

6. The Ontario Ministry of Education and all Ontario school boards should use the *UN Declaration* as a framework for implementing these recommendations.⁶⁴⁰ The *UN Declaration* should be interpreted in conjunction with the *Convention on the Rights of Persons with Disabilities* (Articles 7 and 24) and the *Convention on the Rights of the Child* (Article 28).⁶⁴¹

Treat First Nations schools equitably

7. The federal government should implement the recommendations for federally funded First Nations schools in reports referenced in Recommendation 3.
8. First Nations schools should receive funding that is equitable compared to provincially funded schools, and any additional funding needed to ensure substantive equality, considering the unique circumstances of students attending First Nations schools.
9. The recommendations in this report should be implemented in First Nations schools, as applicable.

Use trauma-informed and culturally sensitive approaches

10. The Ministry of Education should encourage all school boards and schools to adopt trauma-informed and culturally safe approaches including by providing guidance, resources and supports.
11. All school boards and schools should create trauma-informed and culturally safe school environments and provide comprehensive, sustained and job-embedded training to educators on trauma-informed and culturally safe practices.

Identify Indigenous students and provide access to supports

12. School boards should not delay or fail to identify Indigenous students with learning difficulties based on culturally biased practices/assessments or assumptions related to their Indigenous identity.
13. Ontario should publicize, adopt and implement a broad approach to Jordan's Principle and Inuit Child First Initiative funding, consistent with the purpose of ensuring substantive equality, that recognizes that federal funding is available for any government service that is provided to children including health, social and education services such as professional assessments, tutoring and assistive technology.

14. Ontario school boards and community service providers should know the criteria and process for applying for federal Jordan’s Principle or Inuit Child First Initiative funding, and promote the use of this funding to access supports to address any needs of First Nations and Inuit students.
15. School boards and schools should recognize the role of Friendship Centres and urban Inuit organizations in coordinating holistic, culture-based supports for urban First Nations and Inuit students and their families.
16. Ontario school boards and community service providers should understand the role of the MNO in representing and providing wrap-around services to its Métis citizens. The Ministry and school boards should work as partners with the MNO and Métis communities in the school board’s area. School boards should foster the relationship between schools and the MNO’s Education Support Advocacy program. Financial contributions from the province to the MNO’s Education Support Advocacy program would allow for enhanced supports to be provided to Métis learners in a predictable way every year.
17. Provincial and federal funding for supports for First Nations, Métis and Inuit students should provide for additional costs associated with northern, remote or isolated circumstances, and should include the cost of travel to receive services, where necessary.
18. School boards and schools should recognize First Nations, Métis and Inuit Elders as knowledge keepers and educators, and recognize their role in transmitting cultural knowledge to the younger generation and building stronger, healthier and more resilient young people, families and communities. School boards and schools should increase access to Elders and guest speakers in schools and make sure Elders/guest speakers are representative of all First Nations, Métis and Inuit students represented in the board.
19. School boards’ acknowledgements of Indigenous peoples and territories should recognize each of First Nations, Inuit and Métis peoples and territories as appropriate. They should also recognize significant events and days, such as Treaties Recognition Week,⁶⁴² National Indigenous Peoples Day, Powley Day⁶⁴³ and Louis Riel Day.⁶⁴⁴

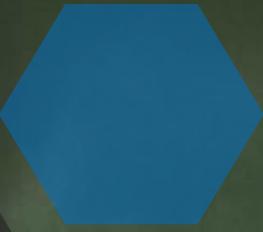
Use instruction and intervention approaches that are effective and inclusive

20. The Ontario Ministry of Education and all school boards should provide evidence-based curriculum and classroom instruction in foundational reading skills in a way that is inclusive to all students, including First Nations, Métis and Inuit students. They should find ways to also incorporate Indigenous experiences, culture and values throughout classroom content.

21. Educators should not promote the English or French languages of instruction at the expense of Indigenous languages. They should encourage proficiency in Indigenous languages, recognize the benefits for children when they have proficiency in their own Indigenous language and the language of instruction (English or French), and never discourage students from using or learning their language.
22. For First Nations, Métis and Inuit students with or at risk for word reading disabilities, school boards should provide immediate intervention with evidence-based programs. Delays in providing interventions or using interventions that are not rooted in strong evidence with a focus on foundational reading skills will further disadvantage these students.

Improve approaches to self-Identification and data

23. School boards should work with First Nations, Métis and Inuit governments (local First Nations governments and the MNO) and local organizations (such as Friendship Centres, Tungasuvvingat Inuit) to understand and respond to any concerns with self-identification. They should clearly communicate how self-identification benefits First Nations, Métis and Inuit students and how self-identification data will be kept confidential and used. They should never use self-identification data to portray First Nations, Métis or Inuit students in a negative or disrespectful way.
24. School boards should make sure they have data on the percentage of students who self-identify as First Nations, Métis and Inuit overall, and broken down by First Nation, Métis and Inuit.
25. School boards should collect and analyze data on achievement and outcomes (such as EQAO results, course completion and graduation rates) for students who have self-identified as First Nations, Métis and Inuit. They should track whether First Nations, Métis and Inuit students have IEPs or have been identified with an LD exceptionality (see also recommendations related to data collection in section 13, Systemic issues). They should respond to any equity gaps identified in the data.
26. School boards should share this data with First Nations, Métis and Inuit governments (local First Nations governments and the MNO) and local organizations (such as Friendship Centres, Tungasuvvingat Inuit) on a regular basis. They should work as partners with these governments and organizations to make sure culturally appropriate supports can be provided to improve First Nations, Métis and Inuit students' outcomes.



8. Curriculum and instruction



8. Curriculum and instruction

Introduction

Children with unaddressed reading difficulties have not failed the system; the system has failed them. We now know that this is not inevitable, even for children who face significant challenges.

– Ontario 2003 *Expert Panel on Early Reading Report* at p 7

Science has shown that there are effective and ineffective ways to teach word reading. Reading scientists have studied how young children learn to read for decades. This body of scientific research, also known as the science of reading, has outlined how reading develops, why many students have difficulties learning to read, and how to teach early reading to prevent reading failure, among other things.

The science of reading

This report uses terms like the “science of reading,” “reading science,” “research-based,” “evidence-based” and “science-based” to refer to the vast body of scientific research that has studied how reading skills develop and how to ensure the highest degree of success in teaching all children to read. The science of reading includes results from thousands of peer-reviewed studies and meta-analyses that use rigorous scientific methods. The science of reading is based on expertise from many fields including education, special education, developmental psychology, educational psychology, cognitive science and more.

Although some approaches to reading are promoted as “research-based,” this research does not always follow good scientific methods.⁶⁴⁵ Many approaches are based on theories or philosophies with no scientific evidence to support them. In contrast, the science of reading includes results from thousands of peer-reviewed studies that use rigorous scientific methods.⁶⁴⁶

Learning to read is a complex process. For most children, learning to read words does not come easily or naturally from exposure to language or reading. Reading is a skill that must be taught.⁶⁴⁷ Ontario’s 2003 Expert Panel on Early Reading noted: “Children must be taught to understand, interpret, and manipulate the printed symbols of written language. This is an essential task of the first few years of school.”⁶⁴⁸ These experts also noted that there is a critical window of opportunity, and age four to seven is the best time to teach children to read.⁶⁴⁹

Written language is a code that represents our spoken language. The goal of reading is to understand what we read. One important part of this is learning to decipher or “crack the code” – to become accurate and efficient at reading written words. To do this, students need direct and systematic instruction in the code of a written language (also called the orthography). Teaching the foundational skills of decoding and spelling written words in a direct and systematic way is also known as structured literacy. Structured literacy incorporates the findings from science on how to best teach foundational word-reading skills in the classroom, so that all children learn to read.

Reading science does not support approaches that rely on teaching children to read words using discovery and inquiry-based learning such as cueing systems. Many children fail to learn to read when these approaches are used in classrooms. These are consistent with a whole language philosophy, and are used in the current Ontario Curriculum, Language, Grades 1–8, 2006 (Ontario Language curriculum) and the balanced literacy or comprehensive balanced literacy approaches practiced in Ontario school boards.

The three-cueing instructional approach outlined in the Ontario Language curriculum teaches students to use strategies to predict words based on context cues from pictures and text meaning, sentences and letters. As well, balanced literacy proposes that immersing students in spoken and written language will build foundational reading skills – but significant research has not shown this to be effective for learning to read words accurately and efficiently. In these approaches, teachers “gradually release responsibility” from modelling reading texts or books, to shared reading with students, to guiding students’ text reading, to students’ independent text reading. These approaches are not consistent with effective instruction as outlined in the scientific research on reading instruction.

The inquiry examined whether the current Ontario curriculum and school board approaches to teaching reading reflect evidence-based approaches and are supported by rigorous scientific research. It found that overall, the way that early reading is taught in Ontario is not consistent with the science of reading. Although a few boards have made some attempts to incorporate isolated aspects of effective early word reading instruction, these approaches are piecemeal and do not meet the criteria supported by the science of reading.

The Ontario curriculum is based on the ineffective three-cueing ideology and instructional approach. Balanced and comprehensive balanced literacy are pedagogical approaches that are aligned with a whole language approach to teaching reading. These methods are ineffective for a significant proportion of students, many of whom are members of *Code*-protected groups, and may harm students who are at risk for failing to learn how to read.

The inquiry also reviewed the training teachers receive through Ontario’s 13 English-language public faculties of education (faculties). It found that teacher education programs for future teachers (also known as pre-service teachers or teacher candidates) and Additional Qualification (AQ) professional development courses for current teachers (also known as in-service teachers) do not prepare teachers to use approaches to teaching word-reading skills supported by scientific research on effective classroom instruction.

Future and current teachers looking to upgrade their qualifications by taking AQ courses offered by faculties in reading and special education receive little exposure to or learning about direct and systematic instruction in foundational reading skills (also called structured literacy). They are generally not taught how skilled reading develops, including the importance of strong early word-reading skills for future reading fluency.

and reading comprehension. They do not adequately learn how to provide instruction in phonemic awareness, phonics, decoding, word-reading efficiency and morphology. Instead, they mostly learn about the ineffective approaches for teaching reading skills in the Ontario Language curriculum. It is not surprising then that many teachers told the inquiry they do not feel prepared to teach reading, particularly to students who do not catch on to reading quickly or have reading difficulties.

Ontario's high rates of reading failure are well beyond the number of students who could be expected to have reading disabilities, and show that prevalent approaches to teaching reading are not working for far too many students. Ontario's failure to use science-based approaches to teach reading and respond to reading difficulties are causing far too many children to not learn this critical life skill. This puts these students at risk for lifelong hardships associated with not being able to read. It can result in discrimination under the Ontario *Human Rights Code*.

Despite the overwhelming body of evidence, reading experts have noted there has been strong, deeply rooted resistance to change in the education field.⁶⁵⁰ The inquiry found there is strong resistance in Ontario as well.

Most of the inquiry boards are not aware they are using many ineffective approaches to teach reading. Even where boards recognize the need for more science-based instruction, their ability to implement it is hampered in several important respects. For example:

- With a few small exceptions, teachers educated in Ontario English-language public faculties have not been taught evidence-based approaches to teach early reading
- Teachers are required to follow the Ontario curriculum, which is inconsistent with evidence-based approaches. Teachers cannot reconcile two irreconcilable approaches to teaching reading
- Boards and teachers have not been given sufficient guidance on how to implement evidence-based instruction in the classroom. They must determine on their own what programs, approaches and materials are best and how they can implement them
- Boards must do their own research and find the funds necessary to implement these programs
- There is strong resistance to change and strongly held beliefs supporting whole language philosophies in parts of the education sector
- Boards are finding it challenging to conduct the necessary professional development related to literacy instruction. This expertise is often not found within a board.

The basic components of effective reading instruction are the same whether the language of instruction is English or French.⁶⁵¹ However, depending on the community they live in, students learning to read in French may have limited exposure to the French language outside of the classroom. School may be the only place they are exposed to French in a meaningful and consistent way. It is also a challenge to find French reading resources and private supports.⁶⁵² It is critically important that schools deliver effective reading instruction in French, both to ensure students learning in French can learn to read and to support Francophone students' French-language education rights under section 23 of the Charter.

The science of reading: evidence-based curriculum and instruction

Several key reports synthesize the large body of scientific research on how children learn to read and the most effective instructional approaches: the National Reading Panel Report in the United States; the Ontario Expert Panel Report on Early Reading; the Rose Reports in England; and the Canadian Language and Literacy Research Network Report. These influential reports all endorse systematically teaching the foundational skills that will lead to efficient word reading: phonemic awareness, phonics to teach grapheme to phoneme relationships⁶⁵³ and using these to decode and spell words and meaningful parts of words (morphemes), and practice with reading words in stories to build word-reading accuracy and speed.

National Reading Panel

In 1997, the United States Congress asked the Director of the National Institute of Child Health and Human Development to work with the U.S. Department of Education to create a National Reading Panel.⁶⁵⁴ The panel included 14 people of different backgrounds, including leading scientists in reading research, representatives of faculties of education, reading teachers, educational administrators and parents.⁶⁵⁵ The panel was asked to review all available research on how children learn to read and reading instruction (over 100,000 reading studies) and determine the most effective, evidence-based methods for teaching children to read. The panel also held public hearings.⁶⁵⁶

The panel released a report in 2000, *Teaching children to read: An evidence-based assessment of the scientific literature on reading and its implications for reading instruction*.⁶⁵⁷ This report identified these key aspects of effective reading instruction: phonemic awareness, phonics, reading fluency, vocabulary and reading comprehension. It also stressed the importance of teacher preparation and using computer technology.

The panel's analysis made it clear that the best approach to reading instruction incorporates:⁶⁵⁸

1. Explicit instruction in **phonemic awareness**. Phonemic awareness is the ability to identify and manipulate individual sounds (phonemes) in spoken words. There are about 44 phonemes in the English language and 36 phonemes in French. Phonemic awareness is a foundation that supports children learning to read and spell. The panel found that children who learned to read through instruction that included focused phonemic awareness instruction improved their reading skills more than children who learned without attention to phonemic awareness. The panel also found that approaches were most effective for teaching reading and spelling when they moved quickly from oral phonemic awareness into teaching children to blend sounds and segment words while using the corresponding letters.
2. Explicit and systematic **phonics** instruction. Phonics encompasses teaching the relationships between phonemes (sounds) and graphemes (the printed letter(s) that represent a sound), and how to use these to read and spell words (for example, blending to "sound out" and read words, and segmenting words to spell out each sound in a word). Systematic instruction starts with the easiest grapheme-phoneme associations and teaches using these to read words (to link the written form of the word with its pronunciation and meaning), and progresses to more complex orthographic patterns in words. Most phonics approaches include teaching simple and frequent affixes (a set of letters generally added to the beginning or end of a root word to modify its meaning, such as a prefix or suffix) relatively early in the process (for example, ed, s/es, ing). The panel found that explicit phonics instruction, starting in Kindergarten, results in significant benefits for young students and for older students who have not developed efficient word-reading skills.
3. Teaching methods to improve **fluency**. Fluency is reading texts accurately and at a good rate compared to same-age peers, as well as with appropriate expression when reading aloud. Word reading efficiency is an important part of fluency. The panel concluded that along with effective word reading instruction, repeated oral reading of texts, with corrective feedback, increased students' reading fluency.
4. Teaching **vocabulary**. Vocabulary refers to knowing what individual words mean. The panel found that intentional vocabulary instruction and supported opportunities to use and understand the new vocabulary in the classroom are important.
5. Teaching strategies for **reading comprehension**. Reading comprehension strategies are cognitive procedures that a reader uses to increase their understanding of a text. The panel found teaching cognitive strategies to be an effective component of reading comprehension instruction.

These elements have been termed the Five Big Ideas in Beginning Reading or The Five Pillars of Reading Instruction.⁶⁵⁹

Expert panel on early reading in Ontario

In June 2002, the Ontario Ministry of Education (Ministry) convened an expert panel to study reading in Ontario. The panel's goal was to identify ways to raise the level of reading achievement in Ontario classrooms.⁶⁶⁰

Then-Minister of Education and Deputy Premier Elizabeth Witmer said that the government at that time had established this panel of education experts to determine the core knowledge and teaching practices that are required to teach reading and specifically referenced research-informed instructional practices and phonemic awareness:

Teachers and principals will soon gain the benefit of additional tools and strategies. For example, as part of the implementation of the early reading strategy and the early math strategy, teachers will receive resources and training in a wide range of **research-informed instructional techniques**. This will include how to **create and enhance children's [phonemic] awareness**.⁶⁶¹ [Emphasis added.]

The expert panel was made up of teachers, consultants, principals, school board administrators, academics and researchers from English, French, and First Nations, Métis and Inuit communities. In 2003, the panel released its report, *Early Reading Strategy: The Report of the Expert Panel on Early Reading in Ontario* (the *Ontario Expert Panel Report*).

The *Ontario Expert Panel Report* contains a comprehensive discussion of the important elements of reading instruction that are necessary for all students, regardless of their gender, background or special learning needs.⁶⁶² It noted that reading instruction must be evidence-based and that there is a clear consensus in the scientific community about how to teach reading in a way that prevents reading failure:

Despite the widely different conclusions and practices advocated by individual research papers or particular programs, **there is an important consensus in the scientific community about the teaching of reading**. Good research informs educators about the components of an effective reading program. **The research is clear in showing that effective reading instruction compensates for risk factors that might otherwise prevent children from becoming successful readers.**⁶⁶³ [Emphasis added.]

The panel also addressed common myths associated with learning to read, including some ideas that are prevalent in whole language approaches:

Although some children learn to read at an early age with little formal instruction, it is a fallacy to assume that this happens simply because they have been exposed to "good quality" books. Most children require explicit, planned instruction – as well as plenty of exposure to suitable books – to crack the complex code of written language and become as fluent in reading as in speaking.

Consistent with the evidence, the expert panel confirmed the importance of teaching phonemic awareness and letter sound knowledge as foundational reading skills. It stated: “The evidence also shows that phonemic awareness can be taught and that the teacher’s role in the development of phonemic awareness is essential for most children.”⁶⁶⁴

The expert panel also addressed the importance of teaching letter-sound relationships and phonics:

...it is important that children receive systematic and explicit instruction about correspondences between the speech sounds and individual letters and groups of letters. Phonics instruction teaches children the relationships between the letters (graphemes) of written language and the individual sounds (phonemes) of spoken language. **Research has shown that systematic and explicit phonics instruction is the most effective way to develop children’s ability to identify words in print.**⁶⁶⁵ [Emphasis added.]

The *Ontario Expert Panel Report* stated that teachers’ instruction in letter-sound relationships and how to use these to read words should be planned and sequential so that children have time to learn, practice and master them.⁶⁶⁶

The expert panel also identified other important skills needed for reading, including oral language skills, enhancing vocabulary, and understanding the meaning of phrases and sentences. Efficient word-reading is one critical aspect of reading skill.

Ontario’s own expert panel did not promote the use of cueing systems or balanced literacy approaches to teach word-reading skills. As discussed later, the panel’s recommendations were not incorporated into Ontario’s 2006 Language curriculum or the Ministry’s *Guide to Effective Reading Instruction: Kindergarten to Grade 3 (2003)*.

Rose Reports

In 2005, the Secretary of State for Education in the United Kingdom (U.K.) commissioned Sir Jim Rose to conduct an independent review of best practices for teaching early reading and meeting the needs of children with literacy difficulties (especially dyslexia). The 2006 Independent Review of Teaching Early Reading interim report and final report in 2009, also known as the Rose Reports, state that the Simple View of Reading is a good framework for considering the necessary component skills to target in reading instruction. The Simple View of Reading is a model of reading that has been supported and validated by many research studies. It says that reading comprehension has two components: word recognition (decoding) and language comprehension. Together, skills in these two components are “essential for learning to read and for understanding what is read.”⁶⁶⁷

The Simple View of Reading and the research that has supported it emphasize that strong reading comprehension requires the ability to read words accurately and quickly. Decoding includes being able to sound out words using phonics knowledge, and to recognize familiar words quickly.

In reading acquisition, early decoding based on letter-sound associations leads to fast and accurate reading of familiar and unfamiliar words, whether they are presented in context or in isolation. For example, a student with strong decoding skills can read familiar words quickly, can sound out unfamiliar words in a list of unrelated words, and can even sound out non-words (such as lund or pimet). This decoding process leads to building up immediate recognition for most words students encounter in texts. Conversely, not being able to decode negatively affects a student's ability to read printed words accurately and to build up rapid recognition for most words. This in turn impairs a student's reading comprehension.

Dr. Louisa Moats, an expert on science-based reading instruction and teacher education, explains:

...reading and language arts instruction must include deliberate, systematic, and explicit teaching of [written] word recognition and must develop students' subject-matter knowledge, vocabulary, sentence comprehension, and familiarity with the language in written texts.⁶⁶⁸

Although the full range of skills, knowledge and pedagogical approaches that are encompassed within a complete language curriculum are beyond the scope of this report, the importance of critical instruction to build word-reading skills cannot be overemphasized.

The Rose Reports recommended that England replace the “searchlight” model of teaching reading, a model based on cueing strategies like Ontario’s current Language curriculum, with high-quality, direct and systematic phonics instruction starting by age five. The reports said that pre-reading activities should be introduced earlier to prepare students for phonics instruction. High-quality, systematic phonics work means teaching beginner readers:

- Grapheme/phoneme (letter/sound) correspondences (the alphabetic principle) in a clearly defined, incremental sequence
- To apply the skill of blending (synthesising) phonemes in order as they sound out each grapheme
- To segment words into their constituent phonemes to spell out the graphemes that represent those phonemes.⁶⁶⁹

The Rose Reports concluded that high-quality phonics work should be the primary instructional approach for teaching children to read and write words. High-quality phonics teaching allows students to learn the crucial skills of word reading. Once they master this, they can read fluently and automatically, which allows them to focus on the meaning of the text.

The Rose Reports offer many strategies for phonics instruction, such as incorporating writing the letters and spelling in phonics work, and manipulating letters and their corresponding phonemes within words. The reports also provide advice on the sequence of teaching phonics skills, and the pace of instruction.

Canadian Language and Literacy Research Network Report

In 2008, the Canadian Language and Literacy Research Network produced a report, *Foundations for Literacy: An Evidence-based Toolkit for the Effective Reading and Writing Teacher*.⁶⁷⁰ The components of the report focused on science-based information for teachers on language and reading acquisition, and on science-based instructional methods for critical components of reading and writing. The report identified these essential components:

For reading:

- Print awareness: understanding that print represents words that have meaning and are related to spoken language
- Phonological and phonemic awareness
- Alphabetic knowledge (knowledge of letter names, shapes and letter-sound associations), phonics and word reading
- Vocabulary
- Reading comprehension.

For writing:

- Spelling
- Handwriting
- Composition.

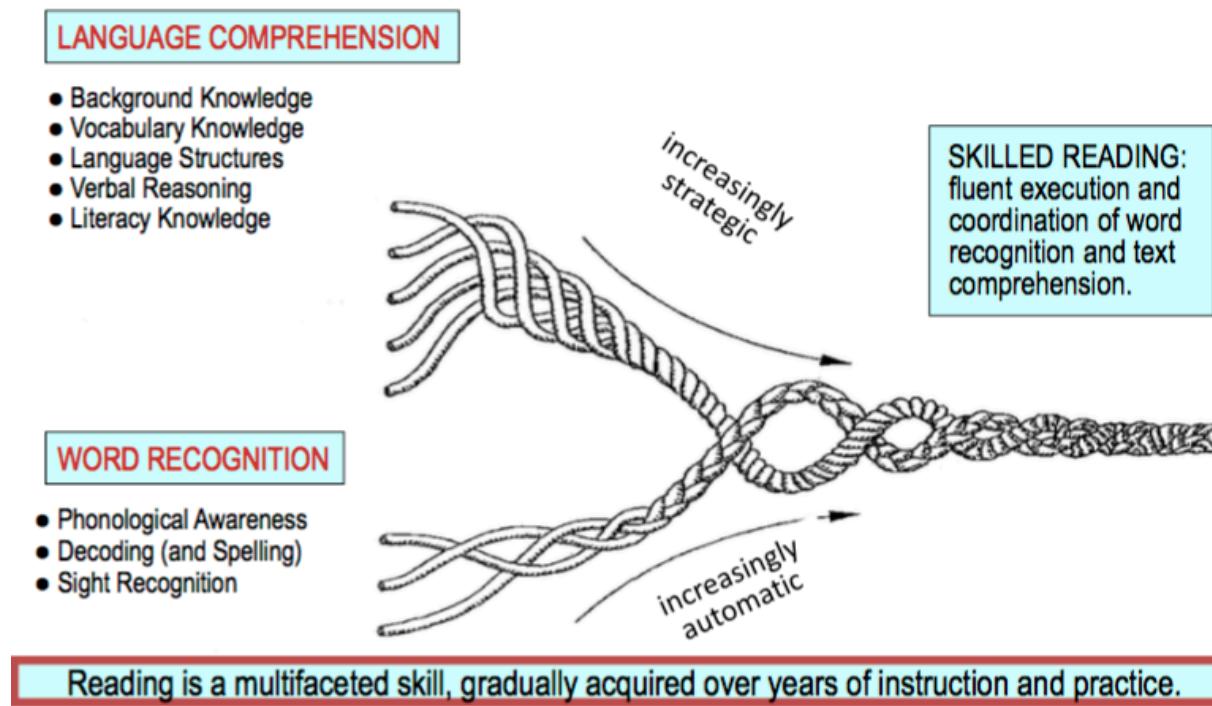
This report provided detailed guidance on the important elements of effective instruction, including for “special populations” such as multilingual students who are learning the language of instruction at the same time as they are learning the curriculum (also referred to in the Ontario education system as English language learners or ELL students), learners from lower socioeconomic backgrounds, students in French Immersion and, importantly, students with reading disabilities, particularly in word reading/dyslexia. The report noted that “structured, systematic, and explicit teaching, with structured practice and immediate, corrective feedback is important in teaching all students, and is especially important in teaching students with dyslexia...” The report also said: “regardless of the child’s starting point, all students can benefit from high-quality instruction focused on phonics.”⁶⁷¹

Models that help explain how children learn to read

Scarborough's rope model⁶⁷² is a science-based framework that breaks down the two major components in the Simple View of Reading, explaining how word-reading skills and oral language comprehension each contribute to reading comprehension. Dr. Hollis Scarborough, a psychologist, literacy expert and leading researcher in reading acquisition, compared skilled reading to the strands of a rope, with each strand representing a separate skill. The strands are woven together as readers become more skilled. If there is a weakness in any strand or skill, the rope will be weaker. The two major strands are word recognition and language comprehension (the ability to get meaning from words, sentences and texts at a listening level).⁶⁷³ The sub-strands of word recognition include phonological awareness, decoding and spelling, and recognizing familiar words "by sight" (quickly and effortlessly or automatically). The goal of word-reading instruction is that with increasing skill development, children come to recognize almost all words by sight (the written word becomes linked in memory to its pronunciation and meaning). In this way, knowledge of spoken words and their meanings is linked to learning word forms and supports students' decoding of words that have not yet become sight words.

Figure 2

Scarborough's Reading Rope (2001)



Dr. Linnea Ehri's Phase Theory of Learning to Read Words⁶⁷⁴ is a useful model that explains the developmental process of learning to read words accurately and efficiently, and is supported by an abundance of research. Dr. Ehri, an educational psychologist and leading researcher on reading acquisition processes, identified four phases representing the connections between the written letters that form words and spoken words that developing readers gain as they move from novice to skilled readers:

1. **Pre-alphabetic phase:** students read words by memorizing their visual features or guessing words from their context
2. **Partial-alphabetic phase:** students recognize some letters of the alphabet and can use them together with context to remember (a few) words by sight
3. **Full-alphabetic phase:** readers possess extensive working knowledge of the graphophonemic system, and they can use this knowledge to fully analyze the connections between graphemes and phonemes in words. They can decode unfamiliar words and store fully analyzed sight words in memory
4. **Consolidated-alphabetic phase:** students consolidate their knowledge of grapheme-phoneme relationships into larger units that recur in different words.

This model explains how reading proficiency needs to develop. Preschoolers and very young students start off reading some very common words from memory (such as STOP on the stop sign), but then begin to use the grapheme-phoneme knowledge they have learned to decode words, at first letter by letter, but then more efficiently by connecting complete graphemes and phonemes and larger letter patterns (such as rimes and syllables). Students then progress to efficient reading, when they can recognize many words and large chunks of words (orthographic patterns and morphemes) automatically – known as reading words by sight or from memory. Dr. Ehri explains:

The evidence shows that words are read from memory when graphemes are connected to phonemes. This bonds spellings of individual words to their pronunciations along with their meanings in memory. Readers must know grapheme–phoneme relations and have decoding skill to form connections, and must read words in text to associate spellings with meanings.⁶⁷⁵

This model can help teachers understand where their students are starting from, and the types of knowledge and skills students need for their word-reading skills to develop.

In these models, the orthographic representation of a word (in other words, its spelling) becomes integrated in memory with both the word's pronunciation and meaning. Teaching phonics is integrated with accessing the meanings of the words the students are learning to read from the beginning, and continues through to reading words with more complex orthographic patterns and with more than one syllable and/or morpheme. Researchers have noted: "The Simple View is consistent with Perfetti's (2007) lexical quality hypothesis, where acquiring and integrating information about both word form and meaning are necessary for on-line reading comprehension."⁶⁷⁶

Summary of reports and models

These influential reports and models, which are based on a substantial body of scientific research, all confirm that a critical focus of early reading instruction must be on skills that will lead to efficient word-reading: that is, teaching phonemic awareness skills, the links between phonemes and graphemes, and how to use this knowledge in decoding/reading (and spelling) words (explicit phonics instruction). They all conclude that teaching students these skills in a direct and systematic way is a critical and necessary component of teaching them to read.⁶⁷⁷

The science of reading shows that contrary to whole language beliefs, strong language comprehension does not lead to good reading comprehension without well-developed word-reading skills. Poorly developed word-reading skills act like a bottleneck for comprehension. On the other hand, the better a reader's word recognition skills, the more attention they can put towards making meaning to understand texts.⁶⁷⁸

There are additional, critical components in a full reading instruction program. For example, effective vocabulary instruction is especially important for students with language disabilities or from less advantaged backgrounds.⁶⁷⁹ Research in Canada and the U.S. shows that effective vocabulary instruction in Kindergarten to Grade 6 may be lacking.⁶⁸⁰ Research studies have helped identify instructional approaches to support students in gaining the vocabulary knowledge needed to make expected yearly gains in reading comprehension.⁶⁸¹ Similarly, students need explicit instruction in text structures (genres), reading comprehension strategies, and the knowledge base of different domains to support reading comprehension. Also, motivating and culturally responsive instruction and texts need to be incorporated.⁶⁸² Although outside of the scope of this report, the body of research known as the science of reading addresses these many components of classroom language and reading instruction. A complete reading program requires evidence-based instruction in each area to more fully address inequities in reading achievement across Kindergarten to Grade 12.

Universal Design for Learning and Response to Intervention

Experts agree that directly teaching the specific foundational reading skills described above saves most children who come to school at risk for failing to learn to read well:⁶⁸³

...classroom teaching itself, when it includes a range of research-based components and practices, can prevent and mitigate reading difficulty...informed classroom instruction...beginning in kindergarten enhances success for all but a very small percentage of students with learning disabilities or severe dyslexia.⁶⁸⁴

Direct and systematic teaching of the skills that are good for all students, and essential for students at risk, is consistent with Universal Design for Learning (UDL), an educational approach that emphasizes designing curriculum and instruction to make it effective and accessible for all students.⁶⁸⁵ The goal of UDL is to give all students an equal opportunity to learn and succeed. By using evidence-based approaches that teach the necessary foundational reading skills in sequence from easiest to most

difficult, with simultaneous differentiation for learners who need more focused and highly scaffolded instruction, almost all children can gain the knowledge and skills that are being taught. That is, it allows almost all children to learn to read words in text accurately and efficiently.

In its submission to the inquiry, the Ontario Association of Speech-Language Pathologists and Audiologists emphasized that students with typical development as well as students with reading disabilities, intellectual disabilities, autism spectrum disorder and hearing disabilities all benefit from instruction that builds skills for decoding words and language comprehension (as set out in the Simple View of Reading).

A tiered approach to instruction, coupled with universal screening or assessment and early intervention also reflects principles of UDL.⁶⁸⁶ Response to Intervention (RTI) or Multi-tier Systems of Supports (MTSS) are frameworks for delivering inclusive education that use UDL, and can be effective for addressing the challenges of teaching reading.⁶⁸⁷ In an RTI/MTSS framework, students receive increasing levels of support according to their needs, but always using high-quality classroom instruction and interventions consistent with the scientific research. Many such frameworks have three tiers, and critical to each tier is reading instruction based on evidence.

Tier 1 is considered the key component of a tiered approach. At tier 1, all students receive high-quality classroom instruction using an evidence-based, scientifically researched core curriculum. Teachers must have sufficient and ongoing professional development to deliver the tier 1 core instructional program in the way it was designed.⁶⁸⁸ An important feature of tier 1 is that all students are screened to see if they are responding to instruction as expected (gaining the required skills and knowledge). This universal early screening means students are identified and receive the programming they need before they start to experience significant difficulties. When evidence-based word-reading instruction is delivered properly, tier 1 meets the needs of most students (estimates are about 80 to 90%).⁶⁸⁹

At **tier 2**, students whose skills and knowledge are not progressing adequately to meet expectations with only tier 1 science-based instruction, receive additional instruction or intervention in small groups. These are about 15 to 20% of students who are not at the expected levels, as identified through an evidence-based screening/assessment process, and are at risk for failing to learn to read well. While continuing to receive high-quality tier 1 instruction, these students receive tier 2 support in smaller groups with increased intensity (daily instructional time, explicitness and scaffolding of instruction, supported practice and cumulative review). Evidence-based tier 2 interventions in Kindergarten and Grade 1 will be most effective for the most students.

Tier 3 supports are intended for the very small percentage of students whose reading skills do not come into the expected range with tier 1 and tier 2 instruction. These students are at high risk for failing to learn to read, or have already experienced time in

the classroom without being able to meet the reading demands. Intervention at this level means smaller groups or individual interventions of increased intensity (more time, more explicit and scaffolded, with ample supported practice to master skills).

The Association of Psychology Leaders in Ontario Schools' inquiry submission emphasized the importance of strong RTI/MTSS approaches, noting: "a combination of effective classroom instruction and targeted small group instruction has the potential to meet the needs of 98% of struggling readers."⁶⁹⁰

With appropriate instruction, multilingual students (referred to in the education system as English language learners or ELL students) can learn phonological awareness and decoding skills in English as quickly as students who speak English as a first language.⁶⁹¹ The specific difficulties that English language learners may face are fairly predictable and can be addressed with proactive teaching that focuses on potentially problematic sounds and letter combinations.⁶⁹² English language learners will also need instruction in other aspects to fully address reading comprehension and written language.⁶⁹³ As described by Dr. Esther Geva, an Ontario psychologists with expertise in culturally and linguistically diverse children, and her colleagues:

Instruction for [English language learners] should be comprehensive and include instruction in the core areas of reading (phonological awareness, phonics, word level fluency, accuracy and fluency in text-level reading, and reading comprehension), as well as in oral language (vocabulary, grammar, use of pronouns or conjunctions, use of idioms) and writing. It is often the case that [English language learners] continue to develop oral language and vocabulary skills while building core literacy skills.⁶⁹⁴

Multilingual students, then, need instruction and intervention on the same foundational word reading skills as other students.

This section of the report deals with tier 1 classroom instruction. For more on how school boards are implementing other aspects of RTI/MTSS, see sections 9, Early screening and 10, Reading interventions.

Ineffective methods for teaching reading

Balanced literacy or comprehensive balanced literacy approaches, cueing systems and other whole language beliefs and practices are not supported by the science of reading for teaching foundational reading skills. They have been found ineffective in many studies, expert reviews and reports for teaching all students to read.⁶⁹⁵ The consequences of using these approaches and programs are particularly serious for students with reading disabilities and other risk factors for failing to learn to read. Research does not support that a balanced literacy approach, which focuses on teaching cueing systems for word solving and rejects a structured literacy approach, is

as successful as science-based approaches, which include direct and systematic instruction in foundational word reading skills, for teaching children in at-risk groups to read.⁶⁹⁶ Despite this, they remain prominent teaching strategies in Ontario.

Balanced literacy, cueing systems and whole language proponents assert that children learn to read naturally, largely through meaningful and authentic literacy experiences and exposure to books and other literacies. They largely reject structured literacy approaches that encompass direct and systematic instruction in the foundational skills supporting word-reading acquisition, and formal reading programs that support teachers to deliver this instruction. Whole language and its offspring, cueing and balanced literacy, emphasize learning whole words in meaningful contexts. In whole language, there is little or no systematic, direct instruction in phonemic awareness. Phonics and decoding and sounding out words are not emphasized.⁶⁹⁷ Dr. Moats noted that balanced literacy, cueing systems and whole language approaches are characterized by:

- Little teaching about speech sounds and their features
- Not enough instruction in blending and pulling apart or segmenting the sounds in words
- Confusing phonological awareness and phonics
- Instructing teachers to avoid breaking words into their parts and teaching the letter-sound relationships
- Telling students to guess at a word from context and the first letter
- De-emphasizing “sounding out” the whole word from beginning to end
- Not systematically presenting sound-symbol relationships and/or practicing decoding words
- Using leveled books instead of decodable texts.⁶⁹⁸

Cueing systems

The three-cueing system follows from a whole language approach and is a central part of balanced literacy. It was first proposed in 1967 by Dr. Ken Goodman, a professor who has been described as the founder of the whole language approach. Dr. Goodman described reading as a “psycholinguistic guessing game.” Dr. Goodman argued that reading is not a precise process that involves sequentially identifying letters, words, spelling patterns and language units. Rather, Dr. Goodman suggested that as people read, they play a guessing game to predict words on the page using cues: semantic cues (what would make sense based on the context); syntactic cues (what kind of word could this be, such as a verb or a noun); and graphophonic cues (what do the letters suggest the word might be). Dr. Goodman’s theory, which was based on how he thought fluent adult readers read, became the basis for the three-cueing approach for teaching young children to read.

Dr. Goodman's theory of skilled reading and the cueing systems approach were not validated by later scientific studies of skilled reading or how to teach developing readers. One educational psychologist explained:

The three-cueing system is well-known to most teachers. What is less well known is that it arose not as a result of advances in knowledge concerning reading development, but rather in response to an unfounded but passionate held belief. Despite its largely uncritical acceptance by many within the education field, it has never been shown to have utility, and in fact, it is predicated upon notions of reading development that have been demonstrated to be false. Thus, as a basis for decisions about reading instruction it is likely to mislead teachers and hinder students' progress.⁶⁹⁹

Dr. Goodman also identified miscue analysis as a way to assess students' use of cueing systems. A miscue analysis is an observational method where the teacher listens to a student read a passage of unfamiliar text that is at least one level higher than their current reading level within a leveled reading system. The teacher observes the student's mistakes, or miscues, to assess how the student approaches the process of reading, which cueing strategies they need to work on, and their overall comprehension of the passage. A running record is a similar observational tool that teachers use to assess a student's oral reading behaviours.

In a 2020 article "What Constitutes a Science of Reading Instruction?" Dr. Timothy Shanahan, an internationally recognized educator, researcher and education policy-maker focused on literacy education, confirmed that "no research has shown that learning benefits from teaching cueing systems."⁷⁰⁰ In another recent study, seven independent reading researchers reviewed Dr. Lucy Calkin's program which is based on the three-cueing system and widely used in the U.S. They concluded:

The program...strongly recommends use of the three-cueing system...as a valid procedure for assessing and diagnosing a student's reading needs. This is in direct opposition to an enormous body of settled research...⁷⁰¹

Balanced literacy

Balanced literacy has not been scientifically validated. According to Dr. Irene Fountas and Dr. Gay Su Pinnell (Fountas and Pinnell), who have developed materials that are heavily relied on in Ministry resources and used in Ontario schools, balanced literacy is a "**philosophical orientation that assumes** that reading and writing achievement are developed through instruction and support in multiple environments using various approaches that differ by level of teacher support and child control."⁷⁰² [Emphasis added]

Another author explains:

[A] Balanced Literacy approach recognizes that students need to use a variety of strategies to become proficient readers and writers. It encourages the development of skills in reading, writing, speaking and listening for all students.⁷⁰³

She writes that a balanced literacy program should include (with suggested time targets for reading and writing):

Suggested targets for reading:

- Modeled reading (10 min/day)
- Shared reading (15–20 min/three days in a row for two weeks)
- Guided reading (one text/group; 15–20 min/week)
- Independent reading (20 min/day).

Suggested targets for writing:

- Modeled writing (every other day; 10–15 min)
- Shared writing (every other day; 10–15 min)
- Guided writing (2–3 times per week for 40 min)
- Independent writing (25–30 min per day). Create a body of work for reflection, assessment and growth.

A report titled *Whole Language Lives On: The Illusion of “Balanced” Reading Instruction*, shows how the term “balanced literacy” was adopted to conceal the true nature of whole language programs.⁷⁰⁴ Even though balanced literacy proponents often argue it uses scientific approaches, balanced literacy fails to incorporate the content and instructional methods proven to work best for students learning to read. This is particularly harmful for at-risk students, including students with dyslexia and many others who come to school with few pre-reading skills for different reasons. Balanced literacy relies on teaching cueing systems to guess at words in text, rather than direct, systematic instruction to build students’ decoding and word-reading skills.

One expert concludes:

In summary, whole-language derivatives are still popular, but they continue to fail the students who most need to benefit from the findings of reading research.

Approaches such as...balanced literacy do not complement text reading and writing with strong, systematic, skills-based instruction, in spite of their claims. Only programs that teach all components of reading, as well as writing and oral language, will be able to prevent and ameliorate reading problems in the large number of children at risk.⁷⁰⁵

Ontario's approach to teaching reading: the Ontario Kindergarten Program, Grades 1–8 Language curriculum and related resources

Ontario's Kindergarten Program

Ontario's Kindergarten Program, 2016⁷⁰⁶ sets out what four- and five-year-olds across the province learn "through play and inquiry."⁷⁰⁷

Kindergarten is a critical time in a child's reading development, where they must develop some core early reading skills. Students who do not have these skills by the time they enter Grade 1 or 2 are often considered at risk for difficulties learning to read.⁷⁰⁸

Empirical studies have shown significant variation in pre-reading skills and oral language abilities among children entering school.⁷⁰⁹ Research has also clearly established that children entering school with less-developed pre-reading skills and oral language abilities are at a greater risk for later reading difficulties.⁷¹⁰

Kindergarten programs that target reading and oral language skills using age-appropriate approaches have been found to close gaps and promote later reading success, in ways that programs that do not have this focus do not.⁷¹¹

Research also suggests that current approaches, similar to those in Ontario's Kindergarten Program, are not enough to change young students' developmental trajectories related to later word-reading skills, or to provide the critical vocabulary and background knowledge needed for later reading comprehension.⁷¹²

Although the focus of this report is on word reading, the science of reading addresses other areas such as the importance of early vocabulary instruction.⁷¹³ Observational studies have shown an "overwhelming lack of attention" to vocabulary instruction, even in the earliest school years.⁷¹⁴ In a U.S. study examining classroom approaches like those in Ontario's Kindergarten Program, planned vocabulary instruction was largely absent across 55 Kindergarten classrooms, and impromptu instruction about words occurred for only about eight minutes per day⁷¹⁵ (see similar Canadian research for older grades).⁷¹⁶ In classrooms with students from largely lower socioeconomic backgrounds, even fewer words were introduced per day, and fewer of these were more challenging words.⁷¹⁷ These findings highlight critical inequities in early literacy learning opportunities.⁷¹⁸

The OHRC examined the literacy component of Ontario's Kindergarten Program⁷¹⁹ as it relates to children's skills related to decoding and word-reading development. The Kindergarten Program is deficient in several key ways.

The program does not pay enough attention to the importance of phonemic awareness skills and how to teach these in the classroom. While there are references to phonological awareness, phonemic awareness and phonics in several specific

expectations, there is little discussion of the importance of these skills. There are no clear sets of reading skills that teachers are expected to teach and students are expected to learn.

There is also insufficient information on instruction for alphabetic knowledge and decoding skills, including no mention of daily phonics instruction in the Kindergarten classroom. Also, the program does not discuss the importance of monitoring students' skills in these areas, or supporting students who are struggling in developing these reading skills.

An "Educator Reflection" in the Kindergarten Program document states: "We noticed that, when we taught a whole class about phonological and phonemic awareness, we were not really meeting anyone's needs." This negative anecdotal statement about class-wide instruction in phonological and phonemic awareness is inconsistent with decades of research showing that all students benefit from this form of instruction. It feeds into a myth that only some students need this explicit instruction, and discourages class-wide instruction with sounds and letters to build these foundational skills.

One Kindergarten teacher who is teaching foundational skills in a direct and explicit way in her classroom told the inquiry: "Every [student] is benefitting. My [students] are fantastic spellers, and they love it [referring to the structured literacy instruction]." She also expressed concern that Ontario's play and discovery-based Kindergarten Program does not provide enough guidance on how Kindergarten teachers should teach foundational word-reading skills, putting students at a disadvantage when they enter Grade 1:

In Ontario, the play-based [K]indergarten [P]rogram is interpreted by some (many?) to mean play all day and no direct explicit instruction. Teachers placing a bunch of magnetic letters in the rice table is not going to teach children how to read, nor is it going to catch early strugglers. There needs to be clearer guidelines for the teaching of reading or pre-reading in kindergarten, in direct response to early screening – using a fun and playful structured literacy program.

The evidence is clear that instruction in phonological awareness, letter knowledge and sounds, and simple decoding should be included in daily instruction for all Kindergarten students. Approaches for phonological awareness start with easier, oral language activities in Kindergarten Year 1 (formerly referred to as Junior Kindergarten), such as singing and learning nursery rhymes, learning to recognize and produce rhyming words, and playing with the chunks of sound that make up words, like syllables and beginning sounds. In Kindergarten Year 2 (formerly known as Senior Kindergarten), students need to develop the critical phonemic awareness skills of identifying phonemes in the beginning, end and middle of words, and then blending and segmenting individual phonemes in words.

At the same time, Kindergarten Year 1 and Year 2 students should be taught, using engaging and age-appropriate methods, letter names and letter-sound associations, and how to use these to read simple words. Through Year 2, students should master

(be both accurate and quick) the most common letters representing the roughly 44 English sounds and 36 French sounds (grapheme-phoneme associations) through explicit teaching and practice using these to read simple words, sentences and stories that are made up mostly of words students are able to decode with the associations they have already learned. Writing is an important activity in Kindergarten, and students should develop and reinforce these skills through instructional writing activities, as they learn to segment sounds in words and represent these with letters.⁷²⁰

Several inquiry school boards were concerned that a proportion of their students start school at a disadvantage. They clearly recognize that many of these students will remain at a disadvantage unless something is done. However, what was less clear was their understanding that schools can provide instruction that will help these students close the gap with peers who start school with more developed skills. The boards suggested that access to better pre-school programs and services were the solution. Although better pre-school supports could help, science-based Kindergarten classroom programming can address many of these disadvantages, such as those related to phonemic awareness and word reading.

Unfortunately, the current Kindergarten Program in Ontario maintains, and does not alleviate, literacy disadvantages for the large numbers of students who start school with less-developed formal pre-reading and reading skills. This includes children who may have a biological predisposition to reading disabilities/dyslexia. Complete literacy programs must include instruction in word-reading skills, as well as the many other components that help develop strong and motivated readers. Emphasis on word-reading skills is essential but is largely absent in Ontario's Kindergarten Program. This is a significant obstacle limiting the reading and literacy development of far too many Ontario children.⁷²¹

The Association of Psychology Leaders in Ontario Schools⁷²² stressed the importance of introducing these skills in Kindergarten, in the context of play-based learning:

Foundational reading skills can be incorporated into regular classroom instruction in the early years and in ways that maintain the integrity of the play-based philosophy. Purposeful play is play nevertheless. There exists an opportunity for boards to implement programs that teach foundational reading skills in the early years, and emphasize the oral language and phonological awareness skills that are critical for reading development. Not doing so would be to the detriment of our children.

Ontario's Grades 1–8 Language curriculum

Curriculum is set by the Ministry.⁷²³ Of note, the Ontario Language curriculum is the oldest elementary curriculum in use in Ontario,⁷²⁴ and one of the oldest elementary language curricula in Canada.⁷²⁵ The Ontario Language curriculum was last updated over 15 years ago, in 2006. According to the Ministry, curriculum has a shelf-life of 10 to 15 years.⁷²⁶ Based on its age alone, this curriculum is due for an update.

The Ontario Language curriculum outlines the knowledge and skills students are expected to achieve by the end of each grade. It sets out mandatory learning expectations, and what is taught in each grade must be developed based on these learning expectations. Teachers use their professional judgment to decide how to teach the curriculum.

The Ontario Language curriculum focuses on the use of the three-cueing system as the primary approach students will be taught to read words. The Ontario Language curriculum makes it clear that this involves looking for clues to predict or guess words based on context and prior knowledge. It defines cueing systems as:

Cues or clues that effective readers use in combination to read unfamiliar words, phrases, and sentences and construct meaning from print. Semantic (meaning) cues help readers **guess** or **predict** the meaning of words, phrases, or sentences on the basis of context and prior knowledge. Semantic cues may include visuals. Syntactic (structural) cues help readers make sense of text using knowledge of the patterned ways in which words in a language are combined into phrases, clauses, and sentences. Graphophonic (phonological and graphic) cues help readers to decode unknown words using knowledge of letter or sound relationships, word patterns, and words recognized by sight. [Emphasis added.]

As explained by the validated models of skilled reading presented earlier, effective readers recognize words accurately and quickly. They do not need to use their attention to guess at words based on cueing systems. Context can help with recognizing the rare word whose orthography is unfamiliar and not easily pronounced. It should not be a primary or frequent strategy for reading words.

For young children learning to read, the written form of almost all words is “unfamiliar.” Starting to learn to read by integrating these cueing systems in texts is not effective for most children, and not efficient for any child.

In the current Ontario Language curriculum, one of the overall expectations for each grade is that students will be able to “use knowledge of words and cueing systems to read fluently.” As discussed below, Ontario’s teaching guides also emphasize cueing systems as the primary approach for students to learn the written code of spoken language. Therefore, the curriculum emphasizes teaching cueing systems for word reading rather than directly and systematically teaching students the written code of spoken language. With this cueing system approach, many students fail to build accurate and efficient word-reading skills, which are the “hallmark of skilled word reading.”⁷²⁷ Indeed, failing to directly teach skills and knowledge needed for accurate and efficient reading in the earliest grades can start the Matthew Effect in reading (described in section 4, Context for the inquiry), where students with poor early word-reading skills get further and further behind in all aspects of reading and the positive consequences of reading, such as building vocabulary and knowledge of the world.⁷²⁸

The Ontario Language curriculum defines phonological awareness, phonemic awareness and phonics but it does not require these be taught or provide guidance on how these should be taught.

The Ministry's Guide to Effective Instruction in Reading

The Ministry also develops resources to support instruction. One significant resource related to early reading instruction is the Ministry's *A Guide to Effective Instruction in Reading, Kindergarten to Grade 3, 2003* (the *Guide*). School boards reported that they rely on the *Guide* in delivering the Language curriculum.

The *Guide* emphasizes the role of the three-cueing system and related balanced literacy approaches for teaching students to read words. For example, it outlines the following word guessing skills in a table entitled "The Behaviours of Proficient Readers."

Word-solving skills

Proficient readers:

- Use semantic (meaning) cues:
 - use illustrations from the text to predict words
 - use their prior knowledge as an aid in reading
 - use the context and common sense to predict unfamiliar words
- Use syntactic (structural) cues:
 - use their knowledge of how English⁷²⁹ works to predict and read some words
 - use the structure of the sentence to predict words
- Use graphophonic (visual) cues:
 - analyze words from left to right
 - use their existing knowledge of words to read unknown words
 - notice letter patterns and parts of words;
 - sound out words by individual letter or by letter cluster
- Use base or root words to analyze parts of a word and to read whole words
- Integrate the cueing systems to cross-check their comprehension of words:
 - combine semantic (meaning) and syntactic (structural) cues to verify their predictions
 - cross-check their sense of the meaning (semantic cues) with their knowledge of letter-sound relationships and word parts (graphophonic cues).

Although the description of graphophonic (visual) cues appears to suggest that the sounds and letter patterns in words are part of the three-cueing system, this is at best a passing reference to a few of the fundamental skills needed to read words. Instructions on how to use graphophonic clues often promote looking at the first letter/sound in the word and then guessing what might fit for the whole word in the context of the sentence. For example, in a section called Sample Questions and Prompts to Promote Students' Use of the Three Cueing Systems, the *Guide* suggests the following questions to help students use graphophonic cues:

- What were the rhyming words in this story?
- What word do you see within that bigger word? (Prompt students to look for the root word in a word with a prefix or suffix, or for the two words that make up a compound word)
- What is the first letter (or last letter) of the word?
- What sound does that letter (or combination of letters) make?
- What other words start with that letter and would fit into this sentence?⁷³⁰

These examples of how to process the letters within words are time- and attention-consuming – the exact opposite of skill acquisition where words become recognized more and more automatically. The National Reading Panel Report noted that some instruction in phonics as one part of graphophonic prompts is not sufficient:

Whole language teachers typically provide some instruction in phonics, usually as part of invented spelling activities or through the use of [graphophonic] prompts during reading (Routman, 1996). However, their approach is to teach it unsystematically and incidentally in context as the need arises.

...

Although some phonics is included in whole language instruction, important differences have been observed distinguishing this approach from systematic phonics approaches.⁷³¹

The *Guide* has a later section on phonemic awareness, phonics and word study. However, the three-cueing system is presented throughout as the primary instructional approach to reading words in text. Even within the discussion of phonemic awareness, phonics and word study, guessing strategies are promoted. For example, in a section on word-solving and word study, teachers are once again encouraged to have students predict words, think about what word would make sense in context and look at the pictures for clues.⁷³² Decoding or sounding out words is often presented as one of the last strategies for word analysis when it should be the first⁷³³ and based on effective classroom instruction on how to decode words.

Combining cueing systems with decoding strategies is not an effective approach to reading instruction and results in confusion for students. The U.K.'s Primary Framework for Literacy and Mathematics noted:

...attention should be focused on decoding words rather than the use of unreliable strategies such as looking at the illustrations, rereading the sentence, saying the first sound or guessing what might "fit." Although these strategies might result in intelligent guesses, none of them is sufficiently reliable **and they can hinder the acquisition and application of phonic knowledge and skills, prolonging the word recognition process and lessening children's overall understanding.** Children who routinely adopt alternative cues for reading unknown words, instead of learning to decode them, later find themselves

stranded when texts become more demanding and meanings less predictable. **The best route for children to become fluent and independent readers lies in securing phonics as the prime approach to decoding unfamiliar words.**⁷³⁴ [Emphasis added.]

For children learning to read, almost all words are unfamiliar words.

Another recent report by leading reading researchers confirms that three-cueing as the way of teaching students to read and as a first strategy for students reading unfamiliar words is problematic and inconsistent with the scientific evidence:

Th[e] endorsement of the three-cueing system gives teachers explicit permission to center instruction on the three-cueing system rather than the more productive and research-based incorporation of phonics instruction. The best and overwhelming body of research strongly supports that letter-to-sound decoding is the primary system used by proficient readers to read text while it is only poor readers who rely on use of partial visual cues to guess at words....The promotion of the three-cueing system...will dilute the work of the phonics materials by prompting teachers to focus on analyzing running records for errors based on meaning and syntax rather than leveraging taught foundational skills.⁷³⁵

Other Ministry resources

The Ministry of Education publishes several resources on early literacy and special education. It states that these resources support instruction, and educators may choose to use these resources if they find them useful.

The inquiry reviewed these resources and found that they also fail to promote an effective and systematic evidence-based approach to teaching students how to read. This is not surprising, given that the Ontario Language curriculum and the *Guide* are the primary resources for teachers, and any additional Ministry resources follow the curriculum.

Consistent with the Ontario Language curriculum and *Guide*, these resources promote whole language approaches. For example, a Ministry guide to support boys' success in literacy, *Me Read? No Way! A Practical Guide to Improving Boys' Literacy Skills, 2004* acknowledges that gender is a significant factor in reading achievement and that boys score lower on reading tests, are more likely to be placed in special education classrooms, have higher dropout rates and are less likely than girls to go to university.⁷³⁶

This resource identifies 13 “strategies for success” for improving boys’ reading. None of the strategies reference teaching early foundational reading skills effectively to improve word reading, including teaching phonemic awareness, phonics and decoding. All the strategies suggest that if boys find reading more interesting, relevant and fun, they will be better readers. This guide promotes the problematic balanced literacy approach as a best practice.⁷³⁷

Focusing only on a lack of student engagement to explain why students do not read well perpetuates stereotypes about students who do not learn to read without instruction and students with reading difficulties. It suggests that if students simply find something they are interested in and apply themselves, they can improve their reading. It fails to recognize that if students are not able to read the words in texts, it limits their reading comprehension, does not increase reading skills, and has a negative impact on their desire to engage in reading. The notion that some students, especially boys, are not motivated to learn is constructed on negative and gendered stereotypes.

The Ministry's basis for adopting the three-cueing system

The three-cueing system and balanced literacy models in the Ontario Language curriculum, the *Guide* and other Ministry resources were not recommended for developing early word-reading skills by the Kindergarten to Grade 3 expert panel in the *Early Reading Strategy: Report of the Expert Panel on Early Reading in Ontario*.

The OHRC asked the Ministry why it decided to adopt the three-cueing system, and what scientific support it had for the three-cueing system. The Ministry advised that cueing systems were referenced in *Literacy for Learning: The Report of the Expert Panel on Literacy in Grades 4 to 6 in Ontario* (2004).⁷³⁸ This Grade 4 to 6 expert report states that it builds on the foundations for literacy that are laid in a child's early years. It also says that it builds on the earlier work of the Kindergarten to Grade 3 expert panel. However, this panel did not recommend three-cueing or balanced literacy approaches for word reading.

The Grade 4 to 6 expert report appropriately suggests that cueing systems can be used by students in Grades 4 to 6 to "make meaning from increasingly complex texts." It does not suggest that cueing systems be used to teach foundational word reading skills to students in Kindergarten through Grade 3. The research shows that context is important to reading comprehension or making meaning from text after words have been decoded.⁷³⁹ However, using context is not useful as a primary word decoding strategy. When children encounter a word they have not seen before, their first approach should be to use decoding skills to sound it out.⁷⁴⁰

Therefore, the evidence gathered in the inquiry shows that the Ontario Language curriculum, the *Guide* and related resources were not developed in response to the expert or scientific evidence available at the time. There was not, and still is not, a sufficient basis to support the use of the three-cueing system and balanced literacy for teaching early word reading in Ontario.

School board approaches to teaching reading

Given the prevalence of three-cueing and balanced literacy in the Ontario Language curriculum, the Guide and other resources, it is not surprising that the eight inquiry school boards all reported using these ineffective approaches to word-reading instruction in their schools.

The OHRC asked the boards to provide documents, data or information explaining their approach to teaching reading. The OHRC also asked questions in its meetings with each board to better understand if they are teaching phonemic awareness, phonics, decoding and word-reading, and their views on whether current approaches are consistent with the science of reading.

Emphasis on three-cueing and balanced literacy

All boards reported following the Ontario Language curriculum as required, as well as relying on the *Guide* and other Ministry resources. The boards said that in addition to cueing systems, they use either a balanced literacy or comprehensive (balanced) literacy approach to teaching reading. The key elements that appear to distinguish comprehensive balanced literacy from balanced literacy are an emphasis on oral language, reading, writing and media literacy, as well as teachers having flexibility to divide time among the four primary teaching strategies (modelled, shared, guided and independent reading) in response to the perceived needs of their students.⁷⁴¹ The majority (59%) of educators⁷⁴² who responded to the OHRC's educator survey also identified balanced literacy as the predominant approach to teaching reading in Ontario.

The inquiry school boards also reported relying heavily on resources from whole language and balanced literacy proponents such as Drs. Fountas and Pinnell, Dr. Brian Cambourne, Dr. Marie Clay, and Dr. Lucy Calkins for instruction, assessment and intervention. These include PM Benchmarks, Running Records, Observational Survey of Literacy Achievement and Miscue Analysis for assessment as well as Levelled Literacy Intervention (LLI) and Reading Recovery® for interventions (for a detailed discussion of assessment and intervention, see sections 9, Early screening and 10, Reading interventions).

One school board described its understanding of literacy development, based on Cambourne's Conditions of Learning:

...educators must understand that: literacy is developmental; **not all children reach the same developmental phase at the same time; attitude can play a large part in the success of the student;** reading and writing tasks must be linked to prior knowledge and experience; and learning language requires much social interaction and collaboration. [Emphasis added.]

Unfortunately, these types of misconceptions can lead educators to believe that students who are not learning to read are not developmentally ready or are not trying hard enough. Many students and parents reported being told that delays in learning to

read are normal, or that students are not learning to read because of a lack of effort. However, these delays were later recognized as early signs of failing to learn to read due to the lack of direct and systematic instruction in foundational word-reading skills. These reported observations are consistent with findings from research.⁷⁴³

The boards were asked if they believe they are following a whole language or structured literacy approach to teaching reading. Two boards acknowledged that their literacy programs follow a whole language approach. One board reported following a structured literacy approach. Other boards felt their approach incorporated elements of both. However, the overall approaches of all the school boards, with a few possible exceptions (described below), do reflect a whole language philosophy.

School board leaders opined that a whole language approach is not at odds with teaching phonological awareness or that whole language and direct instruction/structured literacy approaches can be combined. In fact, whole language approaches do preclude systematic and explicit instruction in phonemic awareness and phonics, because a central belief of whole language is that individual reading skills are not taught outside of “authentic” or real-world reading activities. Further, the three-cueing system that is the primary approach to word-reading instruction within this framework is directly opposed to direct and systematic teaching of decoding skills.⁷⁴⁴

Board representatives were asked if they believe the current Ontario Language curriculum and their approaches to reading instruction are working well or should be changed. It was apparent that many board leaders were not familiar with the overwhelming evidence that cueing systems and balanced literacy are far less effective approaches for teaching early reading skills and leave many vulnerable students at risk for not learning these skills. Boards described balanced literacy as “very highly regarded as the way to teach reading,” as it is “still taught in faculties of education” and believed balanced literacy researchers “are still at the forefront.” One board said it felt “confident” that balanced literacy is the way to teach students to read and to get most students reading at grade level, even though a significant proportion of this board’s students, particularly students with learning disabilities and special education needs, are not meeting provincial standards on EQAO testing.

Boards that recognized the need to improve literacy outcomes for more students could not always identify how their current approaches to teaching reading are not working for these students. It was unclear how these boards expected to increase student success in reading without fundamentally changing how students are taught to read. They did not appear to know about the scientific evidence on effective instruction in early reading skills.

Several boards suggested that the current approach simply needs minor adjustment to provide a bit more guidance on how to approach phonological awareness and “word work,” or clearer expectations for what should be taught and learned in each grade. One board noted that teachers are more comfortable with using cueing systems than with delivering direct and systematic instruction in foundational word-reading skills, and could use “some additional guidance” on the latter. Several boards commented that the

Ontario Language curriculum provides little guidance on what the expectations are for each grade, so they are left to interpret the curriculum to decide what to focus on in each grade. These boards suggested that clearer guidance on what should be taught in each grade could be helpful and promote greater consistency across Ontario.

One board clearly acknowledged that the current Ontario Language curriculum and approaches to teaching reading are not consistent with the science of reading. This board said that their speech-language pathologists and psychologists have informed them that the current curriculum does not support direct, systematic instruction in foundational word-reading skills or structured literacy. The board noted that teachers must follow the curriculum, which is not consistent with the science of reading. The board reported being concerned about how to “honour the Ontario curriculum as required while also adapting to what the science of reading is telling them.”

Several school boards explicitly said they believed that they sufficiently address “word work” or “word study” within their current approaches. For example, one board reported allotting 2–3 minutes each day for letter or word work in their guided reading block, which they felt was enough to help students “become quick and flexible at using principles that are important in solving words at this level.”⁷⁴⁵ Other boards were not able to provide any specifics on how much time is spent on “word work” or “word study,” indicating that this is left to each teacher’s judgment with no means to monitor whether any direct and systematic instruction of foundational word-reading skills is taking place.

When asked if teachers are required to teach phonological awareness and phonics, one board said that “required is a strong word” and suggested teachers may spend some time working on phonological awareness with the whole class as “an exposure ideal,” but would more likely do so with smaller groups of students. This was consistent with the inquiry’s finding that if these skills are addressed at all, it is through “mini lessons” with small groups of students at the teacher’s discretion. This is not the systematic instruction in the written code that is supported by decades of research.

As well as asking the boards about their approach to reading instruction, the OHRC, with the help of its experts, reviewed the documentation the boards provided. With a few exceptions, the OHRC found little information in the documentation or outlined classroom materials showing that boards include a direct and systematic approach to phonemic awareness, phonics, decoding and word reading fluency (and word structure or morphology in more advanced lessons). Further, the instructional cycle of focusing on books through modelled, shared, guided and independent reading leaves little room for any emphasis on direct instruction to teach children the code of written language.

Lessons most often take the form of short “mini lessons” that appear to be based on what teachers notice the students need, such as an aspect of reading comprehension, vocabulary or graphophonic information. This model of *ad hoc* instruction does not

incorporate and is inconsistent with direct and systematic whole-class instruction in the foundational skills of word reading that aims to increase all students' decoding skills.⁷⁴⁶ Indeed, the reported approaches are inconsistent with Universal Design for Learning and RTI/MTSS frameworks for inclusive education.

The inquiry found that school boards are relying on Ministry documents either as their primary teaching resources or by largely reproducing the contents of these Ministry documents in their own board-specific, teacher-related documents. In some boards, brief summary sheets contain more variety of information, but there is a lack of detail for how these briefly mentioned practices might be integrated into an effective approach to early reading instruction.

As discussed earlier, the Ministry *Guide* has a section on "Phonemic Awareness, Phonics, and Word Study." When these are incorporated into school board documentation, boards focus primarily on the "word study" component – largely referring to learning high-frequency words and using word walls. One board has defined "word study" on its teacher planning sheet as "high-frequency words, word families, chunking, word structure and meaning, letter/sound, phonemic awareness." Word study is one of 11 literacy areas listed in the teacher planning sheet. While this was one of the only examples of a board specifically referencing letter/sound relationships and phonemic awareness in its written materials, these important skills are presented as one among many strategies to problem-solve words. No guidance is given on how to teach these necessary foundational skills from simplest to most difficult (in other words, systematically), with sufficient practice reading words and cumulative review to build up skilled word reading.

Overall, with a few small exceptions, the inquiry found little evidence of boards using consistent and effective early literacy instruction in the materials provided. Hamilton-Wentworth appears to be making a concerted effort to address early literacy, and has appropriately recognized the Five Big Ideas in Early Reading as a science-based framework (for more details, see discussion below). Even so, not all components of effective early decoding instruction have been considered and adequately addressed in recommended teacher approaches and materials. Without a complete program based on explicit and systematic instruction in learning the code, it is unclear if the approaches will be effective. A few other boards reference phonological awareness and phonemic awareness but without specific detail, and phonics and decoding are left out in these references. This falls far short of the explicit and systematic approach called for by scientific studies of reading instruction.

Spending on unscientific resources and supports

The Ministry provides funding for purchasing all learning and teaching resources and for specific programs. However, school boards and schools decide which resources to select, buy and use. Several inquiry school boards confirmed that the choice of

materials is often a school-level decision. The Auditor General has noted that the Ministry does not track which resources schools select or use, or how much funding is spent on these resources.⁷⁴⁷ School boards also do not track the use of resources within schools.⁷⁴⁸

Various boards reported purchasing resources to support delivering the curriculum that are not consistent with the science of reading. These include expensive programs, kits, books, readers, assessment tools and intervention programs. Several sources told the inquiry that boards buy programs and resources, sometimes for millions of dollars, because someone at the board is familiar with or likes the product, and not because the board considered whether there is research into its efficacy.

Boards could not show that they made sure there was research or literature to support the scientific validity of these programs and materials before selecting them. Several boards reported that they did not have the capacity to undertake this kind of review to confirm that a resource was scientifically validated. They said that they would find it helpful if the Ministry would do this analysis and tell them which resources are evidence-based.

School boards receive special funding from the Ministry for specific purposes, yet it appears that the Ministry does little to make sure they are spending it on materials or programs supported by research science.⁷⁴⁹ The Ministry told the inquiry about funds to support students in the area of literacy. For example, from the 2008–09 school year to the 2018–19 school year, funding was provided to school boards to design and facilitate professional learning and capacity-building projects to support educators working in collaborative teams to assess and respond to the literacy learning needs of targeted groups of students who need extra support with literacy.

The Ministry reported that a large emphasis of the program was identifying students based on data analysis and reporting on student and educator outcomes, as well as on how funding was spent. However, it does not appear that the Ministry set criteria to make sure funding was used to provide extra support in literacy using approaches consistent with the research science, or that follow-up was done to ensure that proper data analysis (for example, to measure student outcomes) occurred. Given the Ontario Language curriculum and the inquiry's findings, these funds may not have been used for evidence-based programs or resources.

Another example of special funding is the money the Ministry provides to boards for summer learning programs. These programs are intended to reduce summer learning loss and improve literacy and numeracy skills through a mix of high-quality instruction and recreation programming for vulnerable students who face academic and socioeconomic challenges in learning.⁷⁵⁰

The inquiry heard that not all boards use these funds to offer summer programming for struggling readers. When the money is used to support literacy, the programs they use may not be adequate to help students catch up. One school board told us about their three-week summer camp program targeted to students who need extra support with

reading. Based on the description provided, this program appeared to largely follow the approaches used in regular classroom instruction. Although boards have good intentions, spending money on programs based on ineffective approaches will do little to advance the reading skills of at-risk and struggling students.

The Ministry of Education must provide enough dedicated funds to implement the recommendations in this report. The province has invested significantly in improving student performance in math.⁷⁵¹ The findings in this report show the Ministry must also provide significant funding for literacy. However, steps are also needed to make sure boards spend these funds on resources that are supported by the science of reading. As indicated by the boards, since they lack capacity to do the necessary research, it is vital that the Ministry identify evidence-based resources and provide an approved list.

The Ministry currently maintains the Trillium List, a list of textbooks approved by the Minister of Education, after “rigorous evaluation,”⁷⁵² for use in Ontario schools. The Ministry should do the same for programs, kits, books, readers, screening and assessment tools and intervention programs – and the evaluation must include alignment with explicit and systematic instruction in the foundational reading skills, including word-reading. Experts in structured literacy approaches should be consulted in composing this list. This list must be reviewed often and kept up-to-date based on the latest research.⁷⁵³ As the Auditor General noted, this could also allow school boards and schools to take advantage of bulk purchasing to buy resources at a lower cost.⁷⁵⁴

Further, Ministry funding for literacy should address the need for adequate professional development and ongoing coaching and support. That way, funds will be well spent, there will be greater consistency between schools and school boards, and students will be better served.

Piecemeal attempts to incorporate the science of reading

The inquiry found that some boards are trying to incorporate some elements of science-based approaches. This appears to often stem from advice from board professionals, in particular speech-language pathologists and psychologists. The primary focus tends to be on one aspect of science-based approaches: phonological awareness. This is an important early skill, and efforts to incorporate it systematically in Kindergarten are a good start. However, a prolonged and overly heavy focus on phonological awareness can shortchange other areas such as phonics and decoding instruction. The purpose of instruction in phonemic awareness is to facilitate gaining word decoding skills, rather than as an end in itself. Focusing on phonological awareness alone will not be enough to teach most students to read words proficiently. Phonological awareness skills must be combined and integrated with instruction in phonics and decoding skills.

One school board, Hamilton-Wentworth, said it follows a structured literacy approach and has a documented Early Literacy Strategy. The goal of this strategy is to have 75% of Grade 1 students reach a minimum grade of B- in reading. The board provided documentation stating that phonological awareness, phonics, vocabulary, fluency and comprehension are required elements to achieve this goal.

To this end, Hamilton-Wentworth does have some aspects of programming that are supported by evidence-based approaches. The board has also identified “high-priority” schools, and has provided dedicated resources to improve reading outcomes in those schools. The board is taking steps to collect student report card data to analyze progress towards achieving its reading achievement goals. However, it is not clear how a grade of B- relates to assessing foundational word-reading skills, or whether Grade 1 report card grades are a good measure of the board’s reading achievement goals.

Even with some understanding of the science of reading and more concerted efforts to implement components in the classroom, elements appear to be missing. For example, the Kindergarten Literacy and Language in the Classroom program (KLLIC) does have phonological awareness as one focus, but then links appear to be provided to other documents (such as Fountas and Pinnell resources) that are not part of a beginning reading program supported by research. It does not appear that a systematic phonics approach is being consistently recommended or used.

Further, these aspects of the science of reading are presented in the context of documents that emphasize ideas in education that are not supported by research, such as teachers and students completing “Multiple Intelligence Profiles” or teaching approaches based on students’ learning styles.⁷⁵⁵ There seem to be good efforts and some consideration of the research, but not all components of effective early decoding instruction have been adequately incorporated within recommended teacher approaches and materials. More guidance, support and resources could help boards that have begun the important work of moving towards structured literacy, to implement it in a systematic and effective way.

London Catholic also told us about some recent efforts to supplement the Ontario Language curriculum with approaches that are consistent with evidence. The board told us about a pilot program they implemented in 12 schools in 2019. Kindergarten teams were given professional development on the Five Big Ideas in Early Reading, and follow-up support was provided by speech-language pathologists. The pilot included early literacy assessment using an Early Literacy Assessment tool. Training was provided on the importance of the skills being assessed, how to teach those skills within the classroom, and how to support students within the classroom who have been identified as not meeting learning benchmarks. Unfortunately, no documentation was available on the details or evaluation of this pilot program so it was difficult to assess. It is also unclear whether this program will be offered across the board and if steps will be taken to implement the Five Big Ideas in Early Reading beyond Kindergarten and in an adequately comprehensive way.

Some boards have purchased online resources to support classroom instruction. For example, London Catholic reported that it piloted purchasing Learning A-Z Headsprout licenses as a resource for early reading, with year 1 ending on November 30, 2020. Teachers were told that the resource was available, and they could use their professional judgment to determine when and how to use it. London Catholic explained that with the onset of teacher-led distance learning due to COVID-19, they received extra licenses and all primary teachers (Year 1–Grade 3) are actively using this resource. London Catholic hopes to continue to buy yearly classroom licenses for the Early Reading Component of Headsprout targeted at Kindergarten to Grade 2. The plan is to have this as their universal tool/resource for learning to read. The effectiveness of this online tool as currently used should be evaluated to inform this larger roll-out.

Several boards mentioned that phonological awareness and phonics programs (such as Jolly Phonics or Class Act Phonological Awareness Program) are available as an optional resource individual teachers can choose to use. However, they also reported that teachers are not required to use the programs, and no data is collected on whether teachers are using them. Therefore, beyond saying the programs are available, boards could not report on their use. Having access to these optional programs is a token attempt to include phonics and some other isolated elements of a science-based approach.

Overall, the inquiry found that a few boards have identified the need for more science-based early reading instruction. These boards have tried to incorporate more explicit instruction in some foundational skills within the context of a curriculum and balanced literacy model that de-emphasizes instruction in these skills. While the OHRC applauds these boards for their efforts, this type of localized, piecemeal and incomplete approach is not likely to effect large changes in students' achievement, and falls short of the explicit, systematic approach needed to make sure all Ontario students learn to read.

Challenges for educators and other professionals trying to promote the science of reading

The inquiry learned that there are educators and other professionals, including many who work in school boards, who are trying to address deficiencies in current approaches to teaching reading to all students. However, they are encountering significant challenges, and at times, active resistance to making changes that conform with the evidence.

People who work within school boards described a lack of consistency in approaches to teaching reading at an individual school or classroom level. They said that what happens at specific schools often comes down to the knowledge of individual teachers and school principals.

The inquiry discovered there are “silos” between the people responsible for curriculum and instruction and people responsible for special education, with a lack of understanding about how the two areas are connected. The inquiry also heard reports of board “politics” standing in the way of doing what is best for students.

Board literacy specialists are often called on to support other teachers in reading instruction and students who are struggling with reading, and to provide professional learning to their colleagues. However, the inquiry learned that they are often trained in approaches and programs like Reading Recovery® and Leveled Literacy Intervention that do not align with the scientific studies of reading instruction. Job descriptions for literacy positions often state that training in and experience with these largely ineffective programs is required or an asset. Several senior board administrators the OHRC met with were also trained in such programs. People who work within school boards told the inquiry that when senior board leaders or board staff who are considered to have the greatest expertise in reading are invested in approaches derived from whole language, it is even harder to promote the science of reading within the board.

The OHRC heard about disagreements between staff who support continued use of three-cueing and balanced literacy approaches to early reading instruction, and staff who advocate for science-based approaches. This tension was even apparent during OHRC interviews with some boards, where board staff appeared to have differing views on the best approach to teaching reading. This was also apparent in the responses in the OHRC educator survey, and in interviews conducted with school board staff from across Ontario who came forward to share their experiences.

We received 1,086 survey responses from Ontario-educated teachers. When asked which approach to teaching reading should be used in primary grades, 39% chose structured literacy and 35% chose balanced literacy. This suggests that educators who responded are roughly equally divided in their preference, with a slight preference for structured literacy. The OHRC received 220 survey responses from Ontario professionals (such as speech-language pathologists and psychologists). When asked which approach to teaching reading should be used in primary grades, 80% chose structured literacy and only 9% chose balanced literacy.

Educators and other professionals who work within various Ontario boards approached the OHRC on a confidential basis to describe the challenges they have faced trying to advocate for or implement change in their boards. These knowledgeable professionals described being ignored, or worse, being told to stop advocating for science-based approaches or risk facing career repercussions. This included being “told to find other jobs if [they] don’t get on board” with prevalent whole language and balanced literacy philosophies. They talked about seeing colleagues involuntarily reassigned to different positions after advocating for approaches consistent with the science of reading. This “culture of retribution” has contributed to a “culture of fear” around raising concerns

about ineffective approaches to teaching reading and other issues of concern to students with disabilities. This type of dysfunctional school board culture has been found in other reviews, for example in the 2020 Review of the Peel District School Board.⁷⁵⁶

These individuals said “the teaching profession is a closed culture and teachers need to be educated by people outside their own profession.” They reported trying to show board leaders the data and evidence supporting science-based approaches and being rebuffed. They also described a concerning tendency of boards to subvert human rights and equity principles to prevent use of science-based approaches to learning to read that would promote greater equity for students. For example, they said that they are not permitted to talk about “at-risk” students from certain Code-protected groups as this is considered racially biased. They also described boards’ exclusive focus on socio-cultural approaches to teaching reading and culturally responsive pedagogy to the exclusion of all else, including instruction in foundational reading skills (for more details, see discussion below).

We also heard about fear and intimidation in the surveys we received:

Somehow, INTIMIDATION needs to be eliminated from the field of beginning reading instruction. The intimidation that some teachers have experienced (me, included for most of my career) is FEROIOUS. We need permission to say that structured literacy is okay. We need permission to say that direct instruction is okay. We need permission to say that systematic and explicit phonics is okay. We need permission to say that the science of reading is okay. We need permission to explore and be enthusiastic about it and not fear the Reading Recovery® teachers/teacher-trainers, and balanced literacy gurus, and school board literacy consultants. We need permission in writing so that we have backing. We need to be backed. We need respectful discussion.

Even teachers who are not trying to advocate for board-wide change but who just want to use direct instruction in their classrooms reported being prevented from doing so. They described feeling they are not “allowed” to teach “anything directly and explicitly” or if they do, they must keep it secret. These efforts to teach students using effective approaches must be supported rather than punished.

The *Code*’s protections against reprisal include protecting individuals who refuse to infringe the human rights of another person. The OHRC’s position is that educators who advocate for the rights of students with disabilities or other *Code*-protected characteristics, including by advocating for science-based approaches to reading instruction, screening and intervention, are protected under the *Code* from employment-related consequences for doing so.⁷⁵⁷

Problems with professional development

Several school boards told the inquiry about challenges with professional development around reading and literacy. They said that new teachers are not graduating from faculties of education prepared to teach reading or with enough information about special education. As a result, boards must conduct significant in-service training for new teachers through the New Teacher Induction Program (NTIP) and other in-service professional learning initiatives.

Several boards said there are ways the Ministry can better support professional development in reading and literacy. They advised that over the past few years the Ministry has required them to focus on professional development for math, making it more challenging to provide professional development in other areas, including literacy. They reported difficulty with providing large-scale training to primary teachers on reading. For example, one board reported they have not been able to provide comprehensive training for all staff on reading instruction since the early to mid-2000s. However, other boards said they did not find the provincial focus on math to be an issue.

Boards described professional learning opportunities that are no longer available or harder to implement because they are unable to provide release time for teachers to take part. Boards reported that lack of funding from the Ministry has resulted in having to cancel or reduce initiatives that support job-embedded professional learning such as Professional Learning Communities.⁷⁵⁸

Boards also reported having fewer opportunities to collaborate with, learn from and achieve consistency with other boards, including fewer opportunities for regional literacy meetings and provincewide symposia. They said when they can come together with other school boards, due to the province's focus on numeracy, their discussions often concern math.

The OHRC asked the inquiry school boards for documentation on in-service training or professional development. Boards' formal training on reading and literacy tended to focus on specific board programs or resources rather than learning about effective reading instruction. Often, the training was on board programs or resources that are inconsistent with the science of reading. For example, one board told us about training they have provided on using running records, guided reading, balanced literacy, Levelled Literacy Intervention and Reading Recovery®. The OHRC acknowledges the challenges boards described with professional development related to reading, but also notes that when training has been provided it has mostly been on ineffective approaches and programs boards are currently using.

Two boards, London Catholic and Hamilton-Wentworth, described professional development more aligned with the science of reading, such as the Five Big Ideas in Early Reading, including phonological awareness and phonics. Hamilton-Wentworth in particular appears to have considered the need for systematic and comprehensive

professional development to support its Early Literacy Strategy. Broadening the scope of professional development and supporting all Kindergarten to Grade 3 classroom teachers in explicit and systematic instruction in foundational word-reading skills will be a large undertaking for these and other school boards.

Boards also said that rather than investing in professional development events, they are using “at the elbow” training where a teacher works with a colleague to implement a teaching practice (such as through team teaching, coaching, modelling). The OHRC acknowledges the importance of mentoring and learning from colleagues, but is also concerned that this type of training can result in significant variations in what teachers learn about how to teach students to read. Teachers must learn from colleagues who have been equipped with knowledge about approaches consistent with the research science.

In 2016, the Progress in International Reading Literacy Study (PIRLS) asked participating teachers about the number of hours they had spent in formal professional development related to reading or teaching reading in the previous two years. In Ontario, 9% of teachers reported spending no time, 33% reported spending fewer than six hours, 27% reported spending six to 15 hours, 15% reported spending between 15 and 35 hours, and 17% reported spending more than 35 hours on reading-related professional development in the previous two years.⁷⁵⁹ PIRLS noted that the relationship between teachers’ professional development and students’ reading achievement is not conclusive. However, an interesting finding from PIRLS is that in Ontario, there is a negative relationship between higher levels of teacher professional development and student reading scores.⁷⁶⁰ This finding highlights the importance of quality over quantity when it comes to teachers’ professional learning. This may also confirm the inquiry’s finding that professional development in reading has not focused on effective practices that research has shown will improve students’ achievement.

The role of teachers in meeting the right to read

Teachers play a critical role in determining whether students will learn to read well and in preventing reading difficulties. Faculties of education in Ontario universities have significant responsibility to prepare teachers to do this.

The effect of teachers on students’ reading achievement has long been recognized. Reports such as the *National Reading Panel Report*, Rose Reports and the *Ontario Expert Panel Report* have emphasized that teachers must have the skills and knowledge to deliver science-based reading instruction:

Teachers make a difference in the success of their students when they hold a fundamental belief that all children can learn to read and when they have the skills and determination to make it happen.⁷⁶¹

Prominent researchers have noted:

It is now widely acknowledged that many students currently identified as learning disabled would not have been identified if instruction had been appropriately targeted and responsive.⁷⁶²

Several Canadian studies have shown the potential of good reading instruction. In a 2003 longitudinal study out of North Vancouver by Dr. Linda Siegel, an international authority on reading disabilities, and her colleagues, classroom Kindergarten teachers across 30 schools, teaching about 1,000 students, implemented a whole-class program that targeted phonological awareness, grapheme-phoneme connections and using these to read words, as well as components of oral language (syntax). Initially, 24% of English first-language and 37% of English second-language Kindergarten students were found to be low enough on measures of phonological and alphabetic knowledge that they were at risk for future reading difficulties or a diagnosis of dyslexia. However, when followed through Grades 2, 4 and 7, only 2–6% of students qualified as having dyslexia.⁷⁶³ Remarkably, differences in reading achievement typically associated with socioeconomic disparities were no longer apparent by Grade 3.⁷⁶⁴

In a second 2018 Canadian study, Drs. Robert Savage and George Georgiou, researchers in reading development and dyslexia, and their colleagues delivered an effective early intervention. This intervention included teaching students phonics and an explicit strategy for dealing with variable vowel pronunciations in written words, and included text-reading practice. Dr. Georgiou summarized the findings for the Edmonton site of the larger study, which included students in mid-Grade 1 from 11 Edmonton schools who were below expectations in word reading.⁷⁶⁵ With the early intervention of 30 minutes, three times a week for 10 weeks, the number of children experiencing reading difficulties went from 290 down to seven. Dr. Georgiou noted:

This tells you that with early identification, with training the classroom teachers on evidence-based practices, and with intensive intervention for the kids who continue to struggle, you can make miracles.”⁷⁶⁶

The Model Schools Literacy Project, a partnership between First Nations schools and communities across Canada and the Martin Family Initiative, also shows the importance of professional learning and support for teachers. This initiative to improve early literacy achievement for First Nations students in Kindergarten to Grade 3 focuses on professional learning for teachers and school leaders because:

...as research clearly shows, teaching is the most influential school-based factor in children’s reading achievement. Teachers in the partner schools are fully qualified. However, while teacher education programs in Canada and other developed countries prepare teachers with general pedagogical skills, they do not cover the specific skills needed to teach reading and writing to young children. In a recent international survey, up to 65% of teachers (including from Canada) reported they were not adequately prepared to teach early literacy effectively, especially to children who struggle.⁷⁶⁷

This project, which also includes formative assessment to guide literacy instruction and direct instruction in all core reading and writing skills, has been effective in increasing First Nations students' early literacy achievement:

The plan's effectiveness was demonstrated in the earlier pilot program (2010–2014). Before the pilot began, 13% of Grade 3 children were reading at grade level on the Ontario provincial assessment; when it ended, 81% reached or exceeded that level, and the percentage of children identified for speech and language support decreased from 45% to 19%.

In 2019, the EQAO conducted a literature review in response to Ontario introducing a mathematics proficiency test for teacher candidates.⁷⁶⁸ The EQAO concluded:

- Increasing the quality and quantity of required mathematics courses at the pre-service teacher education level was one of the most helpful steps toward improving student outcomes
- Research from Quebec, where student math test scores are high relative to the rest of Canada, attributes that province's student achievement to "a uniquely strong emphasis on requiring trainee teachers to undertake more courses in both mathematics methodology and mathematics content."⁷⁶⁹

The EQAO also relies on studies about early reading to support its conclusions that teachers' understanding of how to teach the subject matter effectively is "almost uniformly positive[ly]" correlated with student outcomes.⁷⁷⁰

Teachers have the power to be proactive and influential in their students' reading success, starting in Kindergarten. To meet this mandate, teachers need a science-based curriculum and teaching guidelines to follow, robust pre-service and in-service preparation in science-based teaching of foundational word-reading skills, evidence-based approaches and programs with a clear scope and sequence, and lesson plans to support them.

Empowering teachers with the science of reading

In 2020, the American Federation of Teachers (AFT), working with the Center for Development and Learning, updated and republished a report by Dr. Moats, *Teaching Reading Is Rocket Science, 2020: What Expert Teachers of Reading Should Know and Be Able to Do (Teaching Reading is Rocket Science)*.⁷⁷¹ The AFT is a union of professionals that includes pre-Kindergarten through Grade 12 teachers, paraprofessionals and other school-related personal, higher education faculty and professional staff among others.⁷⁷² The Center for Development and Learning is a non-profit that specializes in using leading-edge scientific research, knowledge and best practices to reinforce teacher capacity and build teacher effectiveness.⁷⁷³ Dr. Moats is a teacher, psychologist, researcher and professor who has been at the forefront of science-based reading instruction for five decades.⁷⁷⁴

In a preamble to *Teaching Reading is Rocket Science*, AFT President Randi Weingarten emphasizes the science of reading does not undermine teachers' autonomy or professional judgement, and preparing teachers to use it in classroom instruction is not "disrespectful." Rather, "embracing the science is, fundamentally, about giving teachers the freedom to teach." He noted how being armed with the knowledge and skills based on the science of reading empowers teachers to help their students who are struggling to decipher words. It saves teachers time and effort as they no longer have to search for materials to supplement the inadequate and outdated materials they have been given.⁷⁷⁵ The Association of Chief Psychologists in Ontario School Boards also emphasized that using a program of systematic and direct instruction still allows for teachers to use their professional judgement and good teaching strategies.

Teachers want to do the best for their students and see every child succeed. The inquiry heard from many educators who described feeling terrible about the students they could not teach to read. Teachers said that they want to be better prepared to teach reading:

ALL teachers DESERVE training in how to teach language (reading AND writing) to all students. This works for ALL – and it should not be a matter of bringing in specialists to work with the students who are struggling. Every student deserves a well-trained teacher and you would not meet a teacher who doesn't want to be able to teach literacy.

Teaching Reading is Rocket Science confirms that teaching reading is a complex process that requires teachers to have the necessary knowledge and skills. In part, this is because "academic English itself is complex, and requires systematic, science-based teaching to learn it."⁷⁷⁶ As noted earlier, decades of research studies have shown what is important to teach (for example, phonemic awareness, phonics and decoding, spelling, advanced word study such as morphology and other foundational skills in reading, including vocabulary, grammar, world or background knowledge and genre structures). This same body of research tells us that decoding-related foundational skills must be taught through systematic and explicit direct instruction, with enough support, practice and cumulative review for students to master the skills.

Research on how children learn to read and research with teachers has shown what teachers need to know and be able to do. Armed with the right knowledge, skills, supports and materials, teachers can successfully teach almost all students in their classroom to become proficient in word-reading, the most frequent obstacle to students becoming skilled readers. They can also better prepare the few students with severe dyslexia who will require additional interventions and accommodations.

Unfortunately, as Dr. Moats noted:

Unfamiliarity with the findings of research, insufficient knowledge of critical content, and philosophical opposition to theories and practices grounded in evidence are still too common.⁷⁷⁷

What good reading teachers need to know

Dr. Moats identifies a core curriculum for teacher preparation and in-service professional development with four main components:⁷⁷⁸

1. Knowing the basics of reading psychology and reading development
2. Understanding language structure for both word recognition and language comprehension
3. Applying best practices concerning all components of reading instruction
4. Using validated, reliable, efficient assessments to inform classroom teaching.⁷⁷⁹

1. Knowing the basics of reading psychology and reading development

Teachers need to know that word reading is the most frequent obstacle to learning to read for young learners, and these children may lack phonological and alphabetic skills for different reasons, including dyslexia. In the early elementary grades, word-reading skills account for most differences between children in their ability to understand texts.⁷⁸⁰ Students must learn to read words accurately, quickly and automatically to understand and make meaning from text. Even as learning and literacies are redefined in the 21st century, proficient word reading and spelling are still necessary and required for many current technologies (such as texting and Internet use) and for most academic pursuits.

Teachers must know the science related to how students first learn to read and how reading continues to develop. Part of this knowledge is how word reading develops and the instrumental role of both word-reading skills and oral language comprehension in understanding text. They must know that both these skill sets are necessary and require targeted classroom instruction. More specifically, as well as understanding that accurate and quick word reading will not lead to understanding text without adequate language comprehension skills, the opposite is also true: contrary to what is taught in balanced literacy approaches, strong language comprehension does not lead to good reading comprehension without well-developed word-reading skills. The better a reader's word-reading skills, the more attention they have for the processes involved in understanding texts,⁷⁸¹ like creating detailed mental models of settings, characters and events in stories or novels, and of concepts and their relationships in non-fiction texts.⁷⁸²

Development frameworks such as Scarborough's Rope Model and Ehri's Phase Theory of Reading are helpful to understand this. These models relate to and can be used to support instruction about the Five Big Ideas in Beginning Reading. Understanding reading development will empower teachers to make informed decisions in teaching the foundational word-reading skills to their students (phonemic awareness, grapheme-phoneme associations and using these to decode words, knowledge of morphemes and fluent word reading), to learn the best teaching practices supporting reading development, and to identify the skills a student is struggling with.

With this knowledge, teachers can also avoid acting on or perpetuating common myths associated with learning to read and with reading disabilities/dyslexia. For example:

Myth: Reading develops naturally (just as children learn to speak naturally).

Reality: Human brains are not naturally wired to learn to read and write. These are learned skills that must be taught and take several years to master.

Myth: Children will learn to read if parents read to them at home

Myth: Children will learn to read if they are surrounded with materials that interest them or are presented with a “literature-rich environment.”

Reality: Exposure to oral language and books supports some aspects of reading development and language comprehension and is highly desirable, but is not enough for learning to decode written language, particularly for at-risk groups including children with dyslexia. Systematic, direct instruction in foundational word-reading skills is needed.⁷⁸³ This is the responsibility of the education system, not parents.

Myth: Some children just need more time (versus direct instruction) and will develop at their own pace (the wait-and-see approach).

Reality: If students are behind their peers and struggle with their word reading at the end of Grade 1, there is a very high probability that they will still struggle later in school and beyond.⁷⁸⁴ Identifying reading difficulties and intervening as early as possible (in Kindergarten or Grade 1) is critical. The longer schools wait, lengthier and more intensive interventions will be needed, and they may not be as effective, especially in closing the gap in reading fluency.⁷⁸⁵

Myth: Children who cannot decode words are not as intelligent or motivated as their peers.

Reality: Word-reading skills are distinct from oral language comprehension and intelligence. Difficulty decoding does not mean a child cannot think and communicate well. Children with dyslexia are not lazy and are often working very hard.⁷⁸⁶

These myths have fueled many unfounded and even harmful education practices, and hurtful communications with students and parents.

2. Understanding language structure for both word reading and language comprehension

Teachers need to learn about the structure of spoken and written English or French. They must have a thorough understanding and recognition of the units of spoken words – phonemes, onsets, rimes, syllables and morphemes. Teachers must also have facility in the skills they will teach – from identifying, blending and segmenting phonemes, to knowing frequent and less frequent grapheme-phoneme relationships in words, to analyzing morphology (the small, meaningful parts making up words). As Dr. Moats

noted, they must have a comprehensive knowledge to be able to explain words and their parts, plan their lessons, and respond properly to student errors. A teacher with this knowledge can make all the difference when teaching children struggling to acquire word-reading skills.

The fundamental knowledge teachers need to teach word-reading and spelling is described in *Teaching Reading is Rocket Science* and in other comprehensive resources, like Dr. Moats' *Speech to print: Language essentials for teachers*, which also has an exercise book to help pre-service and in-service teachers master the necessary knowledge and skills.⁷⁸⁷ Other resources are also available.⁷⁸⁸ In addition to the knowledge needed for teaching word reading, there are also critical concepts for teaching comprehension and writing, such as sentence and genre structures, but these are beyond the scope of this report.

3. Applying best practices for reading instruction in foundational skills

Teachers need to use evidence-based practices to teach foundational word-reading skills, and avoid practices that do not have a research basis or have been shown to be ineffective. As discussed earlier, this means teachers must stop teaching students to use unreliable guessing/cueing strategies for word solving, such as looking at context, pictures or the shape of the word and other whole language approaches, which research has shown is not effective, particularly for at-risk students.

Teacher education should prepare them to directly, purposefully and systematically teach the code system of written English and French. Teachers need to know what to teach students and how to teach it.

What to teach

Curriculum typically sets out what teachers are expected to teach students. Teachers should teach the following specific foundational skills.

Phonological and phonemic awareness: Phonemic awareness is the most advanced type of phonological awareness, and a critical skill for advancing children's early decoding and spelling skills. Instruction in phonemic awareness has the greatest impact of phonological awareness teaching, on reading and spelling for all children, including children at risk for decoding difficulties. This makes sense, as children need to learn the links between phonemes and graphemes, to blend individual sounds to read words, and to segment spoken words into sounds to represent these with letters in their spelling.

Some research reports suggest that focusing on the phoneme, rather than larger units (like syllables, onsets and rimes) from the start of Year 1 may be most beneficial.⁷⁸⁹ Phonemes are the most important units for reading and spelling, and are also the most challenging for all children, especially for children with or at risk for word-reading disabilities/dyslexia, and for children entering school with lower phonological abilities for

many reasons. Differentiated instruction for students, as soon as they are not progressing as expected, will give additional explicit instruction and scaffolded practice to reach mastery.

The National Reading Panel found that teaching two phonemic awareness skills (blending and segmentation) had stronger effects than teaching more and varied phonological awareness skills. Critically, incorporating letters as early as possible, when students have learned grapheme-phoneme associations, into instruction teaching children how to blend and segment phonemes, is more effective for increasing children's phonemic awareness, decoding, and spelling skills.⁷⁹⁰

Alphabetic knowledge: For children just starting formal schooling, teachers need to provide instruction and activities that help all students learn the letter names, sounds and shapes and to start printing. Teachers can help children have fun with building their alphabet knowledge.

Phonics: Research since the *National Reading Panel Report* has continued to support the critical role of phonics in reading instruction for beginning readers and readers with or at risk for reading disabilities/dyslexia.⁷⁹¹ Further, since that report, research has indicated that synthetic phonics (teaching grapheme-phoneme correspondences and how to blend these to sound out/read words and spell words) appears to be better than analytic phonics (teaching patterns by students analyzing whole words)⁷⁹² and forms the base of the majority of rigorous research.

Teachers should teach students simple grapheme-phoneme correspondences, and routines for blending the sounds together to read words (pronounce the word and gain access to the word's meaning) and segmenting words to spell. Blending the sounds together will be difficult for some children, who will need additional instruction and support with this skill.⁷⁹³

Teachers need to be provided with an evidence-based curriculum and programs that lay out the scope and sequence of phonics instruction best suited to developing readers, and instructional routines and lesson plans that can build confidence in their phonics teaching. This frees the teacher from scrambling to develop what and how they will teach each day, to focusing on teaching it well, and gauging students' progress. Teachers will have the time and attention to identify students who are struggling in the daily lesson, and provide them with immediate small-group instruction to bring them back on track. Teachers will also notice when this differentiated instruction is not effective, and can draw on resources in the school for more intense, targeted and scaffolded reading interventions.

The figure below, replicated from a 2020 paper by Dr. Susan Brady, a U.S. psychologist and literacy expert, sets out the general skills that should be taught in phonological awareness and phonics from Kindergarten to Grade 2. Similar to most phonics

approaches and programs, frequent morphemes are incorporated very early on in the teaching sequence, as an integral part of decoding and linking the spelling of words to their pronunciations and meanings.⁷⁹⁴ In Grade 2 and beyond, the focus shifts to more complex orthographic patterns including syllables and morphology.

Figure 3

An Outline for Phonological Awareness and Phonics Instruction in Pre-K Through Grade 2 (by Kari Kurto & Susan Brady)

	Pre-K	Kindergarten	Grades 1 and 2
Phonological Awareness	Phonological Sensitivity	Early Phoneme Awareness	Advanced Phoneme Awareness
	Awareness of larger speech sounds in spoken words: rhymes, onsets, syllables	Awareness of individual phonemes in spoken words using words with simple syllable patterns: CV, VC, CVC Initial → Final → Medial	Awareness of individual phonemes in spoken words using words with complex syllables that have consonant blends: CCVC, CVCC, CCVCC
Letter-Sound / Phonics Skill	Pre-Phonics Students begin to learn letter names and some letter sounds.	Alphabetic Principle Insight/understanding that printed letters represent phonemes in spoken words	
		Students learn and practice grapheme-phoneme correspondences for single letter graphemes and three digraphs: <i>sh, ch, th</i> . Syllable type instruction to provide students with strategies to recognize vowel patterns by noticing what letters follow the vowel (See Moats, 2020).	Students learn and practice remaining phoneme- grapheme correspondences for all speech sounds in English.
		Morphemes are introduced (e.g., <i>-s, -ed, -ing</i>).	Advanced Phonics: Syllable division strategies, additional common spelling patterns, and morpheme knowledge. Beyond Grade 2, continue advanced phonics (e.g., final stable syllables, rule breakers, spelling rules, morphemes).

Advanced word study: Teaching more advanced word structures primarily happens from Grade 2/3 and up. This includes teaching syllables and more complex morphemic structures in words, how to use this knowledge to read and spell words, and figure out the meaning of unfamiliar words consisting of more than one morpheme (polymorphemic words). English has a morphophonemic orthography. This means that units of meaning (morphemes) have deep historic influences (such as Latin and Greek roots), and phonemic analysis alone does not fully decode some words. For example, the plural morpheme is written as “s” or “es,” but represents different sounds at the end of words, like the different phonemes at the end of cats, dogs and horses. Similarly, the sound(s) represented by the “ed” past-tense morpheme vary (for example, /t/, /d/ or /id/) depending on the phonological context.

Beginning instruction concerning simple morphemes (such as “ed” to mark past tense and “s” or “es” to mark the plural form of a word) is part of beginning phonics programs. More advanced morphological analysis skills are taught later. Evidence-based approaches⁷⁹⁵ and systematic programs will be important for teachers here too. The meaning of common affixes (a set of letters generally added to the beginning or end of a root word to modify its meaning, such as a prefix or suffix) should be taught to increase word reading, reading comprehension, spelling and vocabulary knowledge.

This teaching of advanced knowledge of word structures has been written into many programs for students with reading disabilities/dyslexia, and may be integrated with or follow instruction in phonemic awareness and phonics:

Effective teachers of reading raise awareness and proficiency through every layer of language organization, including sounds, syllables, meaningful parts (morphemes), phrases, sentences, paragraphs and various genres of text. Their teaching strategies are explicit, systematic and engaging. They also balance skill instruction with its application to purposeful daily writing and reading, no matter what the skill level of the learner.⁷⁹⁶

How to teach

Research has shown that instruction needs to be explicit or direct, and systematic. Explicit instruction means that the knowledge or skill is directly taught to students. The International Literacy Association gives this phonics-related example:

Explicit means that the initial introduction of a letter-sound relationship, or phonics skill, is directly stated to students. For example, we tell students that the /s/ sound is represented by the letter s. This is more effective than the discovery method because it does not rely on prerequisite skills that some students might not have.⁷⁹⁷

Explicit instruction does not mean telling students once and moving on – it means teaching a skill directly and supporting its acquisition until it is mastered.

A systematic approach means teaching the whole system from the easiest to the most difficult skills. The International Literacy Association writes:

Being systematic means that we follow a continuum from easy to more complex skills, slowly introducing each new skill. Systematic instruction includes a review and repetition cycle to achieve mastery and goes from the known to the new in a way that makes the new learning more obvious and easier for students to grasp.⁷⁹⁸

Systematic instruction is critical for moving all children toward proficient word reading and spelling. It is essential for many students with reading disabilities or other risk factors for reading difficulties. It also allows students who already have some knowledge to gain facility and automaticity. This will increase their performance, particularly in spelling words and reading fluency.⁷⁹⁹

An example helps to show the difference between a systematic approach and one where a teacher tries to respond in an *ad hoc* way. A teacher might notice that children are struggling with a book that has the word “judge.” In an *ad hoc* approach, the teacher may then plan a mini lesson on the grapheme-phoneme association – “dge” representing the /j/ sound. More advanced readers may learn this, but other students will be left behind. Some will still be unaware that the sound /j/ is most often represented by the letter “j” and sometimes the letter “g” (when followed by the letter e, i or y). In a systematic program,⁸⁰⁰ quite early on the teacher will have taught that the letter “j” represents the /j/ sound, and other letter patterns representing the /j/ sound will be taught later, with the progression of the program.

Through practice work in this session, some students who are more advanced will already have identified other letters/letter patterns that represent the /j/ sound. These more advanced students can take delight to see the unexpected letter pattern of “dge” making the /j/ sound. Instruction has been differentiated following the whole-class lesson, everyone has learned new knowledge and skills, and most important, no one was left behind. Students who would otherwise struggle have kept up because they have been taught in small increments of complexity, in a way that makes sense. Other students have gained more fluency with essential skills and advanced their knowledge of the complexities of the orthography. Such a systematic approach is key to a classroom UDL approach in early reading instruction.

As Dr. Moats noted, instruction also needs to be engaging and applied in purposeful reading and writing activities.⁸⁰¹ Students are more engaged when teachers are proficient with the lessons, teach with warmth and humour, present the lessons at a pace that keeps the students’ attention, and is interactive – with students actively taking part throughout.⁸⁰² Purposeful reading practice can happen in books that focus on the phonics skills acquired to date (decodable texts that accompany many phonics programs), or in less-controlled books, especially as the reader’s knowledge and skill advances. Purposeful writing can take many forms, and young children exercise their segmentation skills and grapheme-phoneme knowledge as they spell words.

Teachers must spend enough time every day teaching and practicing foundational word decoding and word-reading fluency skills. The focus of this will change with students’ increasing skills across Kindergarten to Grade 3. One suggested research-informed schedule for Kindergarten to Grade 2 teachers is to spend 90 minutes on daily literacy instruction with 30 minutes on whole-group foundational skill instruction in phonemic awareness, phonics, and practice decoding in connected text; and then additional time for differentiated small-group instruction in the reading and writing skills and knowledge needed by small groups of students.⁸⁰³

As teachers gain skills in teaching these foundational word reading skills, they will become more adept at differentiating instruction when needed. If there are students who are advanced beyond their years in word-reading accuracy, word-reading fluency and spelling, they may engage in more advanced word study or reading and writing activities while the class is engaged in grade-level phonics instruction.

4. Using validated, reliable, efficient assessments to inform classroom teaching

Regular screening and progress monitoring are essential components of predicting and observing reading difficulties, and responding quickly and appropriately. Teachers must be well prepared and supported to select and use reliable screening and diagnostic assessment tools to inform their instruction. They must use measures that have been thoroughly vetted by research. Assessment measures such as running records and miscue analyses are not valid indicators of foundational reading skills and should not be used.⁸⁰⁴

In reality, teachers do not receive adequate preparation to select assessment tools and conduct reading skill assessments.⁸⁰⁵ Teachers are taught to use tools that are not supported by the science of reading and can inaccurately categorize young students as advancing or not advancing as expected.⁸⁰⁶ School boards are also promoting these same unproven assessments (see section 9, Early screening).

Studies on teachers' preparedness to teach reading

The type of knowledge needed to effectively teach reading is largely not knowledge that adults have or can infer from their own experiences reading.⁸⁰⁷ Teachers must learn what they need to teach.

Research studies show that in general, practicing teachers do not have the knowledge of the multi-layered structures of language and pedagogies for optimally teaching the foundational word-reading skills for beginning readers, and for students with or at risk for word-reading disabilities/dyslexia. A study that assessed teachers' knowledge in this area concluded:

...teachers, on average, were able to display implicit skills related to certain basic language concepts (i.e. syllable counting) but failed to demonstrate explicit knowledge of others (i.e. phonics principles). Also, teachers seemed to hold the common misconception that dyslexia is a visual processing deficit rather than phonological processing deficit.⁸⁰⁸

Similar research studies have shown that overall, in-service teachers had little knowledge of concepts for teaching phoneme awareness and phonemes and some skills they should be teaching (such as phoneme segmentation).⁸⁰⁹

One study examined Canadian pre-service teachers, preparing to teach Kindergarten to Grade 3, near the end of their preparation program. The study examined the areas of “syllable counting ability, basic phonemic awareness knowledge and ability, advanced phonemic awareness knowledge and ability, phonics terminology, phonics rules knowledge, and morphology knowledge and ability.” The mean scores for these pre-service teachers across these areas ranged from 46 to 69%.⁸¹⁰ The authors deemed performance under 70% as concerning.

The research group conducting this study suggested that one reason why so many in-service teachers are not knowledgeable about the important concepts in spoken and written English that are needed to teach foundational skills in reading is because their university instructors are not knowledgeable in this area. Based on 78 survey responses by university instructors they found:

...even though teacher educators were familiar with syllabic knowledge, they performed poorly on concepts relating to morphemes and phonemes.⁸¹¹

In a follow-up study, based on in-depth interviews with 40 university instructors and addressing beliefs about best practices in teaching reading skills, the research group reported:

Eighty per cent of instructors defined phonological awareness as letter-sound correspondence. They also did not mention synthetic phonics as a desirable method to use for beginning reading instruction, particularly for students at risk for reading difficulties.⁸¹²

This research shows that university instructors may not be knowledgeable in how reading develops, or in science-based approaches to teaching foundational word-reading skills to beginning readers and older struggling readers. As well, university instructors often do not view such science-based knowledge and teaching approaches as important for pre-service teachers to learn, or as critical components of a full-classroom literacy program.

This body of research, along with the data collected in the inquiry, strongly points to systemic issues leading to teachers not being adequately prepared to teach beginning readers or students at risk for difficulties in foundational word-reading skills. Indeed, many teachers told the inquiry they did not feel adequately prepared to teach early reading, particularly to the large numbers of students who come to school with less-developed pre-reading and reading skills.

The role of faculties of education in preparing teachers

Faculties of education (faculties) prepare prospective teachers to work in classrooms and to teach children to read. They provide continuing education and support specialization in areas such as reading and special education. Faculties have a significant influence over the quality of instruction students receive. Faculties are where:

...prospective teachers gain a foundation of knowledge about pedagogy and subject matter, as well as early exposure to practical classroom experience. Although competence in teaching, as in all professions, is shaped significantly by on-the-job experiences and continuous learning, the programs that prepare teachers to work in K–12 classrooms can be early and important contributors to the quality of instruction.⁸¹³

Appropriate pre-service and in-service teacher education on scientific, evidence-based reading instruction has been found to improve overall student outcomes.⁸¹⁴

In addition to their role in preparing teachers, faculties play a critical leadership role in the field of education. Education stakeholders expect faculties to promote advances in knowledge, champion evidence-informed best practices, and provide expert advice within the education system. During the inquiry, boards of education and the Ministry noted that they often look to members of faculties in Ontario for guidance, for example in developing curriculum and to guide approaches to teaching reading. Ontario's faculties of education acknowledge the importance of grounding their work in evidence-based research and their leadership role in transforming education.⁸¹⁵

To assess if teachers in Ontario are being adequately prepared to support Ontario students' right to read, the OHRC used its powers under section 31 of the *Code* to ask all 13 English-language public faculties of education in Ontario to provide course outlines, curricula, syllabi, reading lists, articles and textbooks for any teacher education program courses, Additional Qualification (AQ) courses, or Additional Basic Qualification (ABQ) courses related to:

- Reading
- Literacy
- Inclusive education
- Exceptionalities and special education
- Screening and assessment
- Intervention (including RTI/MTSS)
- English Language Learners
- Learning disabilities
- Reading disabilities or dyslexia
- Struggling readers
- Kindergarten.

Faculties were also invited to detail any other ways their programs make sure teacher candidates or in-service teachers acquire knowledge related to any of these areas.

The OHRC acknowledges that course outlines, syllabi and reading materials may not capture the richness of a university course or all topics that may come up. However, given the complexity and importance of the knowledge and skills required to teach children foundational reading skills using the science of reading, the OHRC would expect to see evidence of sufficient, detailed, intentional learning in this area.

Courses on teaching reading and students at risk for reading difficulties

As of September 1, 2015, completing a teacher education program in Ontario involves completing four semesters at a faculty of education and 80 days of practice teaching. Students in teacher education programs (also known as pre-service teachers) qualify to teach in two consecutive divisions:

- Primary/Junior: Year 1 to Grade 6
- Junior/Intermediate: Grade 4 to Grade 10 or
- Intermediate/Senior: Grade 7 to Grade 12.

Across most English-language public faculties, students in Primary/Junior and Junior/Intermediate preparation programs complete one full course (six credits) on methods in English Language Arts. Most often, this is completed as two half-courses (three credits each). There is some variation of this format. For example, several faculties have either half or all the credits for English Language Arts methods integrated with another area, such as Social Studies or Technology.

Most faculties have a half-course (three credits) in one of inclusive education, exceptionailities or special education. These courses address procedures for meeting an individual student's education needs, such as IPRCs, IEPs and accommodations, and the associated legal responsibilities of teachers. Many of the courses also cover several exceptionailities, often with one covered per week across part of the course.

Assignments in these courses are practical, and students often develop lesson plans with differentiated instruction or accommodations for one of the exceptionailities covered in the course.

Faculties generally require a separate half-course (three credits) on assessment in the classroom. These are general assessment courses and cover different academic areas (such as math and reading), as well as broader principles of classroom assessment.

Faculties all have a half unit, and sometimes a full unit, of a required course on equity and social justice. When disabilities are covered in these courses, it is mainly from a critical disability studies perspective.

Several faculties have a course on reading difficulties, struggling readers and writers, or reading disabilities. These are most often elective half-courses. Several faculties require these courses, and in at least one instance this was a required quarter-course.

Many faculties have a half-course (quarter-course in one instance) focused on English Language Learners in the classroom. Faculties vary in whether these are required or elective courses.

Many faculties have half-courses related to the Kindergarten year (and sometimes the early years). These are primarily, but not exclusively, elective courses.

Thus, most faculties require a minimum of six credits or one full course in English Language Arts methods. Some also require various courses related to literacy learning (such as supporting English Language Learners or struggling readers in the classroom, or other literacy-related content). Pre-service teachers may be completing 7.5–9 credits of required course work directly related to teaching reading.

In general, there is little discussion in the syllabi and other materials on how the instructional practices and approaches taught in the faculty of education classroom are linked to practicum experiences. However, given that classroom teachers and faculty courses all rely heavily on the Ontario Language curriculum and Ministry teaching guides, it is likely that practicum experiences align with learning in faculty courses.

Assessing how faculties are preparing pre-service teachers to teach reading

Faculty courses were assessed against the four components identified by Dr. Moats for a core curriculum for pre-service and in-service teacher education on effective reading instruction (see discussion above).

1. Knowing the basics of reading psychology and reading development

In most faculties,⁸¹⁶ pre-service teachers are not learning theories or frameworks that focus on word-reading skills as a foundational component of children’s reading acquisition and their ongoing role in reading comprehension (for example, Simple View of Reading; Scarborough’s Rope Model). Similarly, they are not learning about theories and established science about how word-reading and spelling skills develop (for example, Ehri’s Phase Theory of Word Reading Development). There are a few exceptions, where instructors are using Balanced Literacy Diet materials⁸¹⁷ to bring attention to the critical role of word reading in reading development. Balanced Literacy Diet materials are consistent with research, and should not be confused with the more often-used and problematic balanced literacy approach to teaching word reading.

This means that most pre-service teachers are not learning about how reading develops, the critical role word-reading skills play, and the foundation of phonological and alphabetic skills in word reading and learning to spell. They are also not learning how these skill sets are essential for strong reading comprehension and writing. Without knowing the trajectory from beginning to proficient word-reading skills, these future teachers may not understand their students’ education needs in this area, or how to use a course of instruction that will make sure almost all students reach the goal of proficient reading skills. They will also be ill-prepared to make sure students with reading disabilities/dyslexia or other risk factors, who may need more intensive interventions, have a strong tier 1 foundation.

2. Understanding language structures that support teaching foundational word-reading skills

Across the faculties' required pre-service courses, little or no course reading material or instructional time appears to be devoted to ensuring pre-service teachers learn about the structures that make up spoken words (such as phonemes, syllables, rimes, morphemes), and the intricacies of how orthography maps onto these. In the most often required textbook for English Language Arts methods courses,⁸¹⁸ some terms related to phonological structures, morphology and phonics are defined, but these are not covered in enough depth to allow pre-service teachers to gain competence with this knowledge. One or two courses introduced some of the appropriate terms (such as phoneme, morpheme), but did not provide information about how these relate to learning to read or reading instruction.

3. Applying best practices for teaching word reading

Pre-service teachers have in-class time, learning experiences, readings and assignments that focus on becoming familiar with and knowledgeable about the Ontario Language curriculum and related teaching guides.

Faculties focus on the strands of literacy – speaking, listening, reading and writing, as well as multiliteracies, content integration and technology. These are all important aspects of a full literacy program, but are not a substitute for learning how to teach beginning readers to read and spell words accurately and efficiently.

Pre-service teachers are learning very little about direct instruction for teaching word-reading and related foundational skills. Most of the course outlines and reading lists place little emphasis on teaching pre-service teachers in the Primary and Junior preparation programs about instructional approaches to teaching phonemic awareness, grapheme-phoneme correspondences and using these to read words (phonics), or teaching more advanced word structures and analysis (for example, syllables and morphemes).

Commonly used textbooks in Primary and Junior English Language Arts methods courses have limited information on effective instruction in these areas. As well, courses in the Junior and Intermediate preparation programs do not emphasize morphological knowledge and analysis (the structure and formation of words and how to use this knowledge to pronounce, derive meaning from and write words).

While many English Language Arts Methods courses for Primary and Junior preparation include teaching pre-service teachers about phonics, the most common duration for this learning is one class, and this one class may be shared with other topics. Dr. Brady noted that this type of inadequate inclusion of science-based topics is a type of tokenism: "...making only a small or symbolic effort." She further noted that in higher education and elsewhere, "This is a common strategy used to sidestep more extensive use of scientifically-based reading instruction."⁸¹⁹

Other courses avoid science-based topics almost completely, and focus on readings by the Drs. Ken and Yetta Goodman,⁸²⁰ Dr. Frank Smith,⁸²¹ Dr. Calkins,⁸²² and Drs. Fountas and Pinnell,⁸²³ who are all known to oppose⁸²⁴ explicit, systematic phonics instruction, and promote balanced literacy and its predecessor, whole language.⁸²⁵ Other English Language Arts syllabi have pre-service teachers learning about phonological awareness, phonics and the cueing systems in one class, followed by conducting miscue analyses in later classes. Introducing phonological awareness, phonics instruction and cueing systems together, whether within the same day or over a course, can be confusing to pre-service teachers. As discussed above, the whole language philosophy, cueing systems and balanced literacy have traditionally rejected “systematic and explicit phonics, spelling, or grammar instruction.”⁸²⁶

Some courses place relatively more emphasis on how to teach phonological awareness, grapheme-phoneme correspondences and phonics. One Primary/Junior English Language Arts course in Nipissing University introduces pre-service teachers to the course with a strong article by a prominent Ontario education scholar, which outlines components of literacy instruction, including phonological awareness and phonics in the early grades. However, these topics do not appear to be addressed in any significant way in the rest of the course.

Several English Language Arts methods syllabi cover phonological awareness and phonics in somewhat more depth or from a more research-based perspective, including through readings consistent with scientific consensus in the field. However, even in these courses, there are just one or two weeks covering this foundational knowledge in reading instruction. One of these at Queens University is a particularly strong half-course on evidence-based approaches to phonological awareness, phonics, word study and morphology, oral language and vocabulary, reading fluency and comprehension strategies, and writing. These topics are covered swiftly (for example, one class for phonological awareness and phonics combined), and the instructor is further constrained by the need to also familiarize the pre-service teachers with Ministry documents and approaches. Follow-up courses that could deepen this knowledge and related skills appear to be available as electives.

Finally, one course at the University of Toronto goes into these topics in relatively more depth. The first five weeks of the course are dedicated to understanding the role of word-reading in reading development, and the interconnected areas of phonological awareness, alphabetic knowledge and phonics, word study and fluency. Although pre-service teachers in this course may gain more familiarity with central concepts, it is not clear if they have a chance to read materials and practice approaches to teaching these foundational skills.

It is perhaps not surprising that the few faculties that are trying to incorporate some elements of science-based instruction for foundational word-reading skills are not giving adequate time and attention to these areas. The Ontario curriculum and the Ministry’s

teaching guidelines do not emphasize these areas, but instead focus on ineffective approaches to teaching foundational reading skills. Faculties of education are required to prepare teachers to teach the curriculum.

One English Language Arts professor in an Ontario faculty who was interviewed for the inquiry highlighted the importance of the Ontario curriculum in what she teaches. She reported telling her students that “If [they] are not picking up Ontario Language Curriculum for every one of [their] assignments, [they] are doing it wrong.” She also noted that due to limited instructional time, and the breadth of the Ontario curriculum, there is little opportunity to teach pre-service teachers about anything that is not in the Ontario curriculum, including foundational skills for word reading. Thus, one obstacle to adequately preparing teachers is that the Ontario Language curriculum and Ministry teaching guides are not aligned with scientific studies of reading acquisition and instruction.

Emphasis on inquiry-based and socio-cultural approaches

Faculties are focusing on inquiry-based approaches in English Language Arts. Inquiry-based learning means that students are left to discover, rather than being directly taught, how written language maps onto spoken language. Further, based on the materials provided by the faculties and what we heard from other sources, the faculties often emphasize a socio-cultural perspective.

One dominant focus is on increasing pre-service teachers’ awareness of the relationship between the reader and the text, and the wider cultural context of students and classrooms. Related to this, pre-service teachers are often given assignments requiring them to describe and reflect on their own literacy journeys. The overwhelming emphasis on these topics, while failing to prepare pre-service teachers to effectively teach foundational reading skills, is problematic.

The faculties appear to be preparing pre-service teachers to understand socio-cultural diversity and some aspects of related literacy learning and practices. Many faculties attempt to emphasize pre-service teachers’ understanding of racialized and marginalized student populations, focusing on societal factors and power structures that oppress segments of society, in the past and the present. Materials about culturally responsive pedagogies, as these are currently understood, are now being introduced across almost all faculties. These are important areas for teachers, and the faculties appear to be building expertise to guide pre-service teachers in tackling these complex issues. However, it is troubling that only one course appeared to make a link between the academic performance of historically marginalized student populations and providing direct and explicit instruction aimed at increasing student achievement. This course also includes approaches to classroom organization and instruction that apply more broadly-defined principles of culturally responsive pedagogy.

Unfortunately, focusing on socio-cultural approaches and culturally responsive pedagogy, without including a strong focus on scientifically supported reading instruction for word reading, may be harmful to many historically marginalized student populations. By failing to prepare teachers to teach the many students who do not start school as skilled as some other students, or who have other risks for reading difficulties, the faculties are contradicting their strongly proclaimed emphasis on social justice, equity and teacher empowerment, and undermining their goal of making sure teachers can meet the needs of a diverse student population.

Preparing pre-service teachers to teach Kindergarten

Faculty of education courses on teaching in Kindergarten or the early years rely largely on the Ontario Kindergarten Program and other Ministry resources. Pre-service teachers are not learning about the evidence-based concepts outlined above, or how to teach these to build a strong foundation for all students in Kindergarten.

Kindergarten is a critical year for developing phoneme awareness, alphabetic knowledge and early decoding skills. Children come into their Kindergarten year with wide disparities in phonological awareness, alphabetic knowledge and beginning decoding skills.⁸²⁷ Kindergarten is a year when educators can teach these foundational skills, so all young children can have the best start and be on their way to developing proficient word-reading skills.⁸²⁸

This instructional time is essential for children who come to school with lower skills in these areas for one or a combination of reasons such as:

- Coming from less economically privileged backgrounds
- Linguistic and cultural home environments that differ from those dominant in the school
- Biological factors that may place students at risk for disabilities, such as dyslexia and language disorders.

Only one of the faculty courses about teaching in Kindergarten referenced the *Ontario Expert Panel Report*.⁸²⁹ That report emphasizes the importance of instruction in phonemic awareness, sound-letter knowledge and phonics. The report also covers other foundations of early reading (such as oral language, vocabulary, syntax and knowledge). The *Ontario Expert Panel Report* is a good starting point for becoming familiar with these concepts in Kindergarten to Grade 3, but does not appear to be included in most university course reading lists. This may be because it was largely not followed by the Ministry when adopting the Kindergarten Program and Ontario Language curriculum.

Most of the course syllabi that focus on Kindergarten emphasize play-based learning (without specific attention to the above-mentioned skills through play), socio-cultural approaches to understanding language and learning, and inquiry-based curriculum. There is little time or instruction devoted to making sure pre-service teachers understand general language and early reading development.

Special education, inclusive education and students with exceptionalities

Faculty of education courses on inclusive education, special education and students with exceptionalities appear to be teaching primarily about Ontario's procedures for accommodations, Individual Education Plans, Identification, Placement, and Review Committees, and legal requirements related to these. The focus is on general principles that apply across students' identified exceptionalities and education needs, including principles of differentiated instruction and Universal Design for Learning (UDL). These procedures and principles may be introduced and applied to one or more exceptionalities (or sometimes an area of educational need, such as language comprehension, decoding, attention regulation, etc.). Student teachers often choose an exceptionality as a focus of an assignment. In these courses, there is typically one week where they read and learn about learning disabilities (typically the term dyslexia is not used to describe word-level reading disabilities), similar to a week on each of autism spectrum disorders and behavioural disorders.

This general knowledge is important for pre-service teachers to understand the principles of special education and be better prepared to meet students' education needs in the classroom. However, these more general courses do not compensate for the lack of content in English Language Arts methods, or in related courses on effective instruction and how to differentiate instruction and implement accommodations specifically for students with or at risk for word-reading disabilities/dyslexia. These topics need more in-depth coverage for future Kindergarten to Grade 12 teachers, and may need to be part of a course specific to reading difficulties, or be a series of classes in English Language Arts methods and classroom assessment courses. Currently, pre-service teachers are not learning enough about these issues.

Technology and software programs are often used in classrooms, sometimes as an accommodation for students with disabilities. However, it was not evident from the course outlines provided that courses devote adequate time or material to making sure pre-service teachers understand the types of instruction and support students need for this technology to be effective. For example, students with reading difficulties may often be given software programs for composing written text as an accommodation (see section 11, Accommodations). However, meta-analyses show that without direct instruction and scaffolding in written composition and direct instruction in the best use of the technology, this is not very effective in supporting students' writing.⁸³⁰

Training specific to reading difficulties

In general, pre-service teachers are not learning enough about reading difficulties, associated risk factors, and effective classroom approaches with these students. Further, it does not appear that courses cover material that would help pre-service teachers learn how to identify students, in the early elementary and later years, who need assessment and intervention for reading disabilities. This is particularly concerning in a system where decisions on which students to screen and how to screen them is largely based on teachers' professional judgement (see section 9, Early screening).

As noted earlier, pre-service teachers are not taught much on the importance of word-reading and spelling skills, or on how to teach these foundational skills in the classroom. Pre-service teachers need a solid understanding of the foundations of word reading and spelling and effective classroom instruction in these skills, to develop the knowledge needed to understand reading difficulties, identify these students early and meet their education needs.

Several faculties have courses focusing on reading difficulties or disabilities, but these are most often elective courses. There is wide variation in how much these courses address phonemic awareness, phonics and word reading, and fluency for word-reading disabilities/dyslexia. For example, one required quarter-course on supporting Primary/Junior students who struggle with reading and writing only includes a half-class on phonological awareness and one class on phonics. Running records are taught alongside fluency and word analysis assessment. Other courses appear to take more of a socio-cultural or critical disabilities approach to understanding reading disabilities.

One course requires pre-service teachers to tutor students who are struggling with reading, but it is unclear what materials or approach is used. The book mentioned most often in these courses is *I Read It, But I Don't Get It*.⁸³¹ This book focuses on comprehension strategies and does not include effective word-reading instruction and intervention. This book is referenced in some Primary/Junior courses, although it is intended for teachers of adolescent readers.

Pre-service teachers also do not appear to be learning about commonly available interventions (except for Reading Recovery®, which is not appropriate and may undermine progress and self-esteem for students with word- reading difficulties). It is important that pre-service teachers become knowledgeable about the types of instruction used in evidence-based interventions. This allows them to support these effective approaches in the classroom. It is very confusing for students learning how to properly decode words in an intervention to have the classroom teacher emphasize a cueing system approach to word reading. This potential for disconnect between interventions and classroom practices is yet another reason why it is troubling that pre-service teachers are not learning how to teach phonemic awareness, phonics and advanced word study.

Multilingual students

Faculties have a mix of required and elective courses addressing multilingual students (referred to as English language learners or ELL students). These courses often include theories on second language acquisition, but there is wide variation on other included topics. Some courses focus on a socio-cultural perspective to understanding multilingual students, including increasing pre-service teacher understanding of cultural differences, inequities and related social justice issues. Other courses focus on instructional approaches to increase the academic performance and involvement of multilingual students in the classroom – although this mostly focuses on aspects of oral language, with little attention to developing word-reading skills. However, one strong elective course on Reading in a Second Language at the University of Toronto covers important theoretical and applied issues for working with multilingual students, including developing word-reading and spelling skills.

4. Using validated, reliable, efficient assessments to inform classroom teaching

In many assessment courses across the faculties, a significant proportion of the material covered involves Ministry documents that emphasize the three-cueing system and balanced literacy. Other classes that use a textbook also refer to procedures outlined in these Ministry documents. The materials provided suggest that pre-service teachers are most often being taught to conduct running records and miscue analyses to assess reading. These approaches are not supported by the science of reading.

Often, information from running records and miscue analyses is used to make sure children are reading the “correct” level of books in class, and to mark each child’s progress in reading levels across the year. As discussed above, these assessment approaches are problematic for the same reasons as is teaching cueing systems for word reading. Running records and miscue analyses assess a student’s use of problematic guessing strategies, and do not provide any information about the foundational skills that show how a student’s reading is developing, such as the student’s phonemic awareness, knowledge of grapheme-phoneme correspondences and larger orthographic and meaning-based patterns (for example, morphemes), and the ability to use these to read (and spell) words efficiently. These foundational skills should be one major focus of earlier required courses on English Language Arts methods, and the assessment course should introduce valid and reliable screening and classroom assessment tools that provide critical information for classroom teachers on these foundational skills.

Additional Qualification courses

In addition to offering teacher education programs for pre-service teachers, faculties also offer advanced learning programs for in-service teachers to expand their knowledge and enhance their classroom skills.⁸³² Additional Qualification (AQ)

courses⁸³³ provide ongoing professional learning on a subject or topic, and appear on a teacher's Certificate of Qualification and Registration from the Ontario College of Teachers. They can support teachers' career advancement and allow them to qualify for salary increases.⁸³⁴

The OHRC asked the 13 English-language public faculties to provide information about the AQ courses they offer related to reading and special education. There are three AQ courses in reading: Reading, Part 1;⁸³⁵ Reading, Part 2⁸³⁶ and Reading, Specialist.⁸³⁷ Similarly, there are three AQ special education courses: Special Education, Part 1;⁸³⁸ Special Education, Part 2⁸³⁹ and Special Education Specialist.⁸⁴⁰

Eleven of the 13 faculties offered and submitted information about AQ courses. Ten faculties offered Reading 1; nine also offered Reading 2; and eight offered the Reading Specialist. In three of the 10 faculties that offered AQ courses in reading, syllabi were not available to the inquiry.

Across the eight faculties that had materials on Reading AQs, it appeared that in Reading, Part 1, three course outlines mention or have a reading on phonological awareness. One of these course outlines also mentions phonics, and one also mentions reading disabilities. One of the courses that includes these topics references the *Ontario Expert Panel Report*; although it is not possible to know how much this report is used in the course. One course states that it covers a structured literacy approach, but this is not readily apparent in most of the course reading materials.

For Reading, Part 2, of the six courses for which class reading lists and/or syllabi were available for review, one course mentioned phonological awareness and one mentioned reading disabilities. For another course, it was hard to determine if it covers foundational skills at all, and the rest of the courses do not appear to cover foundational word-reading skills or dyslexia.

For the final course in the reading series, the Reading Specialist qualification, the faculties provided six course outlines and/or reading lists. One course gives more time and goes more in-depth into phonics, with a "Word Recognition" module that has 15 hours for topics in this area.

Except for one to two courses, most reading AQ courses reviewed for the inquiry gave little attention to developing proficient word-reading skills and linking these to reading difficulties, or to the importance of these to reading comprehension. They do not devote adequate time to learning about the structure of words and language; effective teaching methods in phonemic awareness, phonics, and more advanced word study; interventions for students with reading difficulties; or how to monitor students' progress in the classroom.

The readings required most often in these courses are Ministry documents resulting in a focus on cueing systems, balanced literacy and related approaches. As with the courses for pre-service teachers, it appears that the lack of science-informed

approaches in the Ontario curriculum and teaching guidelines is one obstacle to faculties preparing in-service teachers to teach foundational word reading skills and to understand dyslexia. This suggests that even teachers who obtain their Reading Specialist, who often become literacy leaders in their schools and school boards, are not receiving adequate preparation in instruction informed by the science of reading.

Teachers' perspectives on their preparation to teach reading

Many teachers told the inquiry they did not feel adequately prepared to teach reading. Out of the 1,769 participants in the inquiry's survey for educators and other professionals, 1,086 (61%) completed a teacher education program from a faculty of education in Ontario. Only 4% of Ontario-educated participants agreed that they learned the necessary skills in their teacher education program to teach students with reading disabilities to read. Fourteen per cent somewhat agreed that they learned the necessary skills, 19% somewhat disagreed. The highest percentage of respondents – 55% – said they disagreed. Seven per cent said they neither agreed nor disagreed, and 1% responded as unknown.

In their survey responses, in emails to the OHRC and at public hearings, many teachers confirmed what the OHRC's review of the faculty of education materials found:

...We were taught a whole language learning approach that is not systematic or evidence-based and does NOT address the cognitive and processing challenges that students with reading and writing disabilities experience. We were not given any strategies outside of helping students become interested in texts by looking at visual cues, discussing stories, prompting for comprehension and creating a positive environment around reading.

and

The program was very focussed on what was stated in the Ontario curriculum and ways to deliver the material. Very little time was spent discussing the diverse needs of students. **I do not recall any courses discussing how to teach children to read and how to reach students who struggle.** [Emphasis added.]

Even teachers who completed one or more reading AQ courses felt ill-prepared to teach reading, and reported learning little about science-based approaches and direct instruction to teaching reading or how to teach or support students with dyslexia and other reading difficulties.

Of the 1,086 survey respondents who completed a teacher education program from a faculty of education in Ontario, 295 said that they have an AQ in Reading, Part 1, 159 have an AQ in Reading, Part 2, and 134 have their AQ in Reading, Specialist.

Table 17 summarizes the survey responses about the training teachers who have one or more AQs in reading received on reading disabilities and how to respond to them.

Table 17: Training received in additional qualification courses in reading

	AQ in Reading, Part 1	AQ in Reading, Part 2	AQ in Reading, Specialist
Received training in reading disabilities	Yes: 51% No: 49%	Yes: 60% No: 40%	Yes: 57% No: 43%
Received training on how to identify reading disabilities	Yes: 42% No: 58%	Yes: 53% No: 47%	Yes: 49% No: 51%
Received training on how to remediate reading disabilities	Yes: 40% No: 60%	Yes: 50% No: 50%	Yes: 49% No: 51%

Most respondents (54%) who completed the Part 1 AQ in Reading disagreed or somewhat disagreed that they have the necessary skills to teach children with reading disabilities to read. After completing Reading, Part 2, almost half of respondents (47%) still did not feel they had the necessary skills to teach children with reading disabilities. Even after receiving the Reading Specialist designation, almost half of teachers (46%) still did not feel they had the necessary skills to teach children with reading disabilities to read.

Teachers said that the focus of the AQ courses on reading continued to be on the three-cueing system and balanced literacy, with little to no instruction on science-based instruction in phonological awareness, phonics or decoding. They emphasized that the courses were aimed at teaching reading to the “general average, typically abled student population” with no focus on reading disabilities. Some even said that reading disabilities and other reasons why students do not learn to read were never addressed, even though the courses were intended to prepare teachers to be “literacy leader[s]:”

These AQ courses focus on [“reluctant” readers] almost entirely and there seemed to be no instruction on how to teach non-readers (those who have little to no phonological awareness).

Another teacher said: “Dyslexia or dysgraphia were never mentioned during any of these courses.”

Teachers reported taking these AQ specialist courses to build their capacity as reading teachers, and being disappointed that they were no better prepared to teach beginning reading or support struggling readers:

I was teaching Grade 1 while taking my [Reading Specialist] course and recall feeling frustrated by the stats and focus on read alouds and shared reading rather than how to help kids read independently.

Teachers who took AQs in special education similarly reported a lack of training on reading disabilities. They said these courses focused on leadership and advocacy for special education, legal responsibilities and legislation related to special education in Ontario, and writing IEPs. Teachers said little time was spent on working with students with reading disabilities, addressing specific needs, or developing effective reading programs. For example:

This course was more about legal responsibilities, leadership, procedures, not so much about the actual support and programming for children.

and

The focus was behavioural challenges, not learning challenges, which are related. Unfortunately, the course lacked remediation strategies, and focused more on identifying disabilities and writing IEPs.

Many of the survey respondents who completed a teacher education program from an Ontario faculty had taken one or more AQs in special education (841 of 1,086 respondents took Special Education, Part 1; 492 took Special Education, Part 2; and 365 had the Special Education, Specialist designation). Once again, these teachers reported not feeling prepared to teach students with reading disabilities. Sixty-one per cent of teachers who completed Special Education, Part 1 disagreed or somewhat disagreed that they have the necessary skills to teach children with reading disabilities to read. After completing Special Education, Part 2, just over half of respondents (51%) still did not feel they had the necessary skills to teach children with reading disabilities. Even after receiving the Special Education, Specialist designation, almost half (48%) still disagreed or somewhat disagreed that they had the skills to teach children with reading disabilities to read.

Table 18: Training received in additional qualification courses in special education

	AQ in Special Education, Part 1	AQ in Special Education, Part 2	AQ in Special Education, Specialist
Received training in reading disabilities	Yes: 69% No: 31%	Yes: 65% No: 35%	Yes: 59% No: 41%
Received training on how to identify reading disabilities	Yes: 45% No: 55 %	Yes: 56% No: 44%	Yes: 53% No: 47%
Received training on how to remediate reading disabilities	Yes: 39% No: 61%	Yes: 46% No: 54%	Yes: 44% No: 56%

Through surveys, emails, public hearings and interviews, many teachers reported they want to be able to reach every student, including students with reading difficulties, but feel let down by an education system that has failed to equip and support them to do so:

I wish I had more knowledge, more time to use [it]. I feel I am failing our struggling students.

Another teacher said:

I feel very sad that I don't have the skills to teach students with reading disabilities to read. I know how to teach students to learn [s]ight words and build word walls and look for familiar words in a sentence and guess at the context. I have some idea on how to explain phonics rules, but I don't know what order to teach phonics in or at what pace phonics lessons should go.

Teachers also noted that far too many children are being left behind. For example:

Based on much of my own self-directed learning about the science of reading over the past year teachers need more training in methods based in reliable proven science. Teachers are doing their very best but simply do NOT know. Too many students are falling through the cracks unnecessarily because of the gap that exists [between] this science and what is being taught at the faculty of ed levels, the ministry curriculum and all that is presented in mainstream resources.

and

There is so much at stake and lives are forever impacted by OUR failure to teach a child to read. We appreciate that there was a time when we did not know how best to teach reading, but that is not, and has not, been true for many years.

The teacher comments made it clear that there are systemic issues that have limited their effectiveness and self-confidence in teaching all children to read. In addition to better training, teachers said they would appreciate having more guidance in the Ontario curriculum. For example:

I don't think there is enough consistency. There [are] broad curriculum goals without direction on how to get there. Too much is open to interpretation and many children, in my opinion, get left behind because a teacher is using outdated methods or hasn't been informed about the best way to reach all learners.

and

I am only now just beginning to learn about teaching reading, and I am well into my career. I know that I would have been far more effective if I had learned about teaching reading in a way that would benefit ALL readers rather than just to those who would have picked it up naturally anyhow. I wish that there had been an entire course in Teachers' College on this subject! The curriculum is left to a lot of interpretation and that isn't helpful for a new teacher or one who isn't aware of the challenges that many readers face.

Some teachers said they would like to better support students who are being withdrawn from class to take part in intervention programs like Empower™ when they return to the regular classroom. Several inquiry school boards also noted that they would like to have regular classroom teachers reinforce the learning students receive in these programs, but feel that the proprietary nature of the programs limits their ability to do so. However, if teachers have the fundamental knowledge described in this report and are following a curriculum that reflects the science, they will be able to support students who are receiving evidence-based interventions outside of the classroom.

Many teachers described their efforts to supplement their knowledge, including doing their own research on the science of reading, and spending time and money on courses outside of the university and AQ system to learn about direct instruction or structured literacy. Some teachers even developed initiatives within their school board to try to fill in the gaps created by the Ontario curriculum and predominant balanced literacy approaches.

Thousands of teachers are independently seeking out resources and joining social media platforms to support each other and try to learn about and implement evidence-based instruction in foundational reading skills.⁸⁴¹ Some are signing up for education and training opportunities at their own expense.

Teachers need and want more education to gain the knowledge and skills to teach early reading effectively, as well as appropriate curriculum, materials/programs and ongoing coaching and support to reach all students, including students with reading disabilities/dyslexia. Adequately supporting teachers to ensure all Ontario students can learn to read will require changes to the Ontario curriculum, related instruction guides, teacher education, professional development, and materials and supports. Teachers want to do better but these systemic obstacles impede their efforts.

Barriers to change

We have known the best way to teach early reading skills to all students for decades. The evidence is also clear that the predominant approaches to early reading instruction used in Ontario fail the most vulnerable students. Yet there are still many who are resistant to change. This is unacceptable.

Many in the education sector continue to ignore scientific evidence about what is proven to work, and insist on following disproven theories and outdated opinions that have a discriminatory impact on certain populations of students. We would not accept this in any other area and we should not accept this in education when our children's lives and futures are at stake.

Some of the resistance to implementing science-based approaches may stem from ableist assumptions, negative stereotypes and related attitudes. Some educators, particularly people in influential positions, are unwilling to consider or acknowledge that the reason a significant proportion of students do not learn to read well is because of poor instruction and intervention. Rather than admit that the education system is failing these students, they erroneously believe that factors beyond their control such as perceived inherent limitations associated with disability, gender or socioeconomic factors are the cause.

As well, some critics of direct instruction approaches think they are not good for "high performers" as they believe direct instruction, which they may mischaracterize as "drill and kill," negatively affects the love of learning, or fails to promote higher-order thinking skills.⁸⁴² First, these assumptions about direct instruction are incorrect, as discussed throughout this report. Second, implicit in these criticisms of direct instruction is the ableist idea that the education system should not be designed for students who are at risk for reading difficulties, but rather that these students should be dealt with separately using different approaches to what are used with students who have higher skills in the classroom.

Withholding classroom instruction that is critical to many students is inconsistent with human rights principles of inclusive design and UDL. It discriminates against students with or at risk for reading difficulties. It is also wrong. The evidence does not show that students without reading difficulties or who have higher skills are negatively affected by receiving instruction in phonemic awareness, phonics and decoding. Rather, all students benefit from having this strong foundation in both their reading and writing.⁸⁴³ A recent book examining the studies on direct instruction states:

The data also refute the idea that [direct instruction] is only for "certain" students, such as those from low-income backgrounds or who might be having difficulties in school...there is no evidence from our analysis that [direct instruction] is more effective with some groups of students than with others. The data show that it works well with all students, no doubt because human cognitive structures are

universal. We all interpret communications that we receive, and if these communications are clear and unambiguous all of us can learn. Just as the structure of [direct instruction] allows those who are behind their peers to catch up, it can also allow those who learn more quickly to move ahead.⁸⁴⁴

It is also telling that the current approach to teaching reading is failing to instill a love of reading or reading confidence in many Ontario students. The EQAO's student engagement questionnaire asks students how they feel about reading. In 2018–2019, a little less than half of students (44% in Grade 3 and 42% in Grade 6) said they did not like to read. About one-third (38% in Grade 3 and 33% in Grade 6) said they did not think they were good readers most of the time.⁸⁴⁵ This significantly undermines any claims that inquiry- or discovery-based approaches to teaching reading are better for motivating students to read or for developing a love of reading.

Some in the education field perpetuate the myth that teaching phonological awareness, phonics and decoding skills negatively affects students' reading comprehension or ability to "make meaning" from texts. They stress that aspects of reading should not be taught as isolated skills, but rather should always take place within real reading activities and contexts, and should emphasize socio-cultural approaches. In fact, the evidence is clear that many children cannot learn to read by inquiry or discovery-based approaches.

Context is important for understanding what is read, but students must be able to read the words to make meaning from the text and the context. Context is not useful as a primary and initial decoding strategy. Beginning readers need to be taught how to read words, as all words are new or unfamiliar to them. Further, when children encounter a word they have not seen before, they need to use decoding skills to sound it out.⁸⁴⁶ Research confirms that the ability to make meaning from texts requires a strong foundation in being able to read words (see the earlier discussion of the Simple View of Reading, Scarborough Rope Model and the accompanying studies that show this).

It is essential that students be able to read words accurately, quickly and automatically, to become good readers who can understand, absorb and think about what is read across a wide-variety of texts and topics. The Association of Psychology Leaders in Ontario Schools told the inquiry:

Inclusion of direct and systematic teaching of foundational reading skills in reading instruction does not deny the importance of the other crucial skills and factors such as reading comprehension, motivation to read, print exposure, etc. In other words, the reading process involves teaching multiple skills and abilities, the ultimate goal, of course, being the enjoyment of reading, fluent access to meaning and reading comprehension. In order to reach that goal, the foundational skills...and other areas of literacy development also need to be addressed.

Some opponents of direct instruction in foundational reading skills might critique this focus, pointing out that literacy is not restricted to being able to read and understand printed words on a page or screen. Rather, they promote a focus on multiliteracies, which include other forms of communication that reflect new technologies.⁸⁴⁷ These people tend to downplay the importance of reading instruction that focuses on “alphabetic representations,” arguing that today’s youth will engage with “multimodal representations” including through different forms of digital media technology. For example, one online article says:

Meaning is made in ways that are increasingly multimodal – in which written-linguistic modes of meaning interface with oral, visual, audio, gestural, tactile and spatial patterns of meaning.

This means that we need to extend the range of literacy pedagogy so that it does not unduly privilege alphabetical representations, but brings into the classroom multimodal representations, and particularly those typical of digital media. This makes literacy pedagogy all the more engaging for its manifest connections with today’s communications milieu. It also provides a powerful foundation for a pedagogy of synesthesia, or mode switching.⁸⁴⁸

Teaching children to become proficient in word-reading so that they may become skilled readers and having children engage with multiliteracies are not mutually exclusive. Word reading is the foundation for successfully interacting with a variety of communication forms. The inquiry heard many accounts of people with reading difficulties not being able to read a menu in a restaurant, read ingredients on a food label, read street signs, play video games that involve reading, search the Internet, look at websites or access other forms of digital media – not to mention to effectively interact and be successful in the classroom.

The inquiry heard from students, parents and teachers who noted the critical importance of reading skills, built on a strong foundation of word-reading, for full participation in today’s classrooms and society.

Unfortunately, opponents of direct instruction in general, particularly in foundational reading skills, exist throughout the education system, often holding positions of power. Consistent with the inquiry’s findings, researchers have identified three groups who are “the most powerful opponents of widespread implementation of direct instruction”: education policy makers and decision-makers, teachers and administrators, and education faculty members in universities who are often the most resistant:

Perhaps the most powerful opponents of [direct instruction] are faculty and administrators in schools of education in colleges and universities. Education schools provide preservice training for our nation’s teachers, but they also exert very powerful control over the nature of teacher certification and the discourse surrounding the nature of teaching and education. The vast majority of professors of education adhere to the philosophies of John Dewey and Jean Piaget, the intellectual forebearers of developmental and inquiry-type approaches

to learning. Schools of education have largely ignored the research evidence regarding [direct instruction's] effectiveness and the extensive research in cognitive psychology about learning. Education faculty's ideology is reflected in the content of teacher education programs.⁸⁴⁹ [Emphasis added.]

Dr. Brady noted that faculties of education are most often resistant to provide adequate education to pre-service teachers on the science of reading:

Professors who are committed advocates of meaning-based methods of reading instruction, and who never learned the concepts and methods implicated by the science are unlikely to embrace this goal enthusiastically. The consequence may be superficial discussion of phoneme awareness and phonics in a lecture or two (i.e., tokenism), or less.⁸⁵⁰

Reviews of teacher education programs in the U.S. have found that only a small minority of programs provide the extensive training needed to effectively deliver reading instruction. The inquiry found that the training provided by English-language public faculties of education in Ontario appears to be similarly deficient, with few exceptions.

One Language Arts professor interviewed for the inquiry said that the number of children who are not learning to read causes her to “lose sleep at night.” She said that she and her faculty colleagues “need to take some responsibility for the significant proportion of children not learning to read or not learning to read at grade level with some degree of fluency.” The inquiry’s analysis of course outlines and reading lists in Ontario English Language Arts courses is consistent with her conclusions.

Universities are often concerned with academic freedom. Some may believe that any efforts to establish standards for ensuring pre-service and in-service teachers are prepared to teach all students to read infringes on faculty members’ academic freedom. However, academic freedom does not preclude universities and teacher education programs from being accountable for the quality, effectiveness and consistency of their programs and adherence to human rights. Academic freedom also comes with a responsibility for faculties to make sure teachers are well-prepared to use evidence-based techniques that promote, protect and advance students’ right to read. Dr. Moats reasons:

While the academic freedom that professors often invoke has a place in teacher education, its claim is not as absolute as it may be in the humanities.

Professional preparation programs have a responsibility to teach a defined body of knowledge, skills, and abilities that are based on the best research in the field. This is no less important in reading than it is in medicine or law.⁸⁵¹

In October 2011, Universities Canada issued a Statement on Academic Freedom that defined constraints on academic freedom:

Academic freedom is constrained by the professional standards of the relevant discipline and the responsibility of the institution to organize its academic mission. The insistence on professional standards speaks to the rigor of the enquiry and not to its outcome.

...

Universities must also ensure that the rights and freedoms of others are respected, and that academic freedom is exercised in a reasonable and responsible manner.⁸⁵²

The 1997 UNESCO Recommendation Concerning the Status of Higher Education Teaching Personnel recognizes the need to balance different rights and interests such as academic freedom and institutional accountability.⁸⁵³ Institutional accountability includes responsibility for fundamental human rights.⁸⁵⁴ Recommendation 28 says “the right to teach without interference” is “subject to accepted professional principles including professional responsibility and intellectual rigour with regard to standards and methods of teaching.”⁸⁵⁵

A 2021 Superior Court of Justice (Divisional Court) decision found that Ontario’s Mathematics Proficiency Test was discriminatory because of its impact on racialized teacher candidates entering the teaching profession.⁸⁵⁶ Ontario had considered mandating a math course instead of a proficiency test, but decided against this alternative “out of concern that it would interfere with the institutional autonomy” of faculties of education.⁸⁵⁷ The Court found that a concern that faculties could lose some autonomy if Ontario had mandated a math course should not outweigh teacher candidates’ equality rights. The Court said this was not a situation where requiring a math course would have had a negative impact on the *Charter* rights of another group in society.

Legally, academic freedom and institutional autonomy are not absolute and must be weighed against the equality rights of students and teacher candidates. Ethically, these interests and rights should be considered within a student-centered approach to improve the educational achievement of all students in Ontario’s public education system.

Faculties must follow the standards set by the Ontario College of Teachers (OCT). The OCT accredits teacher education programs and AQ courses where it is satisfied that the programs and courses meet prescribed requirements⁸⁵⁸ including:

- The design of the program is consistent with and reflects the OCT’s “Standards of Practice for the Teaching Profession” and “Ethical Standards for the Teaching Profession;” current research in teacher education; and the integration of theory and practice in teacher education
- The program curriculum is current, references the Ontario curriculum, includes the application of current research in teacher education, and represents a wide knowledge base in the divisions and components of the program

- The teaching theory and foundation courses in the program include courses on human development and learning, and on the legislation and government policies relating to education
- The program enables students of a professional education program to acquire knowledge and skills:
 - in the current Ontario curriculum and provincial policy documents that are relevant to the student's areas of study and curriculum, including planning and design, special education, equity and diversity, and learning assessment and evaluation
 - to use current research in teaching and learning
 - in the policies, assessments and practices involved in responding to the needs and strengths of all students, including students identified as requiring special education supports.

Therefore, it is possible to establish core standards and curricula for all Ontario teacher education programs and additional qualification courses in reading. As well, if the Ontario curriculum is changed to reflect the science of reading, Ontario faculties will be required to change their approach to preparing teachers to teach reading.

The American Federation of Teachers noted giving teachers the tools to teach reading systematically and effectively supports teacher professionalism and autonomy.

Educators who are equipped to teach reading in a way that will ensure success in almost all students will feel “empowered and rewarded.”⁸⁵⁹ When teachers use direct instruction approaches and see the results they achieve with their students, they become enthusiastic advocates:

...the data refute the notion that teachers don't like [direct instruction]. In fact, just as students' desire to learn is reinforced by their own learning, teachers' desire to teach is reinforced by seeing how much their students improve and learn....In short, the data from our analysis support the theoretical contention...that the carefully developed sequence and guidelines make teaching more enjoyable and rewarding.⁸⁶⁰

One teacher told the inquiry:

I have lots and lots of kids in my classroom...and I get to teach every last one of them how to read because I'm using a structured literacy program in kindergarten, and it's thrilling....It is exciting and empowering.

Other sources of resistance to change include perceived challenges to professional identities, and economic incentives, among others.⁸⁶¹ For example, some proponents of current approaches may have developed or promoted particular programs, written widely used guidelines, or authored teacher education textbooks. Further, accepting that current approaches are not serving students may be threatening:

They [may] fear that acknowledging research that counter[s] views they [have] long supported...[may] diminish their own prestige and associated power and privilege.⁸⁶²

Some proponents of whole language approaches are finally starting to acknowledge that inquiry-based approaches to learning to read are flawed, and to recognize that students must be taught foundational skills including phonics. For example, in 2019, the International Literacy Association, an institute that strongly endorses critical literacy, multiliteracies, socio-cultural learning, teacher empowerment and social justice, released an International Literacy Leadership Brief that strongly supports explicit and systematic phonics instruction as part of a full literacy program.⁸⁶³ Dr. Calkins, a long-time proponent of cueing systems and balanced literacy whose resources are widely used in Ontario, has also recently recognized the importance of direct instruction in phonics.⁸⁶⁴

When faced with the overwhelming scientific evidence, and the inquiry's findings that students' human rights are at stake, it is no longer acceptable for educators, education policy-makers and faculties of education to continue to promote ineffective approaches that have a discriminatory impact on certain populations of students.

Recommendations

The OHRC makes the following recommendations:

Revise the Kindergarten Program and Grades 1–8 Language curriculum

27. The Ministry of Education (Ministry) should work with external expert(s) to revise Ontario's Kindergarten Program and Grades 1–8 Language curriculum to:
- a. Remove all references to cueing, cueing systems and guessing strategies for word reading
 - b. Remove all references to any other instructional approaches to teaching foundational reading skills that have not been scientifically validated
 - c. Require mandatory explicit, systematic and direct instruction in foundational reading skills, including phonemic awareness, phonics and decoding, and word reading proficiency
 - d. Beginning in the Kindergarten Program and continuing in the Grades 1–8 Language curriculum, explicitly state expectations for teaching phonemic awareness, letter-sound associations, word-level decoding (including blending sounds to read words and segmenting words into sounds to write words), word-reading proficiency or fluency (number of words read per minute) and knowledge of simple morphemes. The Grades 1–8 Language curriculum should include more advanced word study in and beyond Grade 2/3, and outline more advanced expectations with morphology, knowledge and analysis of words, through the middle grades and beyond
 - e. Incorporate other aspects of a comprehensive approach to literacy which are addressed in the research science such as evidence-based instruction in oral language, reading comprehension, vocabulary knowledge and spelling and writing.⁸⁶⁵

28. The Ministry should specify that all critical elements of explicit, systematic and direct instruction in foundational word-reading skills in the revised Kindergarten Program and Grades 1–8 Language curriculum are mandatory and not optional. The Ministry should provide specific and scaffolded grade-level expectations for each foundational word-reading skill. The Ministry should clarify that early literacy skills, such as phonemic awareness, knowledge of letter names and sounds and how to print letters, and decoding simple words are all expected in Kindergarten.⁸⁶⁶
29. The Ministry should develop the revised Kindergarten Program and Grades 1–8 Language curriculum on an expedited basis, but should include all the necessary steps in the curriculum review process.

Revise early literacy resources

30. The Ministry should work with external expert(s) to revise Ontario's *Guide to Effective Instruction in Reading (Kindergarten to Grade 3)* and *Guide to Effective Literacy Instruction (Grades 4 to 6)* and other supplementary resources and materials to:
- Remove all references to cueing, cueing systems and guessing strategies for word reading
 - Remove all references to balanced literacy and associated concepts such as teaching word reading with the use of cueing systems or through reading books within the current gradual release of responsibility model (instruction through modelling book reading with word problem-solving using cueing systems, shared reading with word problem-solving using cueing systems, guided and independent text reading focused on word problem-solving using cueing systems, and mini lessons)
 - Remove all references to any other instructional approaches in teaching foundational word-reading skills that have not been scientifically validated
 - Remove all references to running records, miscue analyses and other assessment approaches that have not been scientifically validated
 - Remove all references to levelled readers and incorporate references to decodable texts in Kindergarten to Grades 1 or 2 (or in later reading interventions) and/or to practicing word reading in less controlled books that are nonetheless selected to provide practice for word-reading skills for young readers, and with appropriate reading materials, other than levelled readers, in later elementary grades.⁸⁶⁷ Reading materials should be selected based on other criteria appropriate for developing reading competence, language and knowledge
 - Replace cueing and balanced literacy for word reading with mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics and decoding skills, and word-reading proficiency (accurate and quick word reading)
 - Beginning in the Kindergarten Program and continuing in the Grades 1–8 Language Arts curriculum, state the approaches (and Ministry-recommended programs) that will support the explicitly stated expectations in phonemic

- awareness, letter-sound associations, word-level decoding (including blending sounds and segmenting words into sounds to read and write words), word-reading proficiency or fluency (number of words read per minute). This will continue through to more advanced word study beyond Grade 2, including how to teach advanced morphological knowledge and analysis
- h. Incorporate other aspects of a comprehensive approach to literacy which are addressed in the research science such as evidence-based instruction in oral language, reading comprehension, vocabulary knowledge and spelling and writing.⁸⁶⁸
31. The Ministry should release revised guides and supplementary resources before or at the same time as the revised Kindergarten Program and Grades 1–8 Language curriculum.
32. The Ministry should revoke any early literacy resources, including supplementary classroom materials published on the Ministry's Curriculum and Resources website⁸⁶⁹ or e-Community Ontario,⁸⁷⁰ that promote cueing systems, balanced literacy, running records and miscue analyses or any other instructional and assessment approaches to word reading that are not scientifically validated.
33. School boards should update their early literacy policies, procedures, directives, documents, guides, training and professional development materials, and any other early literacy resources, to align with the findings in this report and, when available, the revised Kindergarten Program, Ontario Language curriculum, *Guide to Effective Instruction in Reading (Kindergarten to Grade 3)* and *Guide to Effective Literacy Instruction (Grades 4 to 6)* and other revised Ministry supplementary resources and materials.

Review textbooks and supplementary classroom materials

34. The Ministry should work with external expert(s) to revise the Trillium list⁸⁷¹ of approved textbooks related to reading, if any, to align with the scientific evidence by removing all textbooks that promote instruction and assessment approaches that have not been scientifically validated, and adding only textbooks that reflect effective instructional principles associated with mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics and decoding skills, and word-reading proficiency (accurate and quick word reading).
35. The Ministry should work with external expert(s) to develop a list of approved classroom materials (including programs, kits, books, readers, assessment tools and intervention programs) that are consistent with the revised curriculum and scientific evidence outlined in this report.

36. The Ministry should make clear that school boards must stop using and may no longer purchase textbooks or classroom materials that are inconsistent with the scientific evidence, and can only purchase or use materials related to teaching foundational word reading skills on the Trillium list and Ministry list of approved of classroom materials.
37. School boards should stop using textbooks and classroom materials that are inconsistent with the scientific evidence, as outlined in this report. School boards should only purchase textbooks and classroom materials on the revised Ministry approved lists. School boards should replace levelled readers in Kindergarten to Grade 1 or 2, with decodable texts.
38. The Ministry should provide school boards with the funds to purchase textbooks and classroom materials on the revised Trillium list and list of approved classroom materials.

Develop and deliver interim curriculum and measures

39. The Ministry of Education should work with external expert(s) to develop or identify an interim early reading curriculum (or addenda to the current Kindergarten Program and Grades 1–8 Language curriculum) and resources/guides/training to support school boards and teachers to immediately start delivering instruction in foundational reading skills that aligns with the science of reading while the Kindergarten Program, Grades 1–8 Language curriculum and instructional guides and other resources go through a full revision. The interim early reading curriculum and resources/guides/training should provide guidance to and require boards and teachers to immediately begin to implement mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics and decoding, and word reading proficiency including morphological knowledge. This interim curriculum and resources/guides/training could be selected from evidence-based pre-existing materials that have been vetted by the Ministry's external expert(s) to make sure they conform with the reading science. The Ministry should make sure any interim resources/guides/training will be consistent with the future revised Kindergarten Program and Grades 1–8 Language curriculum, so they can continue to be used once these are released.
40. School boards should immediately begin implementing measures/resources/ programs/guides/training to provide mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics, decoding and word study, while awaiting a revised Kindergarten Program and Grades 1–8 Language curriculum. These measures/resources/guides/training can continue to be used to support delivery of a revised Kindergarten Program and Grades 1–8 Language curriculum once they are released.

41. The Ministry should adopt a systematic approach to releasing an interim early reading curriculum and/or addenda to the current Kindergarten program and Grades 1–8 Language curriculum that is supported by professional learning, guides and supplementary resources and a supportive professional development plan for educators that is clearly communicated with school boards.
42. The Ministry should provide adequate funding to boards to implement and continue to use these measures/resources/programs/guides/training.
43. The Ministry should enhance funding support for summer learning programs offered by school boards for students in Kindergarten to Grade 5, as part of a strategy to help all students catch up on reading proficiency and respond to COVID-19 learning loss related to reading. The Ministry should require that summer learning programs to support reading provide mandatory explicit, systematic and direct instruction in foundational reading skills including phonemic awareness, phonics and decoding, and fluency.
44. The Ministry should develop an education recovery plan that includes intensive and accelerated reading programs for all students, but with an emphasis on targeting groups most disadvantaged by school closures related to COVID-19 (students with disabilities, students from low-income families, Black and other racialized students, Indigenous students and newcomers).

Build expertise within boards and ensure non-reprisal

45. The Ministry should provide stable, enveloped yearly funding to all school boards in the province to hire literacy-learning leads to coordinate and support board-level improvement efforts related to reading and literacy.⁸⁷² The Ministry should require that literacy-learning leads be trained in the science of reading, including systematic and direct instruction in foundational reading skills/structured literacy approaches.
46. School boards should draw on internal expertise, educators, administrators, speech-language pathologists and psychology staff who are knowledgeable about the science of reading, for systematic and direct instruction in foundational reading skills/structured literacy approaches.
47. Board staff who advocate for the science of reading or other measures to improve outcomes for students with disabilities should never be subject to adverse consequences/reprisals.

Ensure pre-service teacher preparation addresses critical concepts

48. Ontario's faculties of education should embrace the science of early reading, and make sure future teachers understand critical concepts, including:
- a. The importance of word-reading accuracy and efficiency for reading comprehension; models of reading development
 - b. How accurate and efficient early word reading develops
 - c. How to teach foundational word-reading and spelling skills in the classroom
 - d. The importance of teaching foundational skills in reading to address inequality for historically disadvantaged student populations and the needs of students with different difficulties and disabilities
 - e. Other aspects of a comprehensive approach to literacy which are addressed in the research science but were beyond the scope of the inquiry, such as evidence-based instruction in oral language, reading comprehension, vocabulary knowledge and spelling and writing.

49. The *Ontario College of Teachers Act*⁸⁷³ regulations should be amended to require that all Primary and Junior teacher applicants take a half-course (three credits) that focuses on critical components of word-reading instruction to support all students in becoming proficient readers. Faculties of education should make sure this course spends considerable time on and includes instruction to develop pre-service teachers' knowledge of the content in Recommendation 48 above and:

- a. The structure of spoken and written words
- b. What systematic and direct instruction in word reading and spelling consists of at different grade levels
- c. The skills and knowledge necessary to implement best practices for teaching students phonemic awareness, phonics, accurate and efficient or quick word reading, spelling, fluency, and more advanced word study, including syllable and morphological knowledge and analysis
- d. How to gauge students' progress in these foundational word-reading and spelling skills; identify students who need immediate follow-up; and provide immediate, focused instruction to students who need it.

Faculties should explore practicum components and mentoring opportunities that reinforce and enhance learning in these areas.

50. Every Ontario faculty of education should make sure that further Language Arts methods courses, assessment courses, and courses on inclusive and special education/teaching students with exceptionalities further reinforce and deepen pre-service teachers' knowledge and understanding of these concepts and approaches.

51. Every Ontario faculty of education should build on the foundational knowledge described in Recommendations 48 and 49, to prepare pre-service teachers to identify, instruct and support struggling readers and writers, including students with dyslexia, with other disorders, and students with no known exceptionality, with further instruction on:

- a. The core features of reading disabilities and dyslexia. Dyslexia should be named and explained
 - b. Early warning signs of risk for reading difficulties
 - c. Understanding and practicing using scientifically validated early screening tools and scientifically supported methods of classroom reading assessment to guide reading and writing instruction
 - d. Understanding differentiated reading instruction to build foundational reading skills and support writing development for students with reading difficulties
 - e. Effective accommodations and how to successfully implement them in the classroom
 - f. Understanding early and later interventions that are evidence-based, with a focus on evidence-based approaches used in Ontario school boards, and how to support students in the classroom when they are receiving these interventions.
52. Every Ontario faculty of education should re-evaluate teaching running records or miscue analyses. Teachers should be taught how to use more valid and helpful ways to evaluate students' reading progress and how to use assessment tools that measure skills related to word-reading accuracy and proficiency separately from a student's reading comprehension or oral language comprehension. Pre-service teachers should be taught how to administer short, reliable assessment tools to gauge students' progress in these foundational skills.⁸⁷⁴
53. Recommendations 48 to 52 should be implemented regardless of whether and before the Ministry revises the Kindergarten Program and Ontario Grades 1–8 Language curriculum.

Ensure additional qualification courses and continuing professional development address critical concepts

54. The Ontario College of Teachers should require that any additional qualification courses on reading offered by any AQ provider in Ontario (Reading Part 1 and Part 2, Reading Specialist) provide advanced knowledge on:
- a. The foundations of word-reading and spelling
 - b. The central role of word-reading in reading comprehension
 - c. Models for understanding how proficient word reading develops
 - d. Best practices for teaching students on phonemic awareness, phonics and word-reading proficiency, and more advanced word study, including syllable and morphological knowledge and analysis
 - e. The core features of reading disabilities/dyslexia. Dyslexia should be named and explained
 - f. Early warning signs of risk for reading difficulties
 - g. Understanding and practicing using scientifically validated early screening tools and scientifically supported methods of classroom reading assessment to guide reading instruction
 - h. Understanding differentiated reading, spelling and writing instruction

- i. Effective accommodations for reading difficulties and how to successfully implement them in the classroom
 - j. Understanding evidence-based early and later interventions that are used in Ontario school boards, and how to support students in the classroom when they are receiving these interventions.
55. The Ontario College of Teachers should require that any additional qualification courses on special education/inclusive educations/students with exceptionalities offered by any AQ provider in Ontario (Special Education Part 1 and Part 2, Special Education Specialist) provide advanced knowledge in:
- a. The core features of reading disabilities and dyslexia. Dyslexia should be named and explained
 - b. Early warning signs of risk for reading difficulties
 - c. Effective reading instruction and interventions, and Response to Intervention (RTI)/Multi-tiered System of Supports (MTSS) models
 - d. The critical place of evidence-based instruction as a key component of a Universal Design for Learning approach
 - e. Effective accommodations for reading difficulties and how to successfully implement them in the classroom
 - f. The difference between accommodations and modifications to curriculum expectations, and the limited role of modifications (see also section 11, Accommodations)
 - g. Understanding evidence-based early and later interventions that are used in Ontario school boards, and how to support students when they are receiving these interventions
 - h. How to support their school or board in using data collection and monitoring to inform RTI/MTSS.
56. The Ministry of Education (Ministry) should work with external expert(s) to develop a comprehensive, sustained and job-embedded in-service teacher professional learning program and resources that address early reading instruction and reading disabilities/dyslexia that includes:
- a. The foundations of word reading and spelling
 - b. The central role of word reading in reading comprehension
 - c. Models for understanding how proficient word reading develops
 - d. Best practices for teaching students phonemic awareness, phonics, and more advanced word study, including syllable and morphological knowledge and analysis
 - e. The core features of reading disabilities/dyslexia. Dyslexia should be named and explained
 - f. Early warning signs of risk for reading difficulties
 - g. Understanding and practicing using scientifically validated early screening tools and scientifically supported methods of classroom reading assessment to guide reading instruction
 - h. Understanding differentiated reading, spelling and writing instruction

- i. Effective accommodations for reading difficulties and how to successfully implement them in the classroom
 - j. Using evidence-based materials and programs in classroom and small-group applications
 - k. Understanding evidence-based early and later interventions that are used in Ontario school boards, and how to support students in the classroom when they are receiving these interventions.
57. The Ministry should require and provide stable, enveloped yearly funding for every school board in Ontario to deliver this comprehensive, sustained and job-embedded professional learning.
58. While this professional learning is being developed, school boards, with funding from the Ministry, should provide educators the opportunity to take accredited structured literacy courses.



9. Early screening

9. Early screening

A screening measure is a quick and informal evidence-based test that provides information about possible reading difficulties.

Introduction

A screening measure is a quick and informal evidence-based test that provides information about possible reading difficulties.⁸⁷⁵ It identifies students who are at risk for or currently experiencing reading difficulties so they can receive more instruction or immediate intervention. Although beyond the scope of this report, early measures can be used to screen for difficulties in oral language development.

Screening is not a diagnosis. It does not identify children for a special education designation or label. It is an early detection strategy for the benefit of students and teachers. Teachers better understand how to help their students, and students receive immediate and targeted support.

Universal screening means conducting common and standardized screening assessments on all students, using evidence-based screening instruments. These instruments have established reliability and validity standards to increase confidence in their effectiveness.

Universal early screening is not only effective, but also necessary to protect the rights of all students, particularly students from many *Code*-protected groups. It facilitates early interventions, reduces the potential for bias, and creates better decision-making around student outcomes. Schools can make data-informed decisions because they can compare results from common screening tools across populations.

All screening tools need to be used responsibly and consider the cultural and linguistic diversity of the student community. No screening tool should ever be used to devalue a child. The purpose of screening and data collection is to make sure students and teachers have the resources they need.

As outlined in section 8, Curriculum and instruction, screening is a key part of a Response to Intervention (RTI) or Multi-tiered System of Supports (MTSS) approach to inclusive education. If schools provide evidence-based classroom instruction, use universal screening to identify students and provide immediate interventions when needed, it will reduce the number of students who fail to learn to read. Screening is effective when it is early, evidence-based and universal.

When screening happens early, schools can identify struggling and at-risk readers to provide early and targeted intervention. Earlier interventions are more effective because students' response to intervention declines as they become older.⁸⁷⁶ Screening identifies at-risk young readers who are behind on foundational reading skills, and

prevents them from developing later reading difficulties and dealing with the associated lifelong consequences of failing to learn to read. That is why early screening is critical for catching students before they fall behind.

The inquiry found that Ontario does not have universal, systematic, evidence-based early screening to identify at-risk students who need immediate interventions.

One of the obstacles to universal screening is the Ministry of Education's Policy/Program Memorandum (PPM) 155. As currently interpreted, PPM 155 leaves the frequency, timing and selection of diagnostic assessments to individual teachers' professional judgment. Screening students is most effective when evidence-based measures are used at specific intervals. However, neither the evidence-based measures nor the timing of screening is standardized in Ontario. As a result, this PPM has contributed to gaps, inconsistencies and a lack of an effective, student-centered approach to early screening.

Screening practices vary between boards, schools and individual teachers. Boards use a combination of observational methods, such as running records or miscue analyses that are often associated with non-evidence based reading programs. Some boards use assessments they developed in-house, but these do not appear to have been adequately evaluated to make sure that they are effective. While some boards include screeners that may be evidence-based on their list of possible assessments, teachers are not required to use them and boards could not confirm if they were being used.

Ontario schools need standardized protocols about when, how often and which screening tools should be used. Teachers should be an integral part of developing this model. However, how PPM 155 is being applied is not working for Ontario students. The current model does not create the necessary conditions for data collection because there are no common screening tools across classrooms, schools and school boards.

To successfully implement a tiered approach, screening tools must be evidence-based, include the appropriate measures and be administered twice a year from Kindergarten to Grade 2. This screening data must be used to provide immediate intervention for students who need it.

Ontario must address its current inadequate approach to screening. The current approach creates unnecessary conflict and confusion between school boards and teachers, and neglects the best interests of at-risk children. The science of screening for early reading skills is advanced, the financial cost is minimal and the impact of current practices on students is harmful.⁸⁷⁷

The importance of early screening

Waiting to see if a student has difficulty learning to read does not work. This “wait and see” approach to identifying learning difficulties is widespread in Ontario’s education system. Schools typically wait for students to present extreme difficulty before a teacher notices or is able to refer a student for further support.

Education researchers have noted several disadvantages with the “wait and see” model. Assessment is imprecise because it is mostly based on teacher observation or identification measures that are not linked to effective instruction.⁸⁷⁸ This can lead to decisions informed by bias, rather than data. The intervention is reactive and based on deficit, rather than proactive and based on risk.⁸⁷⁹ Students receive interventions too late or not at all.

Schools must screen every student early (starting in Kindergarten Year 1) using evidence-based screening tools. The earlier schools screen students, the earlier students can receive instruction or intervention that will enable them to learn to read accurately and fluently.⁸⁸⁰

In its submission to the inquiry, the Association of Psychology Leaders in Ontario Schools (APLOS) emphasized that screening is important because it provides “a classroom profile to help the teacher to determine the focus of curriculum for his or her classroom.” APLOS added that this leads to early and effective intervention for struggling readers, which reduces “the potential for long-term learning challenges” for many students. The APLOS told the inquiry:

Early reading screenings provide an opportunity to implement programming that is responsive to emerging learning needs. This does not need to result in children being separated into groups or centred out among their peers. Instead, it ensures that learning goals continue to change within the classroom and that the needs of all learners are addressed. Teaching in the early years that incorporates direct and systematic instruction is a powerful preventative tool that will reduce reading difficulties in the later years, thereby decreasing requirements for more comprehensive assessments to determine the core difficulty.

Early screening can also reduce the need for professional assessments. A board speech-language pathologist (SLP) told the inquiry that early screening is “essential for all students Kindergarten to Grade 2. If done correctly, it will significantly reduce the referrals to Psychologists and SLPs and may likely increase the [number of] students with grade-appropriate literacy skills.”

Also, if tier 1 classroom instruction is not evidence-based, tier 2 interventions will not be as effective. Evidence-based instruction reinforces the foundational skills targeted in tier 2 interventions in the classroom, and enables students to continue developing these skills even after interventions have ended.

Evidence-based screening

Evidence-based screening is the most effective way to identify struggling and at-risk readers. It is an objective and measurable way to improve student outcomes and reduce bias in assessment, including for students from culturally and linguistically diverse backgrounds.⁸⁸¹ Bias can affect teachers' and other educational professionals' perceptions of student ability and performance. Universal screening safeguards against these potential biases.

The inquiry heard about assumptions that students who struggle to read should not be learning English and French at the same time. This incorrect assumption has limited many students' access to French-language education. For example, sometimes newcomer and multilingual students are discouraged from enrolling in French Immersion programs, and the inquiry heard many examples of families being told a student with reading difficulties should not remain in a French Immersion program or must be withdrawn for the school to offer supports.

The inquiry also heard that students in French boards have less access to resources and programs for reading difficulties. Parents reported giving up their right to have their child receive a French-language education and moving their child to an English board to access better supports. One parent said:

En Ontario, nous avons le droit à l'enseignement en français par contre lors de trouble d'apprentissage, il y a très peu de ressources ou programmes disponibles pour le personnel enseignants et les élèves. C'est en partie pour cette raison que nous avons retiré notre enfant du système scolaire francophone.

[In Ontario, we have the right to be taught in French. However, there are very few resources or programs available for teachers and students with learning disabilities. This is part of the reason why we removed our child from the French school system.]

Students who have or who are at risk for reading difficulties, should enjoy the same academic, social and employment-related benefits of learning French. Parents who are French-language rights holders have a right to have their child receive a French-language education under section 23 of the Canadian *Charter of Rights and Freedoms*. The Ministry has recognized all students can learn French given the appropriate supports.

A preventative approach is also needed for students learning French and at risk for reading disabilities. If a student struggles to read in French, they will likely also have difficulty in English so removing them from a French-language program is not the solution. Instead, early scientifically validated screening and evidence-based interventions should equally be implemented within French-language instruction.

Not all research is equal. Research has different degrees of quality. Individuals or companies who create screening tools often claim their assessments are research-based. However, research alone is not an indicator of whether a given tool is valid and reliable. The research must be:

1. Valid (strong⁸⁸² internal and external validity)
2. Reliable
3. Linked to the science of reading instruction and acquiring foundational reading skills.

Internal validity relates to how well a study is conducted. It measures whether the research was done right. Studies with high internal validity can support causal conclusions. Studies with more moderate internal validity support the generality of a relationship, but causality is uncertain.

External validity relates to how applicable the findings are in the real world. Studies with high external validity include a range of participants and settings so that study results can be generalized to those participants and settings. Research with moderate external validity may have smaller sample sizes, so generalization to other populations may be uncertain.

External validity also refers to what is being measured and how this relates to the larger field of study. For example, a measure of whether a child can use syntactic (sentence structure) or other cues to guess at words in a sentence is not a valid indicator of foundational word-reading skills.

Reliability means the same results are found across multiple settings and assessors. Results do not change based on when or where the screening occurs and who does the scoring.

When it comes to reading, many screening tools have gone through rigorous development and their level of validity and reliability is well known.⁸⁸³

The Institute of Education Sciences practice guide

The Institute of Education Sciences (IES) is an independent and non-partisan arm of the U.S. Department of Education. The institute reviews the best available scientific evidence and expertise to address systemic challenges in education that cannot be solved by single programs. It publishes practice guides that are subjected to rigorous external peer review.

In 2009, the IES published the practice guide, *Assisting Students Struggling with Reading: Response to Intervention (RTI) and Multi-Tier Intervention in the Primary Grades*.⁸⁸⁴

This guide was written by a panel of experts in reading, measurement and research methodology. The experts summarized recommended screening practices for early reading and provided evidence of their effectiveness. Each recommendation received a rating that reflects the strength of the research showing its effectiveness.⁸⁸⁵ The recommendations with moderate to strong evidentiary support are that schools should:

1. Screen all students for potential reading problems at the beginning of the year and again in the middle of the year
2. Screen students in Kindergarten through Grade 2
3. Regularly monitor the progress of students who have an elevated risk for developing reading disabilities
4. Use measures that are efficient, reliable, and reasonably valid
5. Provide intensive, systematic instruction on up to three foundational reading skills in small groups, to students who score below the benchmark score on universal screening. Typically, these groups meet between three and five times a week, for 20 to 40 minutes.

The IES report also recommended screening areas that are appropriate based on each grade level:⁸⁸⁶

Kindergarten screening batteries should include measures assessing letter knowledge and phonemic awareness...As children move into Grade 1, screening batteries should include measures assessing phonemic awareness, decoding, word identification and text reading. By the second semester of Grade 1, the decoding, word identification, and text reading should include speed as an outcome. Grade 2 batteries should include measures involving word reading and passage reading. These measures are typically timed.

The expert panel created a table based on the most recent scientific literature that outlines the screening measure that is required at each time point to assess early word-reading accuracy and fluency.⁸⁸⁷

Figure 4**Table 3. Recommended target areas for early screening and progress monitoring**

Measures	Recommended grade levels	Proficiencies assessed	Purpose	Limitations
Letter naming fluency	K-1	Letter name identification and the ability to rapidly retrieve abstract information	Screening	This measure is poor for progress monitoring since students begin to learn to associate letters with sounds. It is not valid for English learners in kindergarten, but seems valid for grade 1.
Phoneme Segmentation	K-1	Phonemic awareness	Screening and progress monitoring	This measure is problematic for measuring progress in the second semester of grade 1. As students learn to read, they seem to focus less on phonemic skills and more on decoding strategies.
Nonsense word fluency	1	Proficiency and automaticity with basic phonics rule	Screening and progress monitoring	This measure is limited to only very simple words and does not tap the ability to read irregular words or multisyllabic words.
Word Identification ²⁶	1-2	Word reading	Screening and progress monitoring	This measure addresses many of the limitations of nonsense word fluency by including multisyllabic and irregular words.
Oral reading fluency (also called passage reading fluency)	1-2	Reading connected text accurately and fluently	Screening and progress monitoring	Although the measure has moderately strong criterion-related validity, it cannot give a full picture of students' reading proficiency. Many students will score close to zero at the beginning of grade 1. The measure still is a reasonable predictor of end of year reading performance.

Although the expert panel did not recommend any specific screening tool, they recommended that when schools select screening tools, they should have similar properties to measures that have been examined in the scientific literature. The panel cited three specific screening tools and the corresponding studies that show they include measures that accurately predict future student performance. These tools are DIBELS,⁸⁸⁸ Comprehensive Test of Phonological Processing (CTOPP),⁸⁸⁹ and the Texas Primary Reading Inventory.⁸⁹⁰ The Rapid Naming Subtests of the CTOPP could also be included as these predict later word-reading accuracy and fluency difficulties.

Screening measures

Screening measures are designed to make sure students are learning the appropriate skills based on their grade. At different points in time, specific screening measures need to be used that are appropriate to the expected reading development.

As shown in the IES report, the science of early identification is advanced and many tools are available to predict risk for reading difficulties.⁸⁹¹

Screening tools that assess phonological awareness of units larger than the phoneme, such as rhyming, syllables and onsets, may be suitable in Kindergarten Year 1. In Kindergarten Year 2 year, and as the IES table above shows, these skills need to focus on phonemic awareness and letter-naming fluency. In Grade 1, the focus should be on word identification, decoding, text reading and non-word reading. Later in Grade 1 and in Grade 2, screeners should measure word- and text-reading fluency, which means these measures are timed.

It is important to measure different skills at multiple points across these early years, to avoid missing students who can perform simpler tasks but struggle as reading demands increase.

For example, a student may do well if simpler screening measures are administered in the fall of Year 2 (rhyming, syllable and onset awareness), but struggle later with the more complex tasks of blending and segmenting individual phonemes within words. Another child may struggle with decoding words, and another with building automatic or quick reading of words. All these later difficulties are typical of students at risk for reading disabilities, but these students would be missed in scenarios where only early, pre-reading skills are screened in Kindergarten or even early Grade 1.

Screening should therefore focus on more than just the simpler areas of decoding. It should include advanced skills, so interventions can properly focus on building all the necessary skills. The goal is for students to not only learn to read, but also to read as accurately and quickly as their same-age peers.

The role of risk factors

Some students may have family members with a diagnosed reading disability or undiagnosed reading difficulty. This information on family history can also inform early identification.⁸⁹² However, family risk status should never be a pre-requisite for an intervention. Rather, student performance on screening measures and response to instruction should determine if they receive a reading intervention.⁸⁹³

Also, environmental factors such as socioeconomic disadvantage can place children at risk for reading difficulties. These children will not necessarily have a family member with a documented history of reading disability. This is one reason why early screening for all students is crucial. Regardless of whether a student struggles to learn to read

because of stronger hereditary and/or environmental contributors (which cannot be determined), the type of intervention does not change. Dr. Susan Brady, a U.S. psychologist and literacy expert, explains:⁸⁹⁴

Another risk factor for dyslexia is familial risk; if close relatives have been diagnosed with dyslexia there is a genetic risk for a child to develop dyslexia...⁸⁹⁵ On the other hand, from an environmental perspective, disruptive early life experiences resulting from stress, poverty, and low levels of parental education also place children at risk for language and literacy deficits⁸⁹⁶... Further, there is increasing evidence that socioeconomic disadvantages can affect children's brain development⁸⁹⁷...Despite the differences in origin, it is not possible at the individual level to distinguish between the characteristics of cases of biologically based and environmentally induced dyslexia⁸⁹⁸...and of course a child may have both sources of problems. From the perspective of treatment, diagnosed reading and language weaknesses require the same kinds of interventions regardless of the mix of biological or environmental causes.

Progress monitoring

Progress monitoring is distinct from screening. Screening is given at a point in time when the student is likely not receiving an intervention. Screening flags students who need to receive effective interventions to learn the skills that make up word reading and decoding. Screening may also be used as an initial skill assessment to determine starting points for different interventions.

Screening tools measure skills that are highly predictive of reading acquisition or later functioning, but are not always the best way to monitor a student's progress or response to an intervention. Progress monitoring can provide a more in-depth assessment of reading skills, and can better gauge a child's response to an intervention. Progress monitoring measures the early reading foundational skills that are being targeted by the intervention.

Similar to screening, the results from progress monitoring help inform further decision-making and interventions.⁸⁹⁹ Together, screening, early intervention and progress monitoring aim to set the student on a positive trajectory in learning all the foundational skills of word-reading accuracy and fluency, so they catch up to their peers. This trajectory is measured to ensure ongoing "average" performance or ongoing and increasingly intensive interventions.

The role of teachers

Teachers play a critical role in assessing students and identifying their learning needs.⁹⁰⁰ As recognized in the *Report of the Royal Commission on Learning*: "...no one knows the student's capacities, or is in a position to assess them in all their nuances and complexity, better than the classroom teacher."⁹⁰¹ Teachers spend every day in the

classroom teaching and observing students. Observation is one component of assessment, but needs to be supplemented with standardized, early and evidence-based screening.

A teacher may observe that a student is not gaining skills adequately with classroom instruction. The teacher may then refer the student for a tier 2 intervention. Sometimes, parents may voluntarily disclose a family history of reading disability. Combined with teacher observation, this could also flag a student as needing extra support through an intervention. Universal screening makes sure all students, regardless of their family background or being noticed by teachers, are systematically flagged when foundational word-reading skills are not developing as needed.

Screening is not the same as a professional assessment that occurs after a student is referred (for example, psychoeducational assessment or speech-language assessment). Classroom teachers are well placed to screen for word-level reading. When teachers screen students, they learn valuable information about their students to help inform their instruction. However, other educators such as resource or special education teachers are also well-suited to administer these tests, and administering and scoring assessments can be supported by other professionals (such as psychologists and SLPs) in the education system.

Whoever administers and scores the screening tools will need training on the basic principles of early reading screening tools, and specific knowledge about the selected tool(s). In *Teaching Reading is Rocket Science*, Dr. Louisa Moats says teachers who understand classroom reading assessment have the knowledge to answer questions such as:

1. **Question:** What specific skills...should be present at the end of Kindergarten [and] are the best predictors of achievement?

Answer: Essential skills consist of the ability to segment the phonemes in simple words, to name alphabet letters presented randomly, to produce the sounds represented by most consonants and the short vowels, to spell simple words phonetically, and to demonstrate age-appropriate vocabulary development.

2. **Question:** Are running records or oral reading tests reliable or valid indicators of reading ability?

Answer: The reliability of oral reading tests and running records is lower than the reliability of more structured, specific measures of component reading skills. Teachers judging the cause of specific oral reading errors (for example, miscue analysis) tends to be unreliable, and the category of “visual” errors is misnamed. On the other hand, timed, brief oral reading tests that measure words read correctly per minute are excellent predictors of future reading from about the middle of Grade 1 onward.

3. Question: When are children typically expected to spell trapped, plate, illustrate and preparing?

Answer:

- Plate: end of Grade 1 when the most common long vowel spelling is learned.
- Trapped: end of Grade 2 when the basic doubling rule for endings beginning with vowels is learned.
- Preparing: end of Grade 4 when students expand their knowledge to Latin-based words with prefixes, roots, and suffixes.
- Illustrate: end of Grade 5 when more complex words with prefixes, roots, and suffixes are learned.
- Offered: end of Grade 6 when patterns involve prefixes, roots, and suffixes and more complex spelling changes⁹⁰²

4. Question: Why is it important to test comprehension using several different types of assessment?

Answer: Several assessments will lead to a more accurate picture of students' comprehension because the outcome of comprehension tests depends on many variables, including the student's prior knowledge of the topics in the passages, decoding ability, and vocabulary; the response format; the length of the texts; and so forth.

Word-level reading screening tools can take 10 to 15 minutes to complete per student,⁹⁰³ and additional time for scoring and collating the data. Depending on class size, screening all students at one time could take up to three days. Teachers and school administrators who completed the inquiry survey reported that teachers do not have adequate release time to screen students, so fewer students are identified. The inquiry also heard that, due to lack of sufficient release time for classroom teachers, special education teachers may be pulled away from pressing work of their own and asked to conduct screenings.

Screening practices in other jurisdictions

North Vancouver District School Board

The North Vancouver District School Board has a policy that states student assessment is "ongoing, research-based, varied in nature and administered over a period of time to allow students to demonstrate their full range of learning."⁹⁰⁴ Teachers are trained to screen all students in Kindergarten and Grade 1 using one common screening tool, and input the data into a central system and student profiles. This data is used to determine if students are on track and are responding well to instruction. Schools publicly report the assessment data and set measurable targets to improve reading outcomes for all students.⁹⁰⁵

Teachers screen all students for reading difficulties starting in January of Kindergarten, using a tool that measures phonological awareness.⁹⁰⁶ Based on the results, intervention begins in February.⁹⁰⁷ In May, teachers retest the Kindergarten students who are receiving intervention. In fall of Grade 1, teachers administer Dynamic Indicators of Basic Early Literacy Skills (DIBELS) to all students.⁹⁰⁸

DIBELS was created by the University of Oregon Center on Teaching and Learning. It is a series of short tests or measures (one-minute) that predict later reading proficiency. Measures include naming the letters of the alphabet, segmenting the phonemes in a word, reading non-words and word-reading fluency. DIBELS results can be used to evaluate individual student development, and to provide feedback on effectiveness of curriculum and programming.

The measures also largely overlap with the recommendations in the IES report, described earlier. DIBELS measures are evidence-based and a reliable indicator of early literacy development.⁹⁰⁹ Although use of the online tool costs money, the materials are free, and its assessment properties are open-access and anyone can study them.⁹¹⁰

A board representative from North Vancouver noted how their screening initiative shifted their understanding of how students learn to read:

We believed that if you simply surrounded kids with good books and good literature, that they would learn to read by osmosis, and we know that that is not true...All kids need good instruction to learn how to read.⁹¹¹

United Kingdom

In 2012, the United Kingdom (U.K.) passed a law mandating screening for all students in Year 1 (equivalent to Year 2 in Ontario).⁹¹² Students in Year 2 (equivalent to Grade 1 in Ontario) are screened if they did not meet the expected standard in Year 1.⁹¹³ Students who do not achieve the expected standard are given interventions and supports.⁹¹⁴ The assessment takes under 10 minutes per student to administer.

This screening also takes place in the context of a national curriculum that explicitly outlines the components of word-reading instruction (decoding, word-reading skills and phonics instruction).⁹¹⁵ Unlike Ontario, the U.K. assessment practices are clear, transparent and invite accountability.

Each educator's responsibilities are clearly outlined in public documents.⁹¹⁶ For example, a guidance document states: "while the teacher's knowledge of pupils can inform judgements, they must be based on sound and demonstrable evidence. This ensures that judgements are as objective as possible, and consistent between classes and schools."⁹¹⁷ This judgment is also exercised within the framework of a mandated, common screening tool. Schools must also make sure teachers are appropriately trained and administer the test according to the published guidance.

As well, the U.K. mandates very specific reporting requirements to keep parents informed about their child's progress, including information about screening results relative to students of the same age in their school and nationally.⁹¹⁸

The U.K. also collects national data on the percentage of students who achieved the expected phonics standard, broken down by demographic data including gender, income,⁹¹⁹ ethnicity, special education needs and first language other than English.⁹²⁰

Australia

In 2017, the South Australian Department of Education and Child Development conducted a pilot of the U.K.'s phonics screener for Reception and Year 1 students (equivalent to Year 1 and Year 2 in Ontario).⁹²¹ Following the pilot,⁹²² South Australia mandated use of the phonics screener for all Year 1 students and provided training to teachers and school leaders.⁹²³ The phonics check is available online for school personnel and families.⁹²⁴

In 2021, New South Wales joined South Australia and mandated the PSC for all Year 1 students.⁹²⁵ The Education Minister said: "The evidence speaks for itself. The best results in reading for our students occur when phonics is explicitly and systematically taught from Kindergarten moving on to other forms of reading instruction."⁹²⁶

United States

At least 30 states in the U.S. have legislation that mandates screening for dyslexia.⁹²⁷ Many of these states have published lists of recommended early screeners⁹²⁸ or handbooks to guide screening practices.⁹²⁹ Other states mandate the use of specific screening tools, and others provide criteria to guide the selection process.⁹³⁰ Screening for dyslexia in these states largely centres on the types of early, universal screening approaches for word-reading skills outlined in this report.

Ohio recently passed a law requiring schools to administer annual dyslexia screenings.⁹³¹ The Ohio Department of Education (ODE) must establish a committee that will determine screening and intervention measures to evaluate the literacy skills of students using a structured literacy program. School districts must follow the standards established by the ODE and only use screening tools from an approved list. They must screen all students in Kindergarten and report the results to the ODE. All teachers from Kindergarten through Grade 3 must take a fixed number of training hours in evidence-based approaches for identifying characteristics of dyslexia and instructing students with dyslexia.⁹³²

In 2021, the New York City Department of Education introduced mandatory screening for students in Kindergarten through Grade 2. All schools will use DIBELS at least three times per year. Schools will then implement intervention plans based on the results.⁹³³ The president of the United Federation of Teachers, a union that represents most

teachers in New York City, said his union has advocated for schoolwide screening for years, but concerns with COVID-related learning disruptions prompted the education department to finally mandate universal screening.⁹³⁴

Experts in these different jurisdictions have noted⁹³⁵ that screening by itself will not improve student learning. Changes to the curriculum and teacher education are necessary. Success depends on how well systems, schools and teachers respond to the results of screening and provide evidence-based interventions.

Compared to other jurisdictions, Ontario's approach to screening is *ad hoc*, decentralized and undefined.

Ontario's approach to screening

The Ministry of Education (Ministry) is responsible for developing the screening and assessment policies intended to provide consistent direction to school boards.⁹³⁶ The *Education Act* states that the Minister shall:

[R]equire school boards to implement procedures for early and ongoing identification of the learning abilities and needs of pupils, and shall prescribe standards in accordance with which such procedures be implemented."⁹³⁷

From 2004 to 2010, the Ministry introduced several policies and initiatives to standardize literacy instruction and assessment. Before 2004, the Ministry's 1982 Policy/Program Memorandum 11: Early identification of children's learning needs (PPM 11) and the *Education Act* were the key sources on early identification of student needs.

In 2004, the Ministry made a plan for improving students' achievement in reading, writing and math. It created the Literacy and Numeracy Secretariat (LNS) to help build capacity among educators and increase student achievement. The LNS also helped provide support to teachers and principals to implement common diagnostic assessment tools.⁹³⁸

Up to that point, there were no common assessment practices for reading in Ontario. The Ministry provided funding to boards to buy and implement common reading assessment tools, such as the Developmental Reading Assessment (DRA), PM Benchmarks or the Comprehension, Attitudes, Strategies and Interests (CASI).⁹³⁹ This resulted in an increase in the use of common diagnostic assessments in schools.⁹⁴⁰ However, these instruments do not meet the criteria related to critical foundational word-reading skills set out in the scientific research and IES report. The limitations of these common tools and others are explored further in this section.

Beginning in 2005, the Ministry also provided funding to boards to create data management systems. Teachers were required to administer specific diagnostic assessment tools, typically in fall and spring, and to enter the data into their board's

data management system. The school and board administrators were able to obtain the diagnostic assessment results from the system for use in school and board improvement planning.

In 2010, Ontario created a provincial policy for assessment practice for Grades 1–12 called *Growing Success*.⁹⁴¹ Although the 2000s marked a shift in the education landscape towards centralizing assessment tools, these policies did not set out clear standards.

In 2013, the move to standardization was reversed with the introduction of PPM 155. PPM 155 leaves a high degree of discretion to individual teachers on how to use diagnostic assessment tools.

PPM 155 was a response to problems with rolling out the 2005 common assessment tools. While the primary purpose of these tools was to use student data to improve learning, in some cases the assessments were perceived as an exercise in monitoring teacher performance. Some boards also added additional assessments and collected large amounts of data from teachers, taking significant time away from classroom instruction.⁹⁴² This created workload challenges for teachers. Also, depending on the school board, not all teachers were able to view results in the data management system.⁹⁴³

In 2014, the Ministry created its Policy/Program Memorandum 8: Identification of and Program Planning for students with Learning Disabilities (PPM 8), to specifically address early identification of students with learning disabilities. General in nature, this PPM did not mandate any specific screening tools to measure risk for learning or reading disabilities, but rather repeated principles of identification.

Consistent provincial standards and trust in teachers' professional judgment are not mutually exclusive. Standards give teachers the necessary tools to improve student outcomes, and to enhance public trust in the exercise of teacher discretion. Teacher discretion is an important component of many forms of assessment including diagnostic assessments, but it should not drive the process when it comes to screening. Many teachers said they wanted more guidance on screening.

Teachers face many challenges in navigating how to teach reading. They are provided with an ineffective reading curriculum and trained inadequately. There are also a lot of materials related to teaching reading that sound persuasive but are not evidence-based. In *Teaching Reading is Rocket Science*, a report commissioned by The American Federation of Teachers (AFT), the AFT president wrote:

As a profession, we have the drive and the passion to do the hard work of understanding and using the science of reading. And it is hard work, much harder than it should be since so few of the education publishers and professional development providers have cast aside their profitable-but-outdated materials and programs to create new resources that reflect the latest research.⁹⁴⁴

Universal early screening does not undermine teachers' professional judgement. Rather, it removes the outdated, non-evidence based tools that our current education system is using, and replaces them with standard and effective tools to improve student learning.

Policy/Program Memorandum 11

Policy/Program Memorandum 11⁹⁴⁵ (PPM 11) deals with early identification of children's learning needs. It was last revised nearly 40 years ago, in 1982. PPM 11 requires each school board to have procedures to identify each child's level of development, learning ability and needs. It also requires each board to make sure education programs are designed to accommodate these needs. It recognizes that these procedures should be part of a continuous assessment process that should start when a child is first enrolled in school or immediately after Kindergarten.

Although the PPM's goal to encourage early identification is good, the policy is not specific enough. Rather than setting standards, it espouses general principles.

Screening for foundational word-reading skills should happen twice a year in the early grades. However, PPM 11 only requires that early assessment procedures be initiated at the beginning of the year, without clearly defining what is meant by "continuous" assessment.

It does not mandate early screening using evidence-based tools, and it cites resources that are outdated (as early as the 1970s and the most recent is from 1980). Since 1982, the scientific literature on assessments has evolved and these developments should be reflected in the cited resources and inform the substance of the PPM.

The Ontario Catholic School Trustees' Association's (OCSTA) submission also referenced the age of this PPM, and noted that it may be useful for the Ministry to conduct a consultation and review the requirements in PPM 11 in the near future.

There have been calls to revise *Growing Success*, the main policy document on assessment.⁹⁴⁶ The need to update PPM 11 to include changing knowledge about assessment is just as urgent.

For example, while Ontario's 2013 *Learning for All* resource guide recommends a tiered approach, this inclusive framework is missing from PPM 11. In its inquiry submission, the Ontario Association of Speech-Language Pathologists and Audiologists (OSLA) recommended that PPM 11 should mandate RTI approaches "for the purpose of detecting students who are not responding sufficiently to core programming and who may require more intensive instruction or preventative interventions to support reading development."

Also, PPM 11 does not provide meaningful guidance on meeting the needs of multilingual students (who are learning English at the same time as they are learning the curriculum). Instead, it creates the potential for confusion when it states: “Where a child’s language is other than English or French, a reasonable delay in the language based aspects of assessment should be considered.” While some time may be needed to expose multilingual students to the language of instruction, Ontario school boards are often delaying supports for these students because of untested assumptions (see section 6, The experience of students and families and section 12, Professional assessments). The PPM’s vague language of “reasonable delay” without any further guidance may be a contributing factor to this reality. Universal evidence-based screening means all students are screened. There is no scientific reason to treat multilingual students differently from other students when it comes to early screening.⁹⁴⁷

Because of these assumptions, the OCSTA recommends using dynamic assessment procedures for multilingual students with repeated testing over time to reduce bias, false positives and false negatives.

See section 6, The experience of students and families and section 12, Professional assessments, for a further discussion of inquiry findings on the experience of multilingual students, and recommendations to align the Ministry and school boards’ approaches with research science.

Policy/Program Memorandum 8

The Ministry of Education has a PPM specifically related to learning disabilities, which was last updated in 2014.⁹⁴⁸ PPM 8 sets out requirements for identification and program planning for students with learning disabilities.

PPM 8 clearly states that any program planning applies equally to students who have not been formally identified through the IPRC process. The determining factor is not formal identification or a diagnosis but the needs of the student. Students who show difficulties in learning and who would benefit from special education programs are entitled to these services.

In its inquiry submission, the Ontario English Catholic Teachers Association (OECTA) recognized that early identification and appropriate interventions give students “the best chance to succeed.” OECTA accurately acknowledged that the inquiry will “hear from a number of students and families who had to wait too long for identification and access to resources.” Despite the Code and Ministry policy, OECTA also reported that boards typically only provide special education support to students who have been identified through the formal IPRC process. As a result, the learning needs of many other students who have not been formally identified go unmet. The inquiry heard accounts of this concerning practice across Ontario.

PPM 8 notes that many students with learning disabilities show signs before they enter the school system. It also repeats the requirement outlined in PPM 11 and the *Education Act* to implement procedures for early and ongoing identification of the learning abilities and needs of students. Dyslexia and reading disabilities are learning disabilities, but this PPM does not address the appropriate early screening and progress monitoring procedures.

While the PPM requires procedures for early screening, it does not mandate specific evidence-based screening tools and leaves boards, schools and teachers with considerable discretion on screening. This report outlines the appropriate early screening procedures for word-reading skills and risk for reading disabilities.

Similar to PPM 11, the vague language of PPM 8 may encourage a “wait and see” approach. PPM 8 states: “after a period of instruction that has taken into account individual students’ strengths and needs, it will become evident that some students who are experiencing difficulty in learning may potentially have a learning disability.” While it is true that daily instruction is one data point to assess student learning, universal evidence-based screening tools are the crucial starting point.

Although the PPM 8 refers to the tiered approach, UDL and differentiated instruction, it does not require these inclusive approaches. Instead, it says that school boards “should consider” and “may” put these into place.

PPM 8 stands out in comparison to other more prescriptive and robust PPMs such as Policy/Program Memorandum 140 – Incorporating methods of Applied Behaviour Analysis (ABA) into programs for students with Autism Spectrum Disorders (ASD). PPM 140 **requires** school boards to offer students with ASD special education programs and services, including using ABA methods where appropriate. PPM 140 also requires educators to measure an individual student’s progress by collecting and analyzing data on an ongoing basis. Educators must use this data to determine the effectiveness of the program for the student, and to change the program as necessary.

School boards are required to develop a plan to implement PPM 140. This PPM also states that the Ministry will integrate monitoring boards’ implementation into existing reporting mechanisms. The Ministry states that it has conducted annual surveys of school boards on their compliance with requirements set out in PPM 140.⁹⁴⁹

Comparing PPM 140 (ASD) to PPM 8 (LDs), it appears that the Ministry has taken steps to be more prescriptive with boards’ responsibilities for students with ASD than students with learning disabilities. As well, it appears that the Ministry’s monitoring mechanisms for compliance with PPM 140 are more robust than for PPM 8, although we did not assess how effective the monitoring for PPM 140 is in practice.

Using systematic, evidence-based approaches to prevent reading difficulties should be mandated, not simply suggested, in PPM 8. See section 12, Professional assessments for more concerns with PPM 8.

While *Growing Success*, PPM 11 and PPM 8 inform assessment principles in Ontario, PPM 155 is the most important policy directive in practice.

Policy/Program Memorandum 155

PPM 155, issued in 2013,⁹⁵⁰ deals with diagnostic assessment and how teachers should use their professional judgment related to assessment. It contains many statements confirming the Ministry's view of the importance of diagnostic assessment, and outlines the responsibilities of teachers, principals and school boards.

School boards are directed to create a list of board-approved assessment tools for teachers to choose from. However, most aspects of diagnostic assessment are left to a teacher's professional judgment. Teachers can exercise discretion on all aspects of assessment, such as:

- Which students to assess (individual student, small group or whole class)
- Which assessment tool to use (from the board's list of pre-approved tools)
- The frequency of assessment
- The timing of assessment.

The content of PPM 155 is not new. It borrows heavily from the 2010 policy *Growing Success*. The PPM quotes this policy to repeat that "teachers' professional judgments are at the heart of effective assessment, evaluation, and reporting of student achievement." However, what is novel is the amount of teacher discretion the PPM introduced within Ontario's education system.

Scope of PPM 155

PPM 155 applies only to the use of formal diagnostic assessment tools. It does not apply to special education assessment, large-scale provincial assessments (for example, EQAO), or assessments conducted as part of ministry-approved national or international assessments (for example, PISA).

Since its introduction, there has been much disagreement between teachers, unions and boards about what is considered formal diagnostic assessment. Conflicting views about the role of PPM 155 may be because it fails to delineate where diagnostic assessments begin and end. The PPM does not define "formal" diagnostic or special education assessments.⁹⁵¹ This leaves room for an over-broad interpretation of diagnostic assessments that includes screening tools, which are more appropriately special education assessments.

The OHRC's position is that screening tools are more like a special education assessment than a diagnostic assessment, because they identify students who are at risk for reading disabilities so they can receive interventions and special education supports.

In *Growing Success*, Ontario defines assessment as “the process of gathering information that accurately reflects how well a student is achieving the curriculum expectations in a subject or course.” Diagnostic assessment is defined as:

Assessment that is used to identify a student’s needs and abilities and the student’s readiness to acquire the knowledge and skills outlined in the curriculum expectations. Diagnostic assessment usually takes place at the start of a school year, term, semester, or teaching unit. It is a key tool used by teachers in planning instruction and setting appropriate learning goals.

Growing Success also describes the shift away from using only terms such as “diagnostic,” “formative” and “summative.” Instead, it calls for these terms to be supplemented with the phrases “assessment for learning,” “assessment as learning” and “assessment of learning.” Diagnostic assessments fall under the category of “assessment for learning,” which is defined as:

The ongoing process of gathering and interpreting evidence about student learning for the purpose of determining where students are in their learning, where they need to go, and how best to get there. The information gathered is used by teachers to provide feedback and adjust instruction and by students to focus their learning. Assessment for learning is a high-yield instructional strategy that takes place while the student is still learning and serves to promote learning. (Adapted from Assessment Reform Group, 2002.)⁹⁵²

This addition was meant to signal a shift away from describing how the information is gathered to, more importantly, how it is used. This principle is key to understanding why screening is distinct from diagnostic assessments.

Screening tools that identify students at risk for failure to acquire word-reading skills are not diagnostic in nature. The purpose of screening is to identify a student and secure interventions (which can include special education programs) before the student develops a reading disability (more severe reading difficulty).

PPM 155 describes special education assessments, which include:

[E]ducational and/or other professional assessments conducted to identify students with special education needs, to determine the special education programs and/or services required by these students, and/or to support decisions related to such programs and services.

A potential reason for the confusion around the classification of screening tools may be because our current education model is reactive rather than proactive. There could be hesitancy to see screening as a special education assessment. Some may view special education assessments exclusively as assessments for students who already have a disability. Special education assessments might be seen as pathways to further professional assessments (for example, psychoeducational assessments) or formal

identification through the IPRC. Screening is part of a systematic “early detection and preventative strategy”⁹⁵³ that identifies students who may be **at risk** for reading difficulties and disabilities.

Another key to understanding screening tools as a unique form of assessment is to look at what *Growing Success* and PPM 155 refer to as examples of data collection in the context of diagnostic assessments and assessment for learning:

Teachers will obtain assessment information through a variety of means, which may include formal and informal observations, discussions, learning conversations, questioning, conferences, homework, tasks done in groups, demonstrations, projects, portfolios, developmental continua, performances, peer and self-assessments, self-reflections, essays, and tests.

Observations, student portfolios and student self-assessment are not substitutes for scientifically studied measures for screening foundational word reading and related skills. The sources of information described in *Growing Success* and PPM 155 are not the right methods to screen students for reading difficulties. Studies have shown that relying only on teachers' judgments of students' early literacy skills may be insufficient to accurately identify students at risk for reading difficulties.⁹⁵⁴

Province-mandated assessments or large-scale assessments are also outside the scope of PPM 155. The Ministry has the power to mandate universal screening across the province.⁹⁵⁵

Screening tools are a distinct and unique form of assessment that requires a separate policy than what is described in the Ministry's existing policy documents and memoranda.

History of PPM 155

PPM 155 was issued following a commitment made in a Memorandum of Understanding between the Ministry and OECTA in 2012. On its website, the Elementary Teachers' Federation of Ontario (ETFO) states that the policy “signals a fundamental change in the locus of control on the use of diagnostic assessments from school boards and principals to individual teachers.”⁹⁵⁶

PPM 155 was viewed as a victory for many teachers' associations in Ontario.⁹⁵⁷ In 2004, when the Ministry started directing the use of common assessment tools, many teachers were unhappy.⁹⁵⁸ Some teachers saw them as a means for boards to monitor teacher performance.⁹⁵⁹ This is also evident in the language of the 2015 Central Agreement between the Ministry and ETFO. The agreement states: “The results of diagnostic assessments shall not be used in any way in evaluating teachers. No teacher shall suffer discipline or discharge as a consequence of any diagnostic assessment results.”⁹⁶⁰

Before PPM 155, teachers reported not knowing what the boards did with the data and “felt that they were being judged.”⁹⁶¹ While no boards raised this in the current OHRC inquiry, a 2013 Ministry study did report that one board felt the diagnostic assessment tools could serve as a means to hold “teachers accountable.” The board stated: “The good teachers will continue to perform assessment effectively, the poor or unmotivated teacher now has less accountability.”⁹⁶²

The discourse on PPM 155 positions board responsibilities in opposition to teachers’ professional judgment.⁹⁶³ While boards and teachers share the same goal, there can be healthy disagreement on how to best meet the needs of students.

In this case, examining what the scientific literature says is helpful. Teachers’ professional judgment must be exercised in the framework of mandated, universal and early screening. Universal screening is needed to meet the needs of students under the *Code*. It is not meant to be and should not be used as a tool to monitor teachers’ performance.

Professional judgment

The Ministry defines professional judgement in PPM 155 (taken from *Growing Success*) as:

Judgment that is informed by professional knowledge of curriculum expectations, context, evidence of learning, methods of instruction and assessment, and the criteria and standards that indicate success in student learning. In professional practice, judgment involves a purposeful and systematic thinking process that evolves in terms of accuracy and insight with ongoing reflection and self-correction.

In inquiry surveys, many teachers reported not receiving professional learning on screening students for reading disabilities. See section 8, Curriculum and instruction. This means that professional judgment is not being informed by science-based methods of measurement and assessment.

Teachers’ professional judgment is not undermined by universal screening. It is undermined when they are taught to use unreliable assessments with questionable validity.

Teachers need to be trained on the evidence-based tools available in the field, on their most effective timing and use, and school boards need to ensure consistency across classrooms, schools and boards. Similar to other professions, teachers must be provided with the tools to effectively carry out their role.

Professionals in any given field must exercise their judgment within the bounds of the scientific evidence, in a way that does not negatively affect the people they serve. Governments routinely set standards and remove discretion when broader public interests are at stake.

Data collection and consistency

PPM 155 has been identified as a major barrier by Ontario school boards in program planning and collecting important data. Since PPM 155, teachers are no longer required to enter data from board-mandated diagnostic assessment tools.

For screening data to be useful, it must be standardized. Each student must be assessed using the same measures, administered at consistent points of time.

In 2013, the Ministry requested a study of the implementation and effects of PPM 155.⁹⁶⁴ One of the purposes was to understand the consistency in implementation practices and any effect on boards' ability to collect data. The report documented the many differences in perspectives between boards and teachers around their obligations and how to interpret formal diagnostic assessments versus special education assessments.

The 2013 study investigated eight school boards in Ontario and found there was no consensus on implementing PPM 155. Differences among the boards included:

- Previous use of diagnostic assessment tools
- Current use of diagnostic assessment tools
- Capabilities of data management systems
- Perspectives on diagnostic assessment and on PPM 155 (whether and how it should be implemented).

The study also revealed board concerns about the loss of data. One board reported that only half of teachers submitted results centrally, and did not know whether teachers assessed some or all of their students. They said: "not only has data been lost that is valuable in discussions about evidence informed practice but it has set back many years the gains made in terms of creating awareness" about the data.⁹⁶⁵ Another board said the PPM disrupted their previous practice of requiring assessments twice a year and felt it only required assessments once a year.⁹⁶⁶

In addition to the 2013 study, boards have voiced concerns about PPM 155 in other contexts. For example, in a brief submitted to the Ministry in 2018, the Conseil ontarien des directrices et des directeurs de l'éducation de langue français (CODELF) said:

While recognizing that the professional judgment of teachers is the cornerstone of evaluation, a critical analysis of the importance of diagnostic assessment at the classroom level as well as the added value of school-based and system-based diagnostic assessments should be undertaken.⁹⁶⁷

The inconsistent approach to screening and variability between classrooms, schools and boards is a direct result of how the system has been set up. Since PPM 155, as currently interpreted, does not allow boards to mandate the screening tool or timing, they can only provide a menu of options and suggested time frames. This obstructs boards from fulfilling their responsibilities for programming, planning and accountability. Such an approach undermines consistency, fails to meet students' instructional needs, misses students who need intervention, and ultimately limits student achievement.

Kindergarten to Grade 12 Education Standards Development Committee

In 2017, the Minister for Seniors and Accessibility appointed a committee to address barriers facing Ontario public school students in Kindergarten through Grade 12. This committee is called the Kindergarten to Grade 12 Education Standards Development Committee (ESD Committee) and is established under the *Accessibility for Ontarians with Disabilities Act, 2005*.⁹⁶⁸ The ESD Committee includes people with disabilities, disability organizations and education experts.

In 2021, the committee wrote an initial report with 197 recommendations. One of the report's guiding principles made the critical link between evidence-based practices and the rights of students with disabilities:

Research-informed, evidence-based programs, pedagogies and policies facilitate a culture of respect for equity, equality, access and inclusion in all schools, and ensure evidence of impact across the education system for students with disabilities...⁹⁶⁹

The report also addressed curriculum, assessment and instruction. It included recommendations to improve early and ongoing assessment for students with disability-related needs. The report said

Students with disabilities can face difficulties and significant delays in getting professional assessments, (including but not limited to psychoeducational assessments), where needed, for their disability-related needs. Additionally, there is the potential for unfair/biased assessment for some students with disabilities due to a lack of understanding of the students, their lived experiences and identities and can lead to misinterpretations that create unintentional new barriers to an accessible and inclusive education for students with disabilities. The lack of a necessary assessment can impede their access to needed services, and to effective accommodations of their disabilities.⁹⁷⁰

The committee recommended steps and processes to address barriers that delay timely and fair/unbiased assessments to identify disability-related need. The committee also acknowledged that are many types of educational assessment, including ongoing, evidence-based classroom assessments. The committee recommended that the Ministry, boards and faculties of education:

Ensure that teacher education programs, in-service and ongoing job-embedded professional learning on diagnostic, formative and summative curriculum based

and more formal assessments be provided to educators to inform Differentiated Instruction for all learners.

School boards' approach to screening

The OHRC asked the eight inquiry boards to provide documents, data and information explaining their approach to early screening for reading. The OHRC also asked questions in its meetings with each board, to better understand their approach and invite discussion about any obstacles in implementing universal screening.

Every inquiry school board raised PPM 155 as an obstacle to universal screening, because it limits their ability to mandate specific tools and set a schedule for screening, and prevents them from collecting data about screening centrally. However, some boards said they are trying to work around the parameters set by the Ministry of Education. Similar to the 2013 Ministry study that found different interpretations of the PPM, many school boards also reported different responses from local bargaining agents to board directives about assessment. One school board, Thames Valley, found a way to work around the limits of PPM 155. Its approach will be described later in this section.

There are significant problems in the screeners boards are using or promoting and in their procedures for implementing them. These screeners and processes do not align with the scientific evidence. There are critical issues with all aspects of screening approaches currently practiced in Ontario. This includes their frequency, type of measures used, reliability and validity, implementation procedures, decision-making processes, consistency, level of expert input and data collection. This compromises the effectiveness of the boards' tiered approach of support.

Aspects of these findings are not surprising, given that balanced literacy and cueing-systems are the primary approaches to early word reading reported by boards and outlined in the Ministry curriculum and teaching documents. Evidence-based universal screening needs to occur within an overall system of teaching foundational reading skills that is consistent with evidence. This is not currently happening in Ontario.

Frequency

Most school boards are not implementing universal screening at multiple points in time across Kindergarten to Grade 2. Screening is typically administered to all students at only one point in time and most often in Kindergarten Year 2, although even this is not consistent across boards. For example, some boards only screen students whose teachers identify them as struggling. This is not a universal, standardized approach. Also, screening students only in Kindergarten Year 2 is not enough. They should be screened twice a year until Grade 2.

Measures

When school boards administer screening in Year 2, students are mostly given tests that only include letter-name or letter-sound knowledge measures and/or phonological awareness. Where phonological awareness is assessed, it is mostly an assessment of sound segments larger than the phoneme (such as syllables and rhyming). These skills are very early pre-literacy skills, and are not adequate for screening on their own.

As seen in the IES table above, students should also be screened for phoneme awareness and fluency, sound-letter fluency, decoding, word and text reading. Measures of word and text reading should include fluency and accuracy, starting in mid-Grade 1. Boards often misinterpreted their basic Year 2 screeners as being more complete screening assessments of all the knowledge and skills for word-reading acquisition.

The reason screening does not include word-reading accuracy and fluency is clear. This omission flows from the curriculum. School boards follow the curriculum's three-cueing approach (see section 8, Curriculum and instruction) to "teach" word identification. Thus, screening instruments have not been designed to measure accuracy and speed for reading words in isolation, a hallmark of skilled reading.

Beyond Kindergarten, the boards reported that teachers used assessments associated with the commercial balanced literacy programs they use, such as Reading Recovery® and Fountas and Pinnell programs including Levelled Literacy Intervention. Boards reported using the following assessments:

Table 19: Commercial assessments used by the eight inquiry school boards

Assessment	# of school boards
PM Benchmarks	6
Running Records	5
Benchmark Assessment Systems (BAS)	3
Observation Survey of Early Literacy Achievement	3
Comprehension, Attitudes, Strategies and Interests (CASI)	3
Oral Language Assessment	2
Developmental Reading Assessment (DRA)	2

These screening tools were also the tools educators reported most often in the inquiry survey.

Table 20: Commercial assessments reported by educator respondents

Assessment	Educator respondents
Running Records	22%
PM Benchmarks	20%
Developmental Reading Assessment (DRA)	18%
Benchmark Assessment Systems (BAS)	11%
Observation Survey of Early Literacy Achievement	9%
Oral Language Assessment	7%

These assessment instruments do not adequately measure foundational skills in word-reading accuracy and fluency. They largely measure reading text in language-patterned books, use of cueing strategies to problem-solve words in text and recognizing high-frequency words. Book-reading-level assessments are not a useful measure of whether a student is learning foundational word-reading skills.

The tools that school boards currently use are often referred to as informal reading inventories (IRIs) in the literature. These are commercially produced reading assessments that have been minimally researched.⁹⁷¹ There is little information about their accuracy potential, and IRIs rarely report the measurement properties of their data. Those that do often have weak research methodology.⁹⁷²

A 2015 study showed that an oral reading fluency measure “demonstrated higher diagnostic accuracy for correctly identifying at-risk students and resulted in 80% correct classification compared to 54% for the...[Fountas and Pinnell Benchmark Assessment System].”⁹⁷³ Further, the researchers concluded: “Thus, practitioners who use reading inventory data for screening decisions will likely be about as accurate as if they flipped a coin whenever a new student entered the classroom.”⁹⁷⁴ The researchers also noted that “the oral reading fluency assessment required approximately three to five minutes per student and the reading inventory required approximately 20 to 30 minutes per student to complete.”⁹⁷⁵

Running records are another type of assessment that are widespread across Ontario and are used together with other commonly used assessments. Running records are referenced in many Ministry materials, including the *Guide to Effective Instruction in Reading Grades 1–3*⁹⁷⁶ and the Kindergarten Program, 2016.⁹⁷⁷ This assessment was developed in 1985 by Dr. Marie Clay and was integrated into the Reading Recovery® intervention program. It is also one of the six tasks in the Observation Survey of Early Literacy Achievement.⁹⁷⁸

In a running-record approach, teachers record what individual students say and do while reading a text aloud. Teachers record accuracies, errors, assistance provided by the teacher and self-correction rates to a student’s ability to read a text. Teachers also record which cueing system a student is using to read, and determine the cause of the student’s reading errors (miscue analysis).⁹⁷⁹

Running records are used beyond Reading Recovery® in other reading interventions.⁹⁸⁰ For example, LLI (Fountas and Pinnell) uses the same coding approach, but calls it “reading record.”⁹⁸¹ LLI uses BAS at specific intervals in the school year, but uses reading records as a way to ensure ongoing assessment between BAS tests.

There is no evidence to support the validity of running records or related approaches. Their psychometric properties⁹⁸² are questionable, and they fail to identify many children at risk for word-reading failure.⁹⁸³ This assessment approach does not measure the skills students should be taught to learn to read. Beginning readers should not be using meaning, structural and visual cues to read words.⁹⁸⁴

A running record only tells the teacher how a student reads words in sentence contexts, often in predictable texts. It shows students’ guessing or word-prediction skills, not if they are learning foundational word-reading skills. Using these assessments creates an illusion of valuable data but masks word-reading problems.⁹⁸⁵ This delays identifying the problem, and the more delay, the harder it is to address reading difficulties.

Instead, screening should measure foundational word-reading skills. As noted earlier, the IES report summarizes current evidence-based recommendations. Universal screening in word reading after Year 2 should minimally include:

- **Grade 1** (beginning): phonemic awareness, decoding, word identification and text reading
- **Grade 1** (second semester): decoding, word identification and text reading, and should include speed as well as accuracy as outcomes
- **Grade 2** timed word reading and passage reading.⁹⁸⁶

Reliability and validity

Many boards reported using board-developed screeners. While there is nothing inherently wrong with this approach, there must be evidence to support their use. The school boards did not submit enough information to judge their reliability and validity,⁹⁸⁷ and it appeared that such evidence may not exist or have been collected.

While some board-developed approaches focus on some useful skills like phonological awareness, they do not include the full set of skills needed in an evidence-based screening approach.

For example, several screeners assessed three items for each skill area included in phonological awareness. A student’s skill was then categorized as not present, emerging or present, based on the number of items they scored correctly. There was then a total score cut-off that determined if the student was “at risk” or “not at risk.” However, there was no information to evaluate how boards arrived at these specific decisions and categories. There was also no information given on measurement error associated with the screening tools, or how this was incorporated into decision-making rules.

Instead, school boards should start with screening measures that have already been studied and are well known,⁹⁸⁸ and then do further studies on reliability and validity within their particular school board context. If boards do use their own developed measures, these should include all the critical components from evidence-based recommendations (the IES report), and boards should continually evaluate the implementation of these measures.

Progress monitoring

Some school boards use an initial screener at a given point in time (usually the fall of Year 2) and then re-administer it or a slightly different one that sometimes includes some more advanced skills at a second and/or third point in time. However, most boards only administer these screeners to the same students who performed poorly the first time.

There are two issues with this approach. First, progress monitoring is distinct from screening, and a given screener may not be the best way to monitor a students' progress or response to intervention. Second, all students should be screened twice a year from Kindergarten until Grade 2. If not, students who may have performed well on early literacy skills, but have issues with more difficult skills such as reading accuracy or fluency, will be missed.

Also, similar to the initial screening, these progress monitoring tools often measure book-reading levels by assessing use of the cueing systems for reading words. Some of these book-reading assessments simply indicate that a student is significantly below grade level, which is not a useful measure as it does not tell the teacher how the student scored on foundational word-reading skills (isolated word-reading accuracy and fluency).

Decisions based on screening results

The OHRC asked school boards to provide information about how the results of screening are used. The information about decision-making and changes to instruction approaches was either unclear or in some cases may be a misinterpretation of related research.

For example, several boards said that screeners for letter-sound knowledge are used as a tool for teachers to know which letter-sound associations to teach individual students in their classroom, and/or to flag at-risk children and start teaching them the letter-sound associations they do not know.

Explicit and systematic classroom instruction in Year 2 and Grade 1 is much more efficient for teaching the entire class sound-letter associations and using these to decode words and texts, at the same time as teaching phonemic awareness skills. This

type of direct and systematic teaching will help almost all children master the early decoding skills they need to move onto the next grade. This approach will be much more efficient and effective – and good for all students.⁹⁸⁹

Second, teaching the at-risk students the sound-letter associations they do not know will not accelerate their learning in how to decode, and is unlikely to put them at the same level as their peers in word-reading skills. Using a screener quickly measures the skills that predict how well students will develop later word-reading accuracy and fluency. The screening measure flags students who need effective interventions to learn the skills that make up decoding and word reading.

Since the screening tools used by most boards only include very early literacy and pre-reading skills, their decision-making about appropriate interventions is also limited to these basic measures. For example, a student who performs poorly on a quick test of phonological awareness is seen as only needing interventions that target this skill.

To make sure reading interventions target the full range of necessary skills for word-reading accuracy and fluency, appropriate screening tools and intervention programs must be used.

Consistency

School boards submitted their list of approved assessments and recommended schedules for screening to the OHRC. There was high degree of variability. PPM 155 is a significant reason for this.

All eight inquiry boards raised concerns about the effects of PPM 155. They consistently told us that PPM 155 has been a barrier to collecting data centrally, making data-based decisions, planning and delivering programs. In their view, the PPM does not recognize the importance and value of data. The school boards reported they could no longer:

- Collect data from a common assessment tool and use this data to compare schools, identify high-need schools and allocate extra resources
- Systematically track every single student who is assessed and identified as at risk for reading difficulties, and make sure they receive interventions
- Measure the impact of their system-level decisions to either change their approach if it is not working or scale up a successful intervention.

Boards are trying to create consistent approaches. Many of the inquiry boards send out memoranda at the beginning of the school year explaining the list of different screening tools and recommending a schedule for completion. However, under PPM 155, the tool and frequency are optional. Some educator survey respondents reported that their local teachers' association promoted the view that diagnostic assessments are only necessary for students who are at risk, otherwise teachers' observations are enough. This frustrates the purpose of universal screening.

Under PPM 155, teachers collect and provide data on a voluntary basis. They maintain their own records, but there is no requirement to report this data. Principals can follow up with teachers to ask about assessments and data, but the result will depend on the individual teacher and principal's familiarity with reading assessments and decision on whether to seek this information. A system that mandates discretion about whether to use sound practices is not only inefficient and ineffective, but also breeds unnecessary conflict. For example, one principal said:

It's very problematic because it puts [the] principal in conflict with staff because principals are trying to encourage the staff but there's nothing there that allows you to say that it needs to be done so it becomes a place of conflict when it shouldn't be – sometimes you do need the weight of "this is a must do not a should do."

It was clear from our discussions that school boards think that PPM 155 has decreased the level of accountability. One board representative said they feel "professionally handcuffed" and less accountable because the current data does not allow them to work with schools and identify patterns. No board was able to provide the compliance rate for completing assessments.

Boards also talked about how PPM 155 was not only a detriment to board-level planning and student achievement but also to teachers. Some boards indicated that PPM 155 is not universally supported among teachers. They said that if the PPM were changed, there would likely not be the "huge backlash" that many might expect. One board reported that before PPM 155, they did not have any push-back from teachers when the board directed common and scheduled assessments.

A few boards did not think that PPM 155 is as much of a "hot topic" as it is made out to be, and said that most teachers do assessments. What is missed, they said, is the ability to look at the data system-wide and provide targeted approaches to professional development to fill in the gaps for instruction needs. The board reported that teachers routinely ask for training on screening tools.

Another school board said that the impact is felt among new teachers who can no longer move into a pre-existing "fabric of understanding," and that "leaving things to professional judgment is one thing, but unless you combine that with extensive [professional development] then those things aren't necessarily aligned."

Some boards did include evidence-based screening tools on their board lists. However, because of PPM 155, there is no guarantee that teachers will pick these assessments, particularly when many of the non-evidence based ones are better known, associated with familiar commercial intervention programs supplied in the schools, and more consistent with the prevalent balanced literacy and cueing approach to early reading instruction. Other boards use interventions with embedded screening instruments. However, these interventions vary by schools and are often not evidence-based interventions.

Survey respondents also raised concerns about PPM 155. Respondents included teachers, other education professionals and school and board-level administrators. Teachers said they want more clarity on what screening tools to use. In response to a survey question asking whether students are screened for reading difficulties in Kindergarten or Grade 1, one teacher replied:

It all depends on the teacher. Part of this issue is PPM 155. We need to make universal screening mandatory and train people how to do it. But we also then need the resources to provide the intervention.

When asked how often students are screened, another teacher said:

It is standard in our board to do it twice a year, but many don't and there is not a lot of accountability. This is in part because, if I am honest, PPM 155, which has its merits but if we are not using any true data at a school level to inform our practice then that is not best either...If we are not tracking data and not forced to submit data how do we know data is being used and being used well?

School and board-level administrators similarly identified data-related concerns with PPM 155 and thought it should be re-examined to make sure “all students benefit from regular and ongoing diagnostic assessments to guide instruction in the classroom and next steps.” One board-level administrator said:

Prior to the Ministry's implementation of PPM 155 in 2013, schools collected information from system assessments...to collectively monitor the progress of ALL students. District School Boards in turn collected this school-based information to create literacy plans to address gaps. It also allowed the system to provide professional learning for teachers to address these gaps. With PPM 155, we no longer have this rich data to monitor [the] progress of all students.

Another board-level staff member described resistance to buy-in on screening and how data literacy is an issue even at senior leadership levels. When asked what they would do to improve access to screening, they responded:

First, consistent messaging and training of educators at the pre-education service level that includes rigorous coursework in learning science, direct instruction etc. that includes understanding data (basic statistics), assessment, psychometrics, and a lack of fear around assessment and evaluation. Second, removing structural inequities around issues such as the way in which PPM 155 was interpreted and used to undermine change and evidence-based practice. More importantly, the demand for ethical and accountable leadership to avoid biased and ill-informed decision-making. What I witnessed was public-relations and politically motivated decisions around student performance that were not grounded in evidence.

Another issue identified in educator surveys was that since boards cannot mandate screening at particular time periods, these assessments are often done at the end of the year. This results in a loss of opportunity to implement effective interventions. The

purpose of screening is to immediately provide interventions. Screening at the end of the year does not allow for this and needlessly delays identifying children who need interventions.

Finally, one survey respondent, a teachers' association representative, said: "It seems to me that there is a huge amount of luck in the current system regarding who gets screened, when and how."

Rather than leaving screening tools, which are an essential step in inclusive education, to the discretion of teachers who are overburdened, and to boards that have limited research capacity and are constrained by PPM 155, the Ministry should mandate a short list of scientifically validated and reliable tools. Many jurisdictions outside of Ontario have followed such an approach. One teacher survey respondent said:

There should be a Ministry of Education document so that each school board across Ontario isn't creating their own. The province should have one, standard early reading screener that has been trialed and proven to be effective, rather than have each school board "reinvent the wheel," and create less effective assessment tools.

Expertise

Teachers and school boards are not typically experts in reading science or the science of screening. Many of the inquiry school boards reported they would welcome direction from the Ministry on which screeners and interventions are scientifically validated. Although some boards wished they could do such a review, they acknowledged that they were not well-positioned to review the research due to capacity and resource constraints.

Many boards included DRA and PM Benchmarks on their approved list of tools because the Ministry provided funding for them in the early 2000s. Boards also included BAS (Fountas and Pinnell) because it was a commonly used tool across the province. This has resulted in many non-evidence-based tools being recommended to teachers.

Generally, school boards could not provide a clear rationale for including or excluding screening tools on the board-approved list. However, two boards reported working with psychologists and speech-language pathologists (SLPs) to determine which screening tools to include. Some boards said they encouraged teachers to work collaboratively with SLPs and psychologists.

Organizations representing these professions provided submissions to the inquiry about the importance of multi-disciplinary collaboration. The APLOS said:

Psychologists play an important role in supporting teachers to use data for the purpose of early identification and instructional decision making. By using formative evaluation tools (CBM; DIBELS), teachers can assess progress and

achievement within the context of instruction. Teachers who use these tools are more likely to raise goals and make instructional changes in the classroom to the benefit of all students.

The OSLA also talked about the role their members can play in supporting educators since they have “specialized knowledge, clinical judgement, and expertise to support individuals with reading disabilities across the lifespan and at every developmental stage.” The association recommended that schools:

Leverage experiences from across Ontario involving partnerships between educators and speech-language pathologists to screen early learners for risk factors.

The inquiry educator survey asked respondents which screening tools should be used. Respondents could select more than one option. There was a discrepancy reported between professions. Teachers⁹⁹⁰ top choice was running records, followed closely by the Oral Language Assessment. Teachers also rated BAS and PM Benchmarks as “very effective.” These are familiar tools as most Ontario boards currently use them.

SLPs and psychologists preferred many of the lesser-used screening tools. SLPs⁹⁹¹ top choice was the Comprehensive Test of Phonological Processing (CTOPP), which assesses phonological awareness, rapid naming and phonological memory, but does not assess letter-sound knowledge, decoding or word-reading accuracy and fluency.⁹⁹² Psychologists’ top choice was CTOPP, followed closely by DIBELS. Both CTOPP and DIBELS measures largely overlap with the recommendations in the IES report, described earlier. Both groups of professionals did not rank running records, BAS or PM Benchmarks as effective screening tools.

Through interviews and educator surveys, the inquiry heard that SLPs’ and psychologists’ expertise is not always valued or leveraged. One survey respondent said:

Experts in data, research and ethics were sidelined and ignored. Attempts to bring balance and truth were met with swift retribution, bullying and in my case, termination for questioning the [perpetuation] of structural inequities and misuse/[misrepresentation] of data and evaluation practices.

The inquiry also heard an example of two school boards that collaborated with their SLPs and devised a creative way to work around PPM 155. One of the boards, Thames Valley, uses their SLPs to screen all students (who have parental consent) in Year 2 (winter) and Grade 1(fall).

The SLPs are meant to follow up after the results of the screening to make sure schools that require additional support have intensive instruction in their classrooms, and offer resources for teachers to meet this goal. With the growth of newcomer families in London, the board says that this screening and follow-up has helped students in

Kindergarten catch up and has also increased teacher awareness. SLPs use an online tool and input data to create a student and class profile. The system allows the school board to compare classes across the school and the system.

While this approach was the most systematic and data-driven among the eight inquiry school boards and a commendable effort within the restrictive framework of PPM 155, it is not necessarily a sustainable solution for all school boards. For SLPs to conduct these assessments, schools must obtain parental consent. Ontario law⁹⁹³ requires parental consent before any services or “evaluation” are provided by SLPs to students. While Thames Valley reported that the consent rate was high, screening is still not universally administered.

If teachers are screening, parental consent is not required. Further, this screening may focus on the skills often assessed by SLPs, such as phonemic awareness, but miss the word- and text-reading accuracy and fluency components.

There is also an extra cost to conducting the screenings through SLPs. Approximately 40 board SLPs conduct the screenings, and Thames Valley has allocated resources beyond the Ministry funding envelope for SLP services. Finally, there is a benefit to teachers conducting the screening as they can apply knowledge they gain from it to the classroom. While there is a transfer of information between SLPs and teachers, if teachers conduct screening they will directly receive the necessary data to inform their instruction.

Data

Boards provided very little information on how the results of screening were recorded and used and on progress monitoring once students had been flagged. They could not indicate which screening tools are most often used and how often.

Most educator respondents (69%) said that students should be screened for reading difficulties between two to three times per year. Tellingly and similar to the response of school boards, almost 42% responded “unknown” when asked how often students are currently screened.

This gap in information limits boards’ ability to identify students who need early interventions, to assess whether students are responding to interventions, to gauge the effectiveness of their programs, or to analyze if there are disparities in interventions or outcomes between schools and among students based on factors such as gender, race, ancestry and socioeconomic status.

Teachers, unions, boards and the Ministry will need to work together to implement universal screening and related data collection. The purpose of universal screening, as a tool to better the lives of students with reading difficulties and not to monitor teacher performance or merely as a box-ticking exercise, should be made clear, and training will be important to give educators the support they need.

In the context of screening, the primary purpose of data collection is not to measure outcomes. It is to make sure students are receiving the interventions they need, early on. Screening and data collection should not contribute to stigmatizing students who need support. Screening is part of a comprehensive framework to make sure education serves as an equalizer and prevents reading difficulties before they arise. Boards must also be very careful not to use or report the data in a way that stereotypes or further marginalizes any student, group of students or school.

Communicating with parents is also a key part of successfully implementing early screening. Parents must understand that the screening is universal, their child is not being singled out, and the purpose of screening is to see if their child may need further supports or interventions. Some parents may be concerned that screening could lead to their child being labelled or stigmatized. Boards must explain that screening helps avoid the risk of a student developing a reading disability or needing more intensive special education supports later on.

The authors of the 2013 Ministry-commissioned report on PPM 155 reported that based on their study, it seemed that across respondents (teachers, principals, board-level administrators), no one disputed two points: (1) school boards need data for planning and (2) assessment tools can help teachers understand students' learning and plan instruction. The inquiry found these to still be true today. Teachers are asking for more guidance on how best to screen students for early reading skills. Further, data is also necessary for making decisions about screening and tiered interventions.

Data is meaningful when it leads to action. Early evidence-based screening is only one of many steps to making sure students at risk of reading difficulties have meaningful access to education. An additional related and essential step is early, evidence-based interventions.

Recommendations

The OHRC makes the following recommendations:

Mandate early, evidence-based universal screening

59. The Ministry of Education (Ministry) should provide stable, enveloped yearly funding for evidence-based screening of all students in Kindergarten Year 1 to Grade 2 in word-reading accuracy and fluency.
60. The Ministry should work with external expert(s) to mandate and standardize evidence-based screening on foundational skills focused on word-reading accuracy and fluency. The Ministry should:
 - a. Require school boards to screen all students twice a year (beginning and mid-year) from Kindergarten Year 1 to Grade 2
 - b. Determine the appropriate screening measures to be used based on the specific grade and time in the year with reference to the recommendations in

the IES report that have moderate to strong evidentiary support. At minimum, measures should include:

- i. Kindergarten: letter knowledge and phonemic awareness
 - ii. Grade 1 (beginning): phonemic awareness, decoding, word identification and text reading
 - iii. Grade 1 (second semester): decoding, word identification and text reading, and should include speed as well as accuracy as an outcome
 - iv. Grade 2: timed word reading and passage reading
 - c. Select or develop valid and reliable screening tools that correspond to each specific grade and time in the year for administration by school boards
 - d. Set out the standardized procedures for administering, scoring and recording data from the screening instruments
 - e. Make sure screening tools have clear, reliable and valid interpretation and decision rules. Screening tools should be used to identify students at risk of failing to learn to read words adequately, and to get these children into immediate, effective evidence-based interventions.
61. The Ministry and school boards should make sure that early scientifically validated screening and evidence-based interventions are equally implemented within French-language instruction. Students with reading difficulties should have an equal opportunity to learn in French.

Revise Policy/Program Memoranda (PPMs)

62. The Ministry of Education (Ministry) should work with external expert(s) to revise PPM 8, 11 and 155 so they provide clear directives to teachers, principals and school boards about their respective responsibilities. The PPMs should be updated to reflect the current scientific research consensus on early identification of students at risk for reading disabilities. The PPMs should:
- a. Mandate a tiered/(Response to Intervention (RTI)/Multi-tiered System of Supports (MTSS) approach for all students
 - b. State that screening tools should be used to immediately provide tiered intervention to students who require support
 - c. Require school boards to provide small-group interventions (tier 2) for students who struggle with evidence-based classroom instruction (tier 1). School boards should provide more intensive and often individualized interventions (tier 3) to students who struggle with tier 1 instruction and 2 interventions, based on progress monitoring. At tier 3, a psychoeducational assessment **could** be used, but should not be required, to fully assess the learning challenges, and should not delay tier 3 intervention
 - d. Remove the statement in PPM 11 that school boards should consider a reasonable delay in the language-based aspect of assessment for students whose language is not English or French. All students, including multilingual students (who are learning English at the same time as they are learning the curriculum), should be screened for word-reading difficulties

- e. Update the resources presently listed in the PPMs to include the most current science-based research
- f. Revise the PPMs to reflect the OHRC's recommendation to mandate early, evidence-based screening. If PPM 155 is not revised, then the Ministry should provide a directive to school boards that makes clear that early screening is a special education assessment or province-wide assessment and exempt from the scope of PPM 155.

Mandate accountability measures

- 63. The Ministry of Education (Ministry) should work with external expert(s) to mandate data collection on the selected screening tools to improve accountability. Specifically, the Ministry should:
 - a. Mandate school boards collect data to further validate and, if necessary, refine screening tools and decision-making processes
 - b. Develop measures to monitor progress in word-reading accuracy and fluency skills that are being targeted in specific interventions.
- 64. School boards should make sure clear standards are in place to communicate with students and parents about the screening tool, the timing, and how to interpret the results. The communication should also indicate when and what intervention will be provided if the student is identified as at risk for reading difficulties.
- 65. School boards should not use the results of screening to performance manage teachers. No teacher should face discipline or discharge because of screening results.

Ensure educators receive adequate professional learning on screening tools

- 66. School boards should make sure staff (for example, teachers) administering the screening tools receive comprehensive, sustained and job-embedded professional learning on the specific screening tool or tools that they will be administering, and on how to interpret the results.
- 67. School boards should make sure educators are supported with time to complete these screening assessments and related data handling.



10. Reading interventions

10. Reading interventions

Introduction

When reading interventions are early, evidence-based, fully implemented and closely monitored, they are highly effective in reducing reading failure.⁹⁹⁴ Students in all grades, from Kindergarten to high school, should have access to effective interventions for reading difficulties. With effective classroom instruction and early interventions, fewer students will need interventions in the older grades, where they are more time-consuming and can be less effective.⁹⁹⁵

Evidence-based reading interventions are a necessary part of an effective Response to Intervention (RTI)/Multi-tiered System of Supports (MTSS). An RTI/MTSS framework alone does not ensure success in teaching all students to read. To be effective, this framework must include classroom instruction, assessment and intervention practices that are all consistent with current reading science. See section 8, Curriculum and instruction and section 9, Early screening. Although all inquiry school boards reported using an RTI/MTSS framework, they are not implementing the key aspects and elements that make up a successful tiered framework.

In Ontario, many young students need interventions targeting foundational word-reading skills because classroom instruction is not based on research science. Yet, the inquiry found that schools are not providing these interventions. Their first line of action is to provide ineffective commercial programs that have little basis in science. These programs mirror instruction approaches that do not work in the classroom. Some boards have developed their own approaches, but these are isolated, incomplete and *ad hoc*. These in-house programs have not been adequately evaluated to establish confidence in their effectiveness, or to support their continued use.

When boards do use evidence-based interventions, they often provide them too late and only to a limited number of students. When interventions are delayed, their effectiveness can be reduced, and the critical period when future lifelong reading difficulties could have been prevented is lost. Interventions delivered later are more intensive, time-consuming and costly, and may not be as effective as those delivered earlier, especially in addressing word- and text-reading fluency.⁹⁹⁶

Decisions on who receives an intervention and which intervention they receive are unclear or based on inappropriate beliefs and unscientific criteria. As well, school boards do not have the necessary systems in place to monitor students' progress in reading and make sure all students who need interventions receive them.

Although our education system acknowledges the importance of an evidence-based approach, this has not translated into changes in beliefs and practices. Authoritative reports from more than two decades ago⁹⁹⁷ have outlined what approaches are needed to teach reading effectively. Still, Ontario's education system promotes mostly

unscientific approaches. Using contextual cues as the main strategy to decode words is not supported by evidence – yet this is the primary approach to reading curriculum, instruction, assessment and intervention.

Ontario's approach to reading interventions is insufficient. When, as a result, students cannot read words accurately and quickly, our education system has failed. Many families have given up on the public education system and opted to pay for private services. Families that cannot afford to pay or do not have these services in their communities must navigate a complex system and hope there are enough spots to get into an evidence-based intervention program, if it exists, at their school. Many families are not even told the school may provide such programs.

There are better, more systematic and scientific ways to select and implement reading interventions. Research shows that the earlier children with reading difficulties receive effective interventions, the more likely they are to fully catch up with their peers in the foundational reading skills that are essential for making continued yearly gains in reading.⁹⁹⁸

Effective Response to Intervention (RTI)/Multi-tier System of Supports (MTSS)

Effective RTI/MTSS includes instruction and interventions at each tier based on sound research evidence.⁹⁹⁹ This evidence comes from a body of robust and reliable empirical studies that examine and show the effectiveness of particular instructional approaches and intervention programs.

Evidence-based practice means using the best available research in making decisions.¹⁰⁰⁰ It requires a commitment to continuously updating and improving practices based on the science.¹⁰⁰¹

Successful RTI/MTSS for students with or at risk of reading disabilities includes these key components:

- Evidence-based instruction at each tier starting with classroom instruction, early interventions (Kindergarten to Grade 1), and later interventions (Grades 2–5; 6–8; 9 and above)
- Universal early screening that includes valid and reliable measures to identify students, and to provide immediate interventions
- Early, evidence-based interventions targeting the foundational skills of sound-letter knowledge, phonemic awareness, decoding and word-reading accuracy and fluency, including more advanced orthographic patterns, syllables and morphemes
- Clear and appropriate decision-making rules for choosing evidence-based programs for classroom instruction and tiered interventions, and for matching students to intervention programs (for example, standardized scores on assessments of foundational word-reading skills, rather than setting cut-offs that

may not be valid, such as the student having to be a certain number of years behind in their reading)

- Valid and reliable progress monitoring and outcome measures for interventions
- Clearly identified rules and guidelines for decisions on individual students, at each juncture within the multi-tiered system
- Distributing interventions to make sure all students have access to effective interventions
- Rigorous methods for ensuring program fidelity (implementing an intervention as intended) and for conducting program evaluation (for example, standardized word-reading, fluency and comprehension measures)
- Adequate resources to implement the interventions, and provide quality teacher professional development and ongoing coaching.

Classroom instruction and early interventions (Kindergarten and Grade 1) are key to preventing future word-reading difficulties. They have the potential to help students catch up before they fall far behind and reduce the number of students needing interventions. With evidence-based instruction at each tier, almost all children (90–95%) can develop solid word-reading accuracy and fluency.

When children with weak reading skills do not receive effective early interventions, there is a high likelihood they will remain poor readers throughout their school years.¹⁰⁰² In fact, students who get a quick start with their word-reading skills enjoy and engage in reading more, and that reading practice in turn strengthens their basic reading skills. Students who get a slow and difficult start in word reading are less likely to choose to read. Reading skills are critical across most school subjects, and students with reading difficulty are at risk of falling behind their peers in many subjects. These “rich get richer” or Matthew Effects were first proposed in the context of reading by Dr. Keith Stanovich, an expert on the psychology of reading.¹⁰⁰³

Research has clearly shown the benefits from intervening earlier.¹⁰⁰⁴ For example, in one study, students who received interventions in Grades 1 and 2 made gains in foundational word-reading skills at almost twice the rate of students receiving the intervention in Grade 3, relative to control groups.¹⁰⁰⁵

When students, even as early as Grade 2, are behind in word reading, their fluency starts to fall further behind peers who are reading more and building up more and more grade-appropriate words that they automatically recognize. The most important contributor to text-reading fluency is word-reading fluency (also called word-reading efficiency).¹⁰⁰⁶ Text-reading fluency becomes very hard to address beyond the Kindergarten and Grade 1 years.¹⁰⁰⁷

Effective classroom instruction (tier 1) includes evidence-based, explicit teaching that targets decoding and word-reading accuracy and fluency. See section 8, Curriculum and instruction.

In a Universal Design for Learning (UDL) framework, teachers use systematic approaches and programs that allow the greatest number of students to be successful and gain the required skills and knowledge. These programs provide classroom instruction for all children. They set out effective differentiation, and provide extra and more scaffolded instruction and practice for students not progressing at the same rate as their peers. Effective differentiation provides extra support to these students so they reach average word-reading skills, rather than falling behind.

A science-based curriculum builds solid foundational word-reading, fluency and spelling skills for all students. Curriculum that promotes a different approach results in too many students needing interventions and confusion for students receiving those interventions.

Strategies learned in effective intervention programs must be supported in the classroom setting. If the current Ontario Language curriculum is not revised (classroom/tier 1), evidence-based tier 2 intervention will be at odds with tier 1, and at-risk students' foundational skills will not be reinforced in the classroom. Also, once interventions have ended, classroom practices that are not evidence-based will not support students continuing to develop the necessary skills. Ontario's 2003 Expert Panel on Early Reading noted:

Successful interventions are strongly linked with regular classroom instruction, are supported by sound research, reflect an understanding of effective reading instruction....It is critical that interventions be measured against these criteria, and that their effectiveness in helping children with reading difficulties be carefully assessed and monitored.¹⁰⁰⁸

Screening and progress monitoring help determine the level or intensity of intervention needed. All students should be screened throughout the early years to identify who is not developing the required foundational word-reading skills, despite evidence-based instruction. These students should receive intensive intervention and their progress should be monitored. Based on their progress, students may (1) need more intensive intervention, or (2) continue to need the current amount of intervention, or (3) discontinue their current intervention.¹⁰⁰⁹

When students in Kindergarten and/or Grade 1 are not keeping up through classroom instruction and differentiation, tier 2 interventions should be used to prevent long-term reading difficulties. Waiting to see if these students will catch up without an effective foundational skills intervention is not following evidence-based practices.

Interventions generally occur daily in focused short blocks of time.¹⁰¹⁰ Tier 2 and tier 3 interventions can be distinguished by how intense, long and often the intervention is delivered.¹⁰¹¹

At tier 2, evidence-based interventions must target the foundational skills of sound-letter knowledge, phonemic awareness, decoding skills and word-reading accuracy and fluency. Like tier 1 programs, these usually incorporate teaching morphology and syllable structures. The focus on learning to read words means learning and integrating

written words with their pronunciations and meanings. These areas will be consistent with areas taught in evidence-based tier 1 instruction. Tier 2 should be completed with a small group of students, with sufficient time and intensity for an explicit, evidence-based foundational skills program/intervention.

When effective tier 2 intervention is delivered properly and for enough time for Grades 2 and up, it will address critical reading problems. The few students who continue to be behind peers in foundational word reading and spelling will be further ahead having had effective tier 1 instruction and tier 2 intervention, and will benefit further from tier 3 interventions.

Tier 3 should consist of approaches that incorporate more intensive use of tier 2 intervention programs, or some more specialized programs, often with smaller groups, and with more explicit instruction and scaffolded practice,¹⁰¹² sufficient cumulative review to ensure mastery of the skills, and more time in the intervention.

No single reading intervention will completely address every student's reading difficulties. Some reading difficulties/disabilities will be more severe than others. Estimates¹⁰¹³ are that 3–5% of students will have word-reading problems that are less responsive to even effective interventions.¹⁰¹⁴ School boards must have evidence-based interventions at each tier to help reach all students. If they do not, the percentage of students who are less responsive to interventions will be much larger.

Further, in fully evidence-based RTI/MTSS systems, some students with reading difficulties (about 10%) will continue to need extra supports in reading and writing, such as accommodations and technology, to optimally access the curriculum.

Multilingual learners

With appropriate instruction, multilingual students can learn phonological awareness and decoding skills in the language of instruction (English or French) as quickly as students who speak English as a first language.¹⁰¹⁵ The specific difficulties that multilingual learners (often referred to as English language learners) may face are fairly predictable and can be addressed with proactive teaching that focuses on potentially problematic sounds and letter combinations.¹⁰¹⁶ Of course, multilingual learners will need instruction in other aspects to fully address reading comprehension and written language.¹⁰¹⁷ Still, multilingual learners need instruction and intervention on the same foundational word-reading skills as other students. As described by Dr. Esther Geva, an Ontario psychologists with expertise in culturally and linguistically diverse children, and her colleagues:

Instruction for [English language learners] should be comprehensive and include instruction in the core areas of reading (phonological awareness, phonics, word level fluency, accuracy and fluency in text-level reading, and reading comprehension), as well as in oral language (vocabulary, grammar, use of

pronouns or conjunctions, use of idioms) and writing. It is often the case that [English language learners] continue to develop oral language and vocabulary skills while building core literacy skills.¹⁰¹⁸

Examples of reading interventions used in some Ontario boards

Some of the most widely used interventions reported by the inquiry school boards are not shown to be effective for any tiers within RTI/MTSS. For example, there is little to no scientific evidence supporting Leveled Literacy Intervention (LLI) or Reading Recovery®.

Inquiry boards often use LLI as a first intervention for elementary school students. No rigorous research could be found to support its effectiveness for these young students with reading difficulties. The program does not align with research on approaches that have been shown to be effective with young children to prevent later reading difficulties, or with older students with reading disabilities.¹⁰¹⁹

Some educators, students and parents have reported favourably on using LLI.¹⁰²⁰ However, self-reports and observations of increased student confidence with levelled books is not a substitute for building the foundational word-reading skills that will allow children to continue to make the required gains each year. See section 8, Curriculum and instruction and section 9, Early screening for a discussion on levelled books and running records. Many survey respondents told the inquiry that LLI and Reading Recovery® were ineffective for students.

The OHRC is concerned with school boards' use of Reading Recovery® because it focuses on cueing systems, levelled readers and running records. There has been more research on Reading Recovery® than LLI. However, the adequacy of the program and research has been consistently contested.¹⁰²¹

Programs without a strong evidence base or that are based on the three-cueing approach should not be used for students with reading difficulties. Ineffective programs will delay student progress.

Some school boards in Ontario use commercial programs that have research to support their effectiveness or are aligned with the research on effective classroom instruction and interventions.¹⁰²² These programs target the foundational skills necessary for beginning and struggling readers. They can be provided for the different tiers, including tier 1 (classroom instruction that is necessary to prevent many reading difficulties from occurring).

Many of these interventions include progress monitoring to track a student's progress and inform intervention-based decisions. However, school boards should also use standardized measures at pre-determined periods, and use them consistently across all

interventions. These measures should include word-reading accuracy and fluency, and text reading fluency. This will allow boards and the Ministry to compare and judge the effectiveness and general appropriateness of different programs.

Some instructional programs are best suited to whole classroom implementation (tier 1). When interventions are used in Kindergarten to Grade 1, they are used to prevent reading difficulties/disabilities from developing for many students. Other interventions work best for small groups (tier 2). Programs that are used with increased intensity or include more specialized intervention are reserved for the final tier (tier 3).

Several programs are briefly described below and categorized by their potential place within an RTI/MTSS system. This list is not an endorsement of specific programs. Instead, it provides examples of evidence-based programs.¹⁰²³

The list moves broadly in the following order:

1. Whole classroom and/or tier 2 early interventions
2. Tier 2 or 3 interventions
3. Tier 3 interventions
4. Interventions that may be viewed as supplements, as these are primarily available as online programs.

SRA Open Court Reading

SRA Open Court Reading¹⁰²⁴ has comprehensive English Language Arts programs for students in Kindergarten to Grade 5. The Foundational Skills Kits are stand-alone programs for students in Kindergarten through Grade 3 that target the word-reading accuracy and fluency reading skills that are the focus of this inquiry. These programs make up these critical components of complete English Language Arts classroom instruction.

The Open Court Foundational Skills programs are aligned with research on direct, systematic instruction on critical word-reading foundational skills, and have been shown to be effective for classroom-wide instruction for all children, and for preventing future reading difficulties for most students.¹⁰²⁵

The Foundational Skills kits also provide classroom teachers with small-group instruction for differentiating and supplementing whole-class instruction for students who are not progressing as quickly, and for students who are learning English as an additional language. The focus on word-reading accuracy and fluency is consistent with learning and integrating the forms of written words with the pronunciations and meanings of words.

Word Analysis Kits are available for Grades 4 and 5, and focus on classroom instruction on word analysis (syllable and morphemic analysis) for reading and understanding harder words in increasingly complex texts.

Wilson Fundations®

Wilson Fundations®¹⁰²⁶ is a classroom program available for students in Kindergarten to Grade 3 and teaches phonemic awareness, sound-symbol relationships, word study and spelling, sight word reading and fluency. Some components are also aimed directly at vocabulary, oral language and reading comprehension strategies. The program has been shown, in independent research, to improve students' foundational reading skills.¹⁰²⁷ It can also be used as a tier 2 intervention for Kindergarten to Grade 3 students who are having difficulty acquiring word-reading accuracy and fluency.

Firm Foundations

The Firm Foundations program was developed in British Columbia by school teachers and psychologists of the North Vancouver School District.¹⁰²⁸ This play-based program consists of games and activities that address the following skills: vocabulary, rhyme detection, syllable detection and segmentation, phoneme detection and segmentation and knowing the sounds of letters. It can be used as a classroom-based program in Kindergarten and early primary classrooms. There is evidence to support its use for children with a wide variety of backgrounds, including multilingual students and students with mixed socioeconomic levels.¹⁰²⁹ The program was designed to be sensitive to the needs of both multilingual students and students speaking English as a first language.

Remediation Plus Systems

Remediation Plus Systems¹⁰³⁰ was developed in Canada in 1999. The program has explicit systematic phonics instruction, including targeting phonemic awareness in the context of building decoding and spelling skills and knowledge. Remediation Plus can be delivered through whole-class instruction in elementary grades, or implemented as small-group tier 2 intervention for all grades.

Remediation Plus Systems is used in some school boards in Ontario, Alberta, Labrador/Newfoundland and Manitoba, including in Labrador Innu and Nishnawbe Aski Nation schools. Some Canadian schools implement this program to teach reading to whole classrooms of students in Kindergarten to Grade 3, and other schools use it as a tier 2 intervention.

SRA Early Interventions in Reading Skills

Early Interventions in Reading Skills is a tier 2 intervention for Kindergarten to Grade 3 students who experience difficulty in foundational word-reading skills. It works in concert with core reading programs to provide intense early intervention. This program is consistent with research on early interventions.¹⁰³¹

Empower™ Reading (spelling and decoding)

Empower™ is a Canadian-developed intervention program designed to support students with significant reading difficulties. It was developed by Dr. Maureen Lovett, an expert in reading disabilities and early reading interventions, and her team from the Hospital for Sick Children in Toronto, and has been well-researched. The Spelling and Decoding program is available in Grades 2 to 5 and Comprehension and Vocabulary in Grades 6 to 8. It can be appropriately used as a tier 2 or tier 3 intervention.¹⁰³² The program is delivered four or five days a week for 60 minutes to small groups of students. Instructors teach foundational reading skills directly and explicitly combined with metacognitive strategy instruction (applying and monitoring specific strategies to guide word decoding and analysis for reading simple and complex words).

The program is based on a rigorous body of research that shows it improves students' ability to decode taught and untaught words, while also building their ability to strategically apply learned knowledge to read multisyllabic words.¹⁰³³

While samples in studies have been a majority of White students,¹⁰³⁴ specific research has examined students' outcomes based on a range of factors. A large-scale investigation has shown that students have responded equally well based on different racial backgrounds,¹⁰³⁵ socioeconomic status,¹⁰³⁶ IQ levels¹⁰³⁷ and for multilingual students¹⁰³⁸. A recent study showed that students who had both ADHD and a reading disability showed gains in reading when provided with a similar program.¹⁰³⁹

SRA Reading Mastery and Corrective Reading

Reading Mastery¹⁰⁴⁰ provides systematic instruction in foundational reading skills to students who experience reading difficulties in Kindergarten to Grade 6. Reading Mastery can be used as an intervention program for struggling readers (tier 2), as a supplement to a school's core reading program (increasing classroom support to students experiencing difficulty in the early years), or as a class-wide program in schools with many students at risk for not developing accurate and fluent reading skills.

Corrective Reading targets reading accuracy (decoding), fluency and comprehension skills of students in Grade 3 and up who are experiencing significant reading difficulties. It can be implemented in small groups of four to five students or in a whole-class format. Corrective Reading is intended to be taught in 45-minute lessons four to five times a week. This program may be thought of as tier 3 for students in Kindergarten to Grade 3, but tier 2 for older students with reading difficulties/disabilities/dyslexia.¹⁰⁴¹

The programs reflect the research-based practices recommended by the National Reading Panel, and studies have shown their effectiveness in improving reading skills.¹⁰⁴² The programs include explicit, systematic instruction in five critical strands: phonemic awareness, letter-sound correspondences, word recognition and spelling, fluency, and comprehension.

SpellRead™

SpellRead™¹⁰⁴³ was developed in Atlantic Canada. It is an intervention program for all students with difficulties in word-reading accuracy and/or fluency, with or without a diagnosis, including for multilingual students who are learning English at the same time as they are learning the curriculum. The complete program can be delivered over an academic year and is suitable as a tier 2 intervention for Grades 1 to 12, or as a tier 3 intervention.

Instruction focuses on learning sound-letter mapping and decoding accuracy, all the way through to learning frequent morphemes and syllable patterns and reading multisyllabic words. The focus is initially on students building accuracy and then making skills automatic, and increasing word- and text-reading accuracy, fluency and resulting comprehension.

The program can be delivered to small groups of three to six students, and includes practice using the reading skills in reading real books. Studies in Newfoundland, Nova Scotia and the U.S. have shown the intervention has positive effects on students' decoding skills, word reading, reading fluency and reading comprehension.¹⁰⁴⁴

Wilson Just Words®

Wilson Language Training® also has a tier 2 program called Just Words®.¹⁰⁴⁵ This program targets the word-reading accuracy and fluency problems of children with word-reading difficulties/disabilities/dyslexia.

Wilson Reading System® 4th Edition

Wilson's Reading System®¹⁰⁴⁶ is a tier 3 reading intervention. It draws heavily on Orton-Gillingham principles. Orton-Gillingham is not a specific program but a structured literacy approach. The approach is systematic and cumulative – each lesson builds on the initial concept learned. It is also explicit – it uses direct phonics instruction.¹⁰⁴⁷

Wilson Reading System® is an intensive program designed for students not making progress in other interventions. The depth of support and breadth of skills targeted by this program reflect its status as a tier 3 program.¹⁰⁴⁸

Lindamood Phoneme Sequencing® (LiPS®)

The LiPS®¹⁰⁴⁹ program teaches struggling readers in Kindergarten to Grade 3 the skills they need to decode words, including a focus on phoneme-level awareness, identifying the sounds represented by letters in words, and blending these to decode words.

Teachers work with students in small-group or one-on-one settings to help them become aware of the mouth formations and movements to produce speech sounds. This can be helpful for students who do not respond to tier 2 intervention and have

persistent difficulties with phoneme-level awareness. Instruction is generally four to six months for one hour a day. Studies have shown that the program improves students' word-reading accuracy and fluency.¹⁰⁵⁰ However, for many students, a less intensive program targeting these skills was as successful.¹⁰⁵¹ Thus, the LiPS® program appears best as a tier 3 intervention for students who do not make adequate progress with a good tier 2 program. These students need more intensive, targeted instruction to identify and hear individual sounds in words, to then better learn sound-letter connections and blending these to sound out words. Like all programs, it should be used in its entirety rather than in individual pieces taken out of context.

Online programs and resources

Some boards use online programs that either have research evidence or are aligned with the approaches outlined in this report. The inquiry does not recommend online programs in place of teacher-led classroom instruction and tiered interventions. Rather, school boards should explore how online programs can be used to enhance effective, teacher-led instruction and interventions in tiers 1 through 3.

ABRACADABRA

ABRACADABRA (A Balanced Reading Approach for Children and Designed to Achieve Best Results for All)¹⁰⁵² is a Canadian online program that can help pre-school to early elementary school-age children develop phonemic awareness, phonics and word-reading skills. It includes first- and second-language instruction in both English and French. The program is free of charge. School boards can also download assessment resources and toolkits to their servers free of charge. This program can be considered a supplement to explicit classroom instruction in foundational word-reading skills that offers students practice and support.

The program was developed through a multi-university initiative and has been studied in Canada and internationally (for example, Australia, Kenya), to explore its impact on children's reading.¹⁰⁵³ When used regularly in the classroom, students perform at a higher level on several reading-related skills compared to students who received only typical classroom instruction.¹⁰⁵⁴

This has been observed consistently across cultural backgrounds and geographic locations where studies took place.¹⁰⁵⁵ For example, in Australia's Northern Territory, researchers delivered the program to 164 children and compared the results to a control group of 148 children who received regular instruction. The total sample included 28% Indigenous students. Results showed that all students in the intervention group made significant gains in phonological awareness and phoneme-grapheme knowledge over the control group. Indigenous students gained significantly more per hour of instruction than non-Indigenous students in phonological awareness and early literacy skills.¹⁰⁵⁶

PlayRoly

PlayRoly is a play-based online program developed in British Columbia.¹⁰⁵⁷ The program is for children who are three to five years old and is designed to strengthen phonological awareness skills. All the lessons are available at no cost to educators and parents.

Parker Phonics

The book *Reading Instruction and Phonics: Theory and Practice for Teachers*¹⁰⁵⁸ includes a phonics scope and sequence program. The book is online and can be downloaded for free.

Lexia® Core 5® Reading

Lexia® Core 5® Reading is a computer-based intervention to supplement regular classroom instruction and support skill development in the five areas of reading instruction identified by the National Reading Panel. It uses web-based and offline materials to help pre-Kindergarten to Grade 5 students develop phonics, decoding, word reading, fluency and reading comprehension.

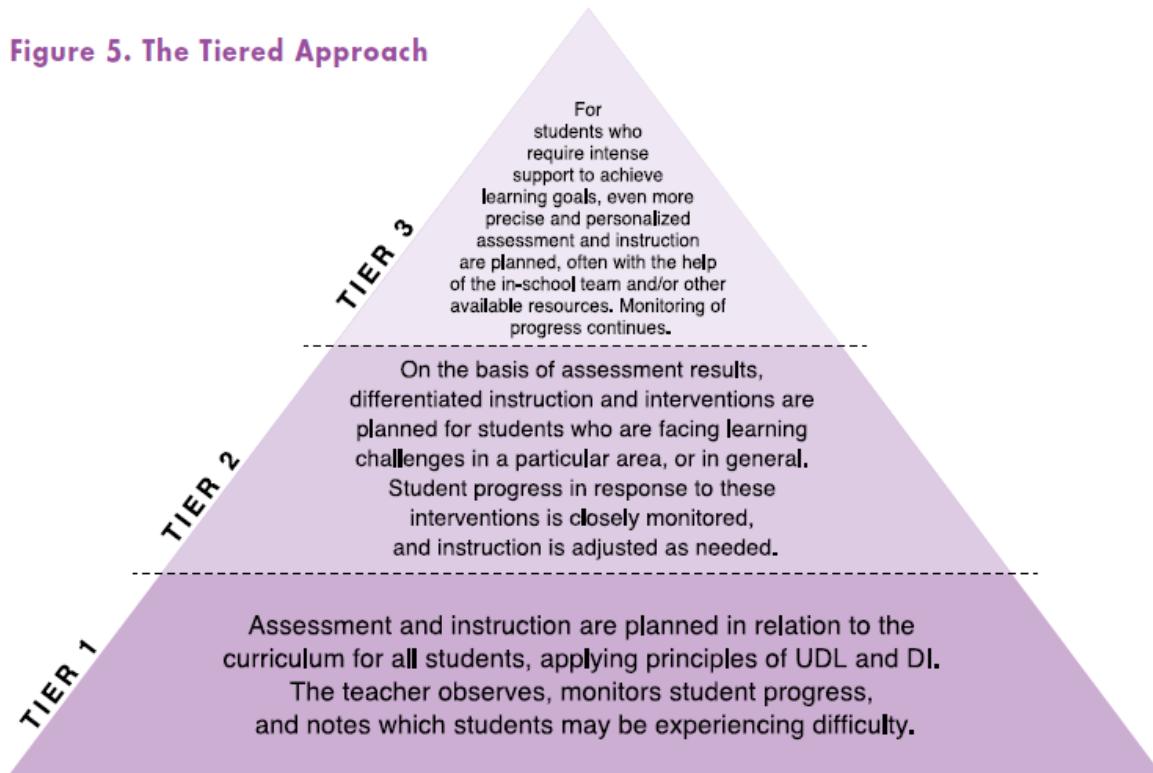
There is some evidence to support the use of this program to improve skills in phonics and reading comprehension for students in Kindergarten to Grade 5 who have reading difficulties.¹⁰⁵⁹ The program may also work to support word reading for multilingual students who are learning English at the same time as they are learning the curriculum.¹⁰⁶⁰ Computer-based interventions such as Lexia® work best as a supplement to tier 1 instruction or tier 2 interventions, always under the direction of a trained teacher.

Ontario's approach to reading interventions

Ontario's tiered approach

In Ontario, the Ministry recommends¹⁰⁶¹ but does not mandate a tiered approach. It defines a tiered approach as “a systematic approach to providing high-quality, evidence-based assessment and instruction and appropriate interventions that respond to students’ individual needs.”¹⁰⁶² This approach is also known as RTI/MTSS.¹⁰⁶³ The figure below is an excerpt from one of the Ministry’s resource guides:

Figure 5: The Ministry of Education's tiered approach model



The Ministry does not provide any detail on how to implement a tiered approach to prevent reading difficulties in each tier.

For RTI/MTSS delivery to be effective in maximizing all students' academic achievement within an inclusive education system, all the critical components need to be evidence-based, implemented properly, and have all the necessary resources – financial and otherwise.

A tiered approach will not be effective if the curriculum outcomes are not aligned with evidence-driven classroom instruction (tier 1) or if tier 2 and 3 interventions are not evidence-based. It will also likely not be effective without other mandated elements such as universal screening, progress monitoring, data collection and standardized decision-making procedures.

Classroom instruction (tier 1) is not currently aligned with evidence-based instruction for foundational word-reading skills. As a result, far too many students need early and later interventions, and this is particularly evident in schools that serve communities at higher risk for word-reading difficulties (for example, more students from low-income families).¹⁰⁶⁴ Some of the early and later interventions being used are not evidence-based.

It is not enough to suggest a tiered approach. The Ministry should mandate effective implementation of RTI/MTSS frameworks across Ontario.

None of the Ministry guides outline what interventions are evidence-based. While in 2021, the Ministry provided examples of intervention programs in its Transfer Payment Agreement (TPA) to school boards for purchasing reading interventions, only suggested guidelines were included.

In its inquiry submission, the Physicians of Ontario Neurodevelopmental Advocacy noted the necessity of mandating evidence-based interventions:

A tiered approach to intervention needs to be required (not just suggested as in PPM 8), with early implementation of Direct Instruction using evidence based tools that are available in all schools. The Ministry of Education should fund these programs directly so schools cannot claim they are too expensive to implement.

Standards on the use of reading interventions

Schools use many different reading interventions. Standardizing interventions would lead to more equitable outcomes and would likely result in cost savings over time.

The Ministry does not mandate any approaches to intervening when students are not developing foundational word-reading accuracy and fluency. School boards determine which reading intervention to use, which grades to provide the interventions, eligibility criteria, and if and how to track student progress. Sometimes boards delegate this responsibility to individual schools.

The inquiry boards reported having at least 16 different commercial interventions, only five of which were evidence-based. However, two of these evidence-based interventions were seldom used. There were six board-developed interventions, but none of them had been rigorously evaluated or included the scope of all skills needed to address early or later word-reading difficulties.

Some inquiry boards said they do not have the resources or capacity to always research which intervention is effective. Very few boards could produce sound research on the effectiveness of interventions they were offering, or report how an intervention they used was aligned with the science of effective reading instruction. This is why knowing the research on effective reading instruction and interventions is a critical prerequisite. Without this knowledge, system leaders and personnel are not in a position to evaluate a program.

Many inquiry schools boards wanted direction from the Ministry on which reading interventions to use, and thought it would be more efficient for the Ministry to purchase licenses for evidence-based interventions. One board said “not all boards are rowing the

boat in the same direction.” This approach would likely increase the effectiveness of teaching more students to read, and result in financial savings based on economies of scale.

Educators who completed an inquiry survey reported that school boards or schools often do not have the funds to buy interventions or train staff to deliver them. This is one of the essential components of effective RTI/MTSS implementation. A board literacy consultant said:

There are so many different reading interventions available. More direction is needed in terms of which intervention is best for [whom]. The Ministry should also provide more funding specifically for reading intervention.

When essential programs are not standardized across the province, it creates the potential for inequality. One survey respondent, a psychologist, said:

...A systematic and intensive phonics program is needed in ALL schools across the province. The availability of this type of program should NOT be dependent on a school's discretionary budget. This is incredibly inequitable as some schools receive much more money in fundraising efforts (parent donations) than others.

2016–2020 Reading pilot project

In 2016, the Ministry provided funding for the LD Intensive Reading Pilot Board Project in eight English-language public and Catholic district school boards. Originally planned for three years, the Ministry continued funding the pilots for the 2019–2020 and 2020–2021 school years.¹⁰⁶⁵ The pilot was intended to increase the availability and responsiveness of supports for students with learning disabilities in reading. While this is a worthy goal, it is not clear if the pilot also included the goal of increasing academic achievement and outcomes in reading and other academic subjects.

The eight pilot boards were Greater-Essex, London Catholic, Rainbow, Sudbury Catholic, Thames Valley, Waterloo Catholic, Waterloo Region and Windsor-Essex.

These boards selected students who were at risk for or already identified with an LD exceptionality with reading challenges to take part. The pilot included supports to match those provided at the three English Provincial Demonstration Schools for students with learning disabilities in Ontario. These supports included the Empower™ Reading Program (Empower™), a systematic and intensive reading intervention program, Lexia® Core 5®, a technology-based literacy program and social-emotional supports.

The Ministry’s pilot project found that, overall, Empower™ had some positive effects on some aspects of foundational skills for students. Dr. Rhonda Martinussen, a psychologist from the Ontario Institute for Studies in Education (OISE), led the external research team that evaluated the project. Although the pilot studied the Empower™ program, the findings were expected to also inform board practices in implementing any

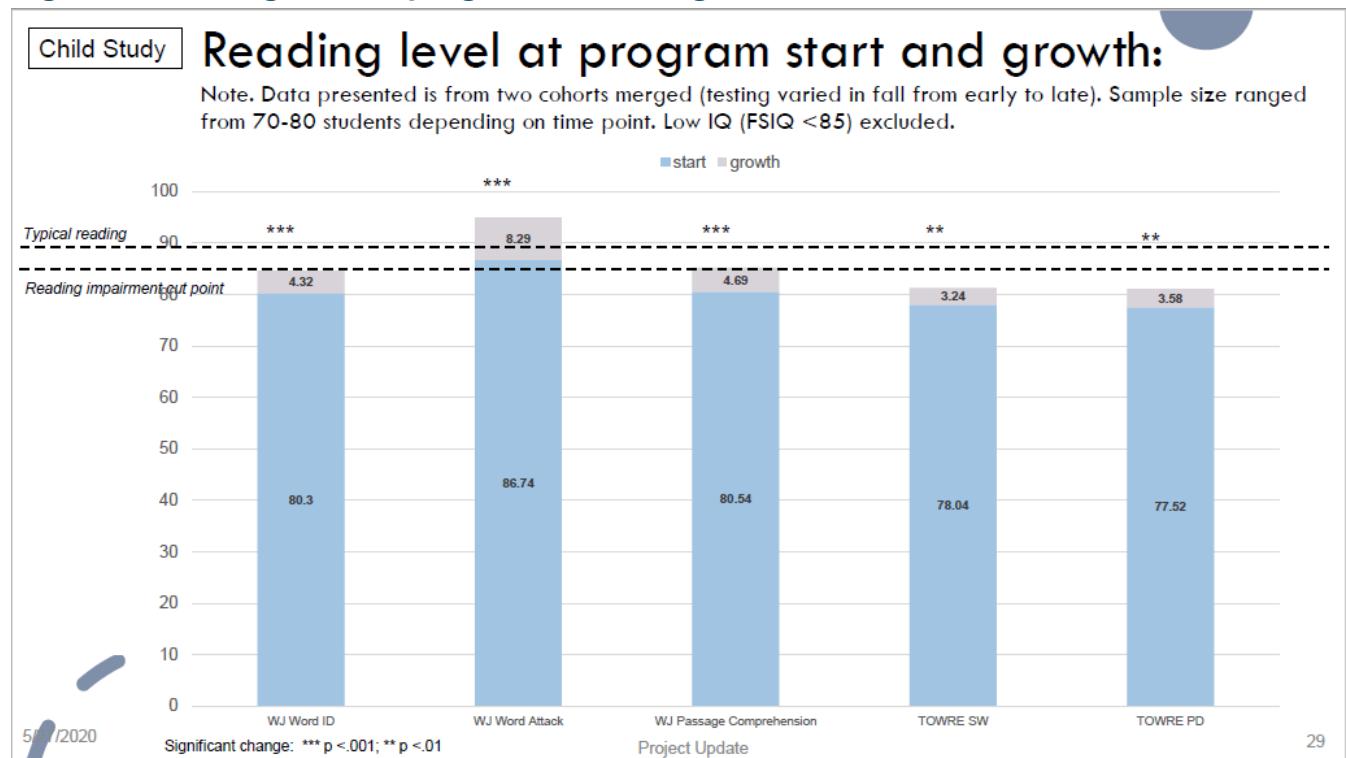
tier 2 or tier 3 reading intervention. The goal of the research was to enable boards to implement a range of evidence-based reading interventions to meet the needs of students with learning disabilities in developing reading skills.

The research team's 2020 final report discusses factors that influence how successfully Empower™ is implemented. Factors included how often lessons were given, interruptions to learning, staff training and collaboration with homeroom teachers. Boards also reported that student selection criteria was an important area of focus including determining need and fit with the program.

The research team reported a positive response to the pilot activities in terms of principals' and teachers' perceptions of student engagement and gains in their learning. Interviews with principals and teachers reported an encouraging response to the intervention program because of the positive effects on students' reading skills, self-confidence, and perception of themselves as readers.

Analysis of students' pre- and post-assessment measures was reported for students who had completed at least a large proportion of the program.¹⁰⁶⁶ The 2020 Ministry report showed an increase in participants' core phonics skills (for example, reading words with short vowels and with consonant blends; reading words with more complex spelling patterns, such as r-controlled vowels, long-vowel spellings, low-frequency spellings, and reading multisyllabic words).

As well, the mean scores on standardized tests improved for word- and non-word-reading accuracy and fluency, and reading comprehension (see Table 21). Mean standard scores on the non-word-reading subtest came into the average range. However, the sample size of 70–80 students was not high and only 41% of these students received all 110 hours of the Empower™ program.

Figure 6: Reading level at program start and growth

Grade 2 students made larger standard score gains in non-word-reading (word attack subtest) than students in Grades 3 and 4 (see Figure 6). This is consistent with some past research showing younger students make larger gains with Empower™.¹⁰⁶⁷

As can be seen in Figure 7, the participants in each grade level made gains and of similar magnitudes, on standardized word-reading scores. These mean scores on word-reading accuracy, however, did not come within the average range. The report did not present the number of students altogether or in each grade who came into the average range for each different measure. This is data that school boards and the Ministry should collect when implementing Empower™ and other reading intervention programs.

Figure 7: Gains in decoding by grade in Ministry pilot project¹⁰⁶⁸

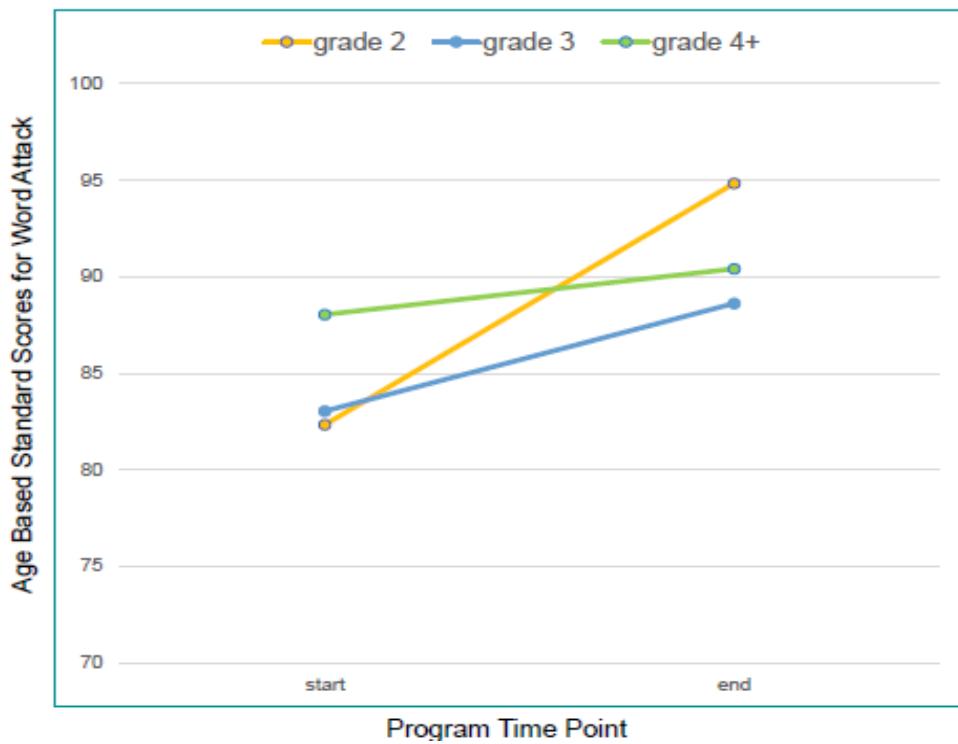
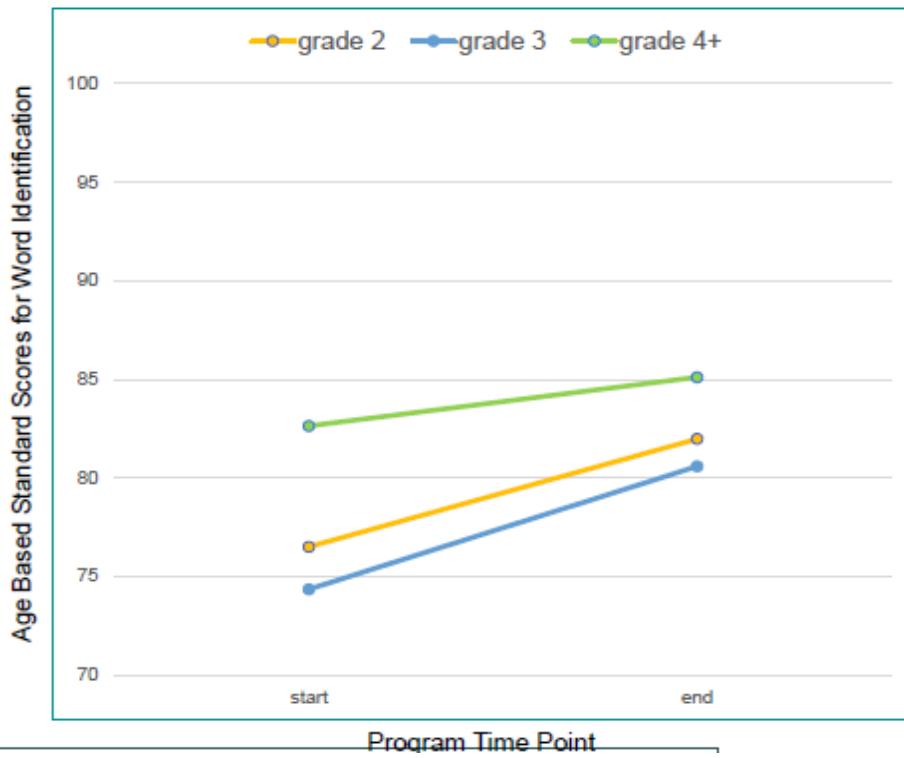


Figure 8: Gains in sight words by grade in the Ministry pilot project¹⁰⁶⁹



2021 Transfer Payment Agreement (TPA)

The Ministry provided additional funding to school boards to purchase reading intervention programs in Winter 2021. The Ministry created a TPA that outlines guidance on selecting appropriate interventions. This is a good start and provides more detailed guidance than any other Ministry document, including PPMs, resources and guides. The Ministry provided an overview of the tiered approach and related reading interventions for each tier. For example:

- Tier 1: programs are delivered in the class; the instruction is targeted to address a specific gap that has been identified through assessment
- Tier 2: higher intensity and may be delivered by a classroom teacher or a special education teacher, and it is usually every day or close to every day for 20 to 40 minutes in general, could be more or less
- Tier 3: delivered by a trained special education teacher with a very small group or an individual student, consistently every day and for a longer period of time each day than in tier 2 (for example, 60 minutes, and ideally in addition to the regular language class), and using a high-intensity evidence-based program.

The TPA provides examples of literacy programs that meet the core literacy skills outlined in the document (phonemic awareness, phonics, word reading, reading fluency, vocabulary and reading comprehension). The listed examples are SRA's Early Intervention in Reading, Corrective Reading, Reading Mastery, Empower™, Jolly Phonics, Kindergarten Peer-Assisted learning Strategies (K-PALS) and PALS.

Although the document acknowledges this is not an exhaustive list, it is important to include more tier 1 whole-class reading programs such as SRA Open Court Foundational Skills and Wilson Fundations®.

School Board approaches to reading interventions

Overall approach

All eight inquiry school boards reported using an RTI/MTSS framework to address reading achievement and provide interventions for struggling students. However, boards are not structuring tiered interventions in way that is consistent with effectively implementing RTI/MTSS systems.

The inquiry found concerns with critical aspects of how boards are choosing and implementing interventions. Many interventions are not evidence-based. When schools do have evidence-based interventions, they are not available in the earliest grades where they are most effective in fully addressing word-reading accuracy, and word- and text-reading fluency.

Many students face barriers to accessing effective interventions. In some cases, boards prioritize interventions for students with a learning disability diagnosis, which can be difficult to receive, or get in a timely way, unless obtained privately at significant cost. Other problematic criteria include requiring students to have average to above-average

intelligence and/or no other disability (such as ADHD, ASD, MID). These entry requirements are based on a mistaken belief that interventions will only be effective or be more effective for these students, which research has consistently contradicted.¹⁰⁷⁰

All of these barriers can result in systemic discrimination against groups of students who need intensive interventions in reading. The exclusionary criteria are not appropriate measures for decisions about whether a student will respond to a reading intervention.¹⁰⁷¹ See section 12, Professional assessments.

School boards sometimes only offer interventions to students who are a specified number of grades or years behind in reading. This is not based on science or sound use of statistical reasoning, and will leave many students behind. A child in Grade 1 or 2 who is a year or half-year behind their grade-level peers needs immediate interventions.

Interventions are not provided to all students who need them. The inquiry found that resources for interventions are generally not distributed to schools that may be deemed higher priority in terms of the number of students at risk for or with reading difficulties. The inquiry could not determine if enough training and support has been provided to educators implementing the various interventions, which is important to how successful a given intervention will be.

Boards are not adequately monitoring individual student progress and the effectiveness of intervention programs. This data is needed to inform decisions about individual students, and to make data-driven decisions at the board level, on which intervention programs are leading to successful outcomes and in which schools. For example, a program that was promising may not be having good effects across most schools, or a family of schools may be getting exceptional results with a certain intervention and could offer lessons about implementation procedures for the board or province.

Each inquiry board reported that the goal of their RTI/MTSS is to effectively meet the instructional needs of about 80–90% of students through tier 1 instruction; leaving 10–20% of students requiring tier 2 interventions, and 5–10% of students who will require tier 3 intervention.

In practice, many more students require tier 2 and 3 interventions in Ontario school boards. The current approach to reading instruction and intervention in boards is not effective and conflicts with boards' stated goals of meeting most students' reading instruction needs in tier 1, so only a very small proportion of students (5–10%) will need tier 2 interventions. The current set-up wastes valuable time and jeopardizes the critical period when many future reading difficulties could be prevented.¹⁰⁷²

This is a direct result of the ineffective approaches in the classroom that are based on the Ministry's curriculum and instructional guidelines and implemented by boards. There is an absence of, and even an avoidance of, direct and systematic phonics and decoding instruction. At tier 2, many ineffective interventions are the first response. With

ineffective instruction and tier 2 interventions, the boards are falling far short of their goals for the percentage of students who will need each successive level of tiered interventions.

The Ministry promotes whole language and balanced literacy philosophies and approaches in its curriculum and teaching guideline documents. These documents promote an inaccurate view of reading development and instruction. See section 8, Curriculum and instruction. Many of the early intervention programs used by schools also follow these ineffective approaches to teaching reading (using cues to deduce the spoken form of unknown written words in text) and/or largely focus on phonological awareness to the exclusion of other critical foundational reading skills. Thus, when children with difficulties in word reading are placed in tier 2 interventions, they do not receive the needed instruction in foundational word-reading skills.

Evidence on how to teach all students to learn to read is highly consistent with OSLA's submission to the inquiry that schools must use "systematic, direct instruction with lots of practice over time and specific feedback, because reading skills are too important for children to have to infer what they are supposed to learn."

The results from the Grades 3 and 6 EQAO reading assessments for students overall and for students with special education needs supports the finding that school boards' current approaches to reading instruction and intervention are not effective. More than half of students with special education needs in Grade 3, and almost half in Grade 6, failed to meet the provincial standard.¹⁰⁷³

One school board also noted that about 32% of its Kindergarten and Grade 1 students were at risk for reading difficulties, consistent with a general estimate in most school boards of about 30%. In 2018–2019, 74% of all Grade 3 students in Ontario met the provincial standard for the EQAO reading assessment, but only 62% of these students did so unassisted (without scribing or assistive technology). Only 8% of Grade 3 students with IEPs met the standard without assistive technology.¹⁰⁷⁴ This data should make Ontario school boards question whether their early interventions have been effective. If interventions do not vastly reduce the number of students at risk in an area, it is an indication that those interventions have not been successful. See section 5, How Ontario students are performing.

The materials provided by the school boards show a need for increased tier 3 interventions for students who struggle with word-reading skills – implying that earlier tier 1 instruction and tier 2 interventions have not been effective. With so many students in need of reading interventions beyond classroom instruction, it is not surprising that the resources for tier 2 and tier 3 interventions are limited. Inquiry boards reported having far too many students needing interventions, overwhelming their ability to provide tiered supports beyond the classroom. However, if classroom instruction (tier 1) is evidence-based, it will relieve the financial pressure on the system as fewer students will need tier 2 and tier 3 interventions.¹⁰⁷⁵ This "ounce of prevention" is currently absent in school boards.

Students are also not receiving interventions early enough, and interventions are certainly not effective or evidence-based. In the inquiry survey for students and parents, respondents across Ontario reported that only 33% of students received reading interventions before Grade 2. The most commonly reported time students received interventions was in Grade 3. Most students (62%) received a reading intervention program in Grade 3 or above.

Table 21: Grade level students received intervention (student/parent survey)

Grade	Percentage of students	Number of students
Kindergarten Year 1	1%	8
Kindergarten Year 2	2%	25
Grade 1	11%	128
Grade 2	19%	223
Grade 3	23%	265
Grade 4	16%	186
Grade 5	11%	125
Grade 6	7%	85
Grade 7	4%	45
Grade 8	1%	34
Grade 9	1.5%	17
Grade 10	0.5%	4
Grade 11	<0.5%	1
Grade 12	<0.5%	2
Unknown	1%	9
Total		1,157

Tier 2 interventions

Most inquiry boards do not have evidence-based early reading interventions and do not have procedures to effectively deliver them to the young students who need them. Students who need interventions the most are often not receiving them. In most boards, Kindergarten and Grade 1 students with or at risk for word-reading disabilities are the least likely to have access to evidence-based interventions.

Although many inquiry boards implement some intervention in Kindergarten in phonological awareness and/or sound-letter knowledge, these are most often board-developed. They do not adequately teach necessary skills, such as those taught in a synthetic phonics program focused on word decoding, and word-reading accuracy and fluency.

The inquiry boards' most frequent early interventions follow similar instruction strategies used in the classroom, but delivered in smaller groups. These often include programs based on guided reading and supplemental "word work," rather than the targeted and systematic programs required for students to progress in foundational word-reading

skills. Early interventions need to focus on explicit and systematic instruction in grapheme-phoneme correspondences, and on how students use these to sound out words (blending part of phonemic awareness) and to spell words (segmenting part of phonemic awareness). In other words, this involves using a synthetic phonics program that teaches all the necessary skills that students need to decode and spell.

School boards are using a combination of commercially available reading interventions such as Levelled Literacy Intervention (LLI) and Reading Recovery®, and some board-developed approaches. These approaches are ineffective and insufficient, based on both the body of research on effective early interventions and the boards' own outcome data on early reading.

Boards use commercial reading interventions to determine if students need further interventions. If a student is struggling to learn to read, the school will increase guided reading in the classroom (tier 1). If the student still struggles, the school will provide extra reading support, such as LLI, or often, "extra reading support" which is vaguely defined (tier 2). If the student is still not progressing, the school will provide SRA Reading Mastery, SRA Corrective Reading or Empower™ (defined by school boards as tier 3). This approach means students often endure years of ineffective supports in tier 1 and tier 2, before maybe being offered an evidence-based intervention in Grades 3 to 4 or later. We know interventions in these later grades need to be more time-consuming, more intense in the breakdown of all component parts of foundational reading skills, and have more teacher-directed, scaffolded practice and review. Even then, these later interventions will not fully address gaps in reading achievement for as many students as would early intervention.

Some of the inquiry boards recognize the foundational skills that need to be taught as part of reading instruction, and provide board-developed early intervention programs. The board-developed approaches target some skills found in evidence-based programs, like phonological or phonemic awareness, and some aspects of letter-sound work. However, these programs do not deliver a thorough, systematic, explicit program in phonics instruction toward building decoding and word-reading and spelling skills. Isolated phonological awareness work is not enough to catch students up or to prevent later word-reading difficulties.

In these board-developed intervention approaches, students (primarily in Kindergarten) who scored low on a screener enter a program working with a teacher, speech-language pathologist (SLP) or another educator, in a small group for a defined period of time. The focus of these skills is most often on phonological awareness, and may include some letter-sound teaching and other aspects of oral language.

Boards have not established that these in-house interventions, some more formalized than others, are effective for addressing and preventing future word-reading difficulties.

Half of the inquiry boards reported using the Lexia® Core 5® reading program as a stand-alone intervention or as a classroom or intervention supplement. There were differences in how teachers supervised the use of this computer-based intervention. Computer-based interventions should not be substituted for effective teacher-led interventions. They should be used under the supervision and direction of a teacher and as a supplement to a teacher-led program. The boards did not provide clear reports to show the effectiveness of Lexia® Core 5®.

Tier 3 interventions

Ontario school boards need to use intensive programs as the first line of intervention when students are behind their same-age peers in critical reading skills. Boards are withholding these interventions and only using them after ineffective tier 2 approaches have failed.

Some boards use evidence-based interventions such as SRA Reading Mastery, Corrective Reading or Empower™. However, many boards require proof that students have had a prior literacy intervention that did not work before enrolling them in further (usually evidence-based) interventions. In many of the inquiry school boards, students only receive systematic and explicit structured literacy programs in tier 3, and for some boards, this may not happen until as late as Grade 4, 5 or 6.

Generally, these intervention programs are not available in the earliest grades (Kindergarten – Grade 1 ideally, or in Grade 2) when they will be most effective. When they are provided early, they are only provided in a small sample of schools as part of the Ministry's reading pilot project or the board's own pilot. However, one board, Simcoe Muskoka Catholic, noted that it makes SRA Reading Mastery, an evidence-based program, available to Kindergarten and Grade 1 students.

The inquiry boards reported important differences in how they implement evidence-based tier 3 programs. These differences may undermine effectiveness in some cases. Students have varying access to what boards consider tier 3, focused interventions such as Empower™ and SRA interventions. While several boards deliver these to students in Grades 2 through high school, other boards deliver the interventions only to students in higher grades (for example, Grades 6–8). This variation was particularly significant for delivering Empower™, while SRA Reading Mastery and Corrective Reading served a broader grade range among the school boards.

Even when boards reported that interventions were available for a broader grade range, the focus was on delivering the program to students in Grades 4 and above. Hamilton-Wentworth, Simcoe Muskoka Catholic and London Catholic were exceptions to this general rule. Hamilton-Wentworth had a high proportion of Grade 2 students in Empower™ and both Simcoe Muskoka Catholic and London Catholic provided Reading Mastery in earlier grades as part of a pilot project to target younger students.

Availability

Effective programs are not available for all students who need them. Access to reading interventions that work well varies dramatically by board. Often, the non-evidence-based interventions are the ones most widely available.

The availability of interventions was inconsistent between and within school boards. It is difficult to compare availability between boards because every board has a distinct way of providing and tracking interventions.

Some boards purchase reading interventions or develop their own interventions and directly provide them to schools. Other boards leave the choice of interventions to individual schools. This can lead to disparity between which schools get effective interventions and which do not. Also, a board's decision can mean most students within that board will not have access to effective early reading intervention.

Boards reported that both commercial programs and board-developed kits were available to teachers. However, there was no accountability for what programs were implemented or how schools and teachers were guided to use effective programs and at critical periods of time. One board noted that schools may have the kits available but that does not mean that they are being used. Boards reported that teachers view them as an optional resource.

School boards reported the number of schools that had access to a given intervention – but had less information about whether schools deliver the program or how many students were enrolled. Many boards reported that availability of interventions was based on “the needs of individual students” or “school data,” but were less clear about the actual data that informed decision-making. Without universal early screening, boards are not in a position to assess the needs of individual students, and the decision-making processes appear ill-defined. See section 9, Early screening.

Inquiry survey respondents reported very limited spots for evidence-based interventions at schools. Some student and parent respondents reported having to change schools to access a “reading intervention hub.” Most school boards also reported that some schools either had LLI or Empower™. This means that some schools do not have any evidence-based interventions. This is inequitable, as every student should have access to effective reading interventions without having to change schools or school boards, go to a Provincial Demonstration school or pay for private tutoring.

In inquiry surveys, educators expressed concerns about reading interventions and the procedures guiding their selection and delivery. They said there are no standards for reading interventions and many factors inform decisions about which programs are delivered, such as special education teachers’ subjective preferences, time, budget and available trained staff. These school-level operational factors should not drive decisions that result in inadequate and inequitable access. One psychologist said:

Many schools don't have access to evidence-based reading programs or available teaching staff to offer the programs, so they select what they have (e.g., often LLI) and whichever special education teacher is trained and available to offer it.

Even when boards deliver evidence-based interventions, the full program, including the early interventions, may not be available in all schools. In some boards, only a relatively small percentage of schools were delivering early interventions (for example, only 30–40% of schools). One board did not have any evidence-based interventions for students until Grade 5.

Most boards did not have a system to allocate resources to communities or schools that may be deemed higher priority in terms of high numbers of students at risk for or with reading difficulties. Hamilton-Wentworth did report allocating more reading supports to schools based on national census data on unemployment rate, lone-parent families, recent immigration, low household education level and low income (less than \$30,000). However, without guidelines for choosing and delivering effective interventions, it is hard to judge whether allocating more resources would translate into more effective classroom programs and interventions.

All students who do not have skills in the solidly average range compared to same-age peers on measures of word-reading accuracy and fluency need effective interventions. Tiered interventions should be distributed based on school needs, so that all students have access to effective classroom instruction and interventions.

Student selection criteria

Generally, the inquiry boards did not have clear procedures to identify students and enroll them in early interventions. Broad discretion and unclear processes are susceptible to bias and inconsistent implementation. School-level decision-making can be driven by pressures due to finite school supports and resources.

Teachers and psychologists suggested this in the inquiry surveys. For example, one teacher said: "I think there is a bias or implicit belief that some students will not learn to read." This raises alarming equity issues, which have been discussed throughout this report.

One psychologist, responding to a survey question asking how decisions are made about which students receive reading interventions, said they "suspected this is done rather unsystematically." Another professional said:

The disconnect here is the funding. We can say all students should, and do deserve, reading [interventions]...100% of the time, but funding just won't allow this...that means only the students experiencing the worst difficulties, or with parent advocates, will be referred to very intense reading speciality programs in schools that require small class sizes, [one-on-one], etc.

Other teachers said it depends on “how much the parents push.” Parents reported they did not know about reading intervention programs, and when they found out about them, it was either too late as an option for their child or it took significant parental advocacy to get their child into the program.

Most school boards rely partly on unreliable or invalid assessments to determine who receives interventions. These assessments look at students’ book-reading levels at certain points in each grade. Examples are PM Benchmarks and Benchmark Assessment System (BAS). These are often the primary measures, along with teacher observations, informing decisions about the need for an intervention and placement into a program. Teacher professional development materials often stress assessments such as running records to identify students who need additional interventions.

The inquiry found many problems with these assessment systems. Book-reading assessment strategies can obscure word-level reading difficulties, particularly in the primary grades. These approaches confuse a student’s decoding and word-reading skills with their language comprehension. They are inadequate measures of foundational word-reading skills, as students may and have indeed been taught to use their oral language skills and pictures to guess at unknown words on the page.¹⁰⁷⁶

Word-focused programs for older students set out clearer guidelines for program entry. For example, Ottawa-Carleton’s materials noted that “decoding” is the primary deficit for entry into the Empower™ program. Still, even for older students, access to interventions were often based on book-reading-level assessments, rather than on word-reading skills.

As noted in Section 8, Curriculum and instruction, the Simple View of Reading provides a framework for thinking about the two broad components that determine students’ reading comprehension. Assessments need to examine each component independently, to place students in appropriate interventions. See section 9, Early screening for a discussion of skills that need to be assessed in Kindergarten to Grade 2. As students move beyond Grade 2, word-reading accuracy and fluency should be measured to make decisions about appropriate placements in interventions.

Students who struggle with both word reading and language comprehension need targeted, intensive word-reading interventions. As well, they need effective programming for any oral language weaknesses. It is critical to make sure effective word-reading interventions are not delayed for these students because of oral language weaknesses.

Student eligibility requirements

Although most boards do not require a diagnosis of a learning disability for entry into interventions, there were variations. One board required students to have a diagnosis to be eligible for Empower™. Other boards reported prioritizing students with a diagnosis. Student/parent survey respondents from many boards across Ontario said that having a diagnosis was needed or helped get interventions.

Requiring a learning disability diagnosis is not necessary and can create equity issues. When criteria for a learning disability require at least average intelligence or a discrepancy between intelligence and achievement for diagnosing a learning disability, this raises the potential for systemic discrimination. See section 12, Professional assessments.

Also, some boards said or implied that only students with particular qualities, such as certain cognitive or “LD-like” profiles, benefit from Empower™. Research has shown that IQ, cognitive abilities or cognitive processing strengths and weaknesses do not predict a student’s response to reading interventions.¹⁰⁷⁷

School boards need to remove these requirements from eligibility criteria. Also, boards must examine if, in practice, certain groups are being unconsciously excluded from interventions. The OSLA recommends that the education system must:

Assess for bias in processes to select students for reading interventions and ensure access for students from equity seeking groups, especially members of intersecting Code-protected groups...and ensure access to reading interventions for students with a range of learning needs...and those with intellectual or developmental disabilities.

Some boards required a student to be a specified number of grades or years behind in reading. For example, one board required that the student be two years behind in reading and another required that the student be “significantly behind in reading.”

Grade- or age-equivalent scores should not be used to determine entry into effective intervention programs. These scores are not interval levels of measurement. In other words, the difference between each grade- or age-equivalent score is not equal or comparable. The example below serves to illustrate this fallacy.

Consider a student in mid-Grade 2 who scored the same on a word-reading test as the average score of children at the beginning or even the middle of Grade 1. School boards that use grade-equivalent scores would consider this student one or 1.5 years behind. A student in mid-Grade 8 who received a grade-equivalent score of mid-Grade 6 on a word-reading test would be considered two years behind. If the board uses a “two years behind” criterion, the Grade 2 student would not be eligible for an intervention program despite being far below same-age peers and struggling in word-reading accuracy. The increase in word-reading accuracy between Grades 6 and 8 is not as vast, and the Grade 8 student would not be struggling with word-reading skills to the same extent as the Grade 2 student. This is why percentile or standard scores should be used.

Banks should use standardized scores at each grade level and provide interventions for students below a given criteria (such as at or below the 25th percentile on word-reading accuracy and/or fluency). Similarly, the requirement that students are “significantly” below grade level in reading is not clear, and may be interpreted differently across schools, affecting who will get an intervention.

Requiring students to be a certain numbers of years behind on assessments violates the scientific properties of these measurements and sets up a “wait to fail” system of intervention delivery.

Also, most school boards required that multilingual students who are learning English at the same time as they are learning the curriculum have at least two years of English language instruction before considering them for an intervention. This approach is not supported by research and delays timely intervention. Multilingual students should receive interventions as soon as the need arises.¹⁰⁷⁸

A few school boards had positive elements in their approach to selecting students for interventions. Hamilton-Wentworth reported that they provide equitable access to all students who require Empower™. Their process for selecting candidates explicitly includes students with MID or who have a “slow learner profile” as well as non-identified students with and without IEPs.

A few boards recognized that early intervention must be provided immediately without requiring psychoeducational assessments. For example, Simcoe Muskoka Catholic used funds provided for professional assessments by the Ministry to purchase SRA interventions. The board noted: “It made a lot of sense to increase intervention levels and possibly decrease assessment in the longer term. We are trying to do phonemic and phonics instruction early on without waiting for assessment.”

Monitoring student progress

Ontario boards do not currently have a consistent system to measure students’ progress or response to an intervention, or to monitor long-term effects. School boards should collect valid and reliable data on students’ immediate and long-term outcomes, to inform their decisions about individual student programming and efforts to evaluate program effectiveness.

Boards need standardized measures to judge if an intervention has been successful for a student. Success means improving outcome scores to the average range on measures of reading accuracy, fluency and comprehension. If a student has not come into the average range, then the school must provide further intervention and programming. Monitoring progress can also tell educators about the nature of a student’s continuing difficulties, to help inform next steps.

Boards often reported using students’ book-reading levels to examine the effectiveness of an intervention. This is problematic for gauging progress in any intervention, including guided reading approaches (for example, Reading Recovery®, LLI). Book-level systems do not measure what aspects of reading are contributing to the students’ difficulties in reading and understanding texts. For example, a student could increase by many levels, and may even reach the benchmark for their grade by increasing their oral prediction

skills without also increasing their word-reading and decoding skills. However, word-reading and related decoding skills must increase to improve the student's reading trajectory.

Another problem with using these assessment systems is that each increase in level is not a meaningful unit and cannot be reliably interpreted. Book-reading levels are not interval units of measurement (just as grade-equivalent scores are not). This means that the "amount of improvement" between each level is not comparable. A student moving from level B to level C is not comparable to that student later moving, or an older student moving, from level G to level 1.

Similarly, a three-level increase by students from early to mid-Grade 1 is not comparable to a three-level increase for students in early to mid-Grades 2, 3 or 4. Yet, many boards judge individual student success in a program and the program's overall effectiveness on reports of students' book-reading levels and increases in those levels. Some boards reported the number of students meeting a grade-level benchmark alongside the average number of units of increase across students. These methods are not adequate to judge student progress.

Most boards do not currently use standardized measures of reading.¹⁰⁷⁹ They use program-specific assessments designed to test for the skills taught during a given intervention. These assessments should be supplemented with standardized reading measures to evaluate student progress and make further programming decisions. For example, the Empower™ Reading Decoding and Spelling programs have a pre- and post-test assessment for five program-specific measures.¹⁰⁸⁰ These measures alone do not help with decisions about how much a student has improved on generalized word-reading accuracy and fluency, or about whether these skills are now within the solidly average range.¹⁰⁸¹

Hamilton-Wentworth has a good foundation for monitoring progress. It tests students before and after receiving the Empower™ program. The board includes standardized measures of word-reading accuracy (a word identification subtest), non-word-reading accuracy (a word attack subtest) and reading comprehension (passage comprehension subtest).

Adding in word-reading efficiency and/or text-reading fluency measures would complete this battery of monitoring. These measures are each very brief subtests that can be given by a range of school personnel, and provide necessary information to make decisions on individual students. Other boards should adopt a similar approach to Hamilton-Wentworth and add tests to measure fluency. This would be useful to inform decisions about individual students and for program evaluation across all interventions.

These standardized reading measures and decision-making processes are necessary to judge a student's response to the full range of school-based interventions, including SRA Reading Mastery, SRA Corrective Reading, and Lexia® Core 5®.

Students in early reading interventions will also need standardized measures of phonemic awareness, sound-letter fluency, and reading and decoding.

Program evaluation

Most boards do not track outcomes from interventions at a system level.¹⁰⁸² Many of the same issues with student progress monitoring also apply to the how school boards examine program effectiveness.

Boards examined program effectiveness in a variety of different ways – some more valid than others. As noted earlier, book-reading assessments are not valid or reliable.

Some boards used these approaches:

- Comparing pre- and post-intervention book-reading levels
- Assessing whether students improved on one or more measures, sometimes specific to the intervention program
- Comparing students' improvement in an intervention program with a group of students who did not have the intervention.

Although these approaches are a good first step, they are not enough to evaluate an intervention program. They do not tell boards if foundational word-reading skills were addressed to support, and correct, the trajectory for continued reading development.

Program evaluations need to track student progress over time and ask, in a valid and more methodologically rigorous way, some central questions:

1. What proportion of students who received the intervention were brought into the average range in word-reading, fluency and comprehension skills?
2. Are these students successful in their classroom academic tasks and on future standardized assessments (such as provincial assessments)?

Boards need to use standardized word-reading, word- and text-reading fluency, and comprehension measures to evaluate the overall effectiveness of the interventions. This approach will provide the best information on program effectiveness. When boards assess programs properly, they can determine which programs are best suited for students based on their grade level or the severity of their decoding and word-reading difficulties.

One board produced a report comparing pre- and post-test PM Benchmark levels for students in Grades 4–6 who had completed the Empower™ program. The report showed students' PM Benchmark levels increased after completing the program.

However, we do not know if students may have increased similarly without the intervention. Critically, the board did not include measures that could gauge the proportion of students whose word-reading accuracy and fluency came into the average range.

This school board tracked the Grade 6 EQAO results of approximately half of the students in the Empower™ program (28 students). About one-third of these students met grade-level expectations in reading. Tracking students' results over time is a good practice. It also highlights that despite a pre- to post-test increase in book-reading levels, many students needed further intervention and programming to become proficient readers and meet provincial standards. Pre- and post-test assessments alone are not sufficient.

As well, other boards did not adequately design their analysis of Empower™ to make conclusions about program effectiveness. Boards made conclusions that Empower™ as delivered through a special education program¹⁰⁸³ increased students' reading more than the regular, school-based Empower™ program, and that students with lower pre-scores improved more. However, students in special education classrooms generally had lower pre-scores, which confuses the results and any valid conclusions that can be made. One board examined students' change scores using Empower™'s specific measures and on the Developmental Reading Assessment (DRA). Change scores look at post-test (after intervention) minus pre-test (before intervention). They are less reliable measures of program effectiveness because they incorporate measurement error associated with two testing periods.

Boards do not adequately evaluate their in-house developed programs to have confidence in their effectiveness and to support their continued use as evidence-based interventions. For example, two school boards reported using the same phonological awareness program as an early intervention. However, one board's materials examining the program do not meet methodological standards to support continuing its use as an evidence-based early intervention program. To show the effectiveness of these programs, boards must use methodologically sound and rigorous examinations.

The standard for adopting early interventions in boards appeared much lower than for later interventions. This is not in the best interest of individual students, teachers, schools or boards. Standards for adopting early interventions should be high, as these have the potential for the largest effect on the most students. Boards should invest in early interventions supported by the research literature, and evaluate them in-house.

It will be essential that boards and the Ministry work with experts to develop and implement valid program evaluation protocols. It will be important to give sufficient time and resources to develop and validate the evaluation questions and the skills to measure and follow over time.

Professional development for in-service teachers

Educators providing interventions need thorough and effective training in program delivery, with initial and ongoing coaching.

There was significant variation among boards on the amount of professional development and support they gave to educators carrying out interventions. All boards with Empower™ noted that the professional development came almost exclusively from the Hospital for Sick Children program staff and included ongoing coaching. This was a requirement to teach this intervention program. Boards gave less attention to adequate professional development and ongoing coaching for teachers running other programs for their current tier 2 or 3 decoding and word-reading-focused interventions.

Similar to previous studies,¹⁰⁸⁴ the research team that studied the Ministry reading pilot project also found teaching a program such as Empower™ requires explicit training in skills such as phonemic awareness, the alphabetic principle (relations between letters and the sounds they make) and morphological knowledge (the structure and formation of words and how to use this knowledge to pronounce, derive meaning from and write words). The research team cited studies that suggest more training in early reading skills and processes for pre- and in-service teachers might be needed to develop this knowledge base.

In their final report, the Ministry research team suggested that school boards could offer an AQ course for all teachers (not just special education teachers), similar to training provided in other areas of the curriculum (for example, math):

One implication of the perceived value of the training to teach Empower™ is that school boards may wish to offer training to staff, where needed, (particularly elementary teachers and special education personnel) in the fundamental processes related to reading acquisition and the needs of learners with reading difficulties. This training content could include skills such as how to teach blending sounds, how to correct errors in word analysis, how to analyze errors to understand students' strengths and needs in the alphabetic principle...

The team further suggests that special education staff, SLPs and school psychologists may be resources to draw on for this training.

The Ministry reading pilot project also made findings about the role of principals as agents of change, and the importance of sharing information with the homeroom teacher about interventions where withdrawal is needed. As school leaders, principals play a key role in setting the tone for what is being taught in their schools. They provide professional development opportunities, purchase resources and have ongoing conversations with school educators. Principals can help lead professional learning communities that will bring the science of reading into their schools. Studies have shown that principals' support contributes positively to student outcomes in word reading.¹⁰⁸⁵ The Ministry reading pilot project found:

Principals played a key role in the implementation process as they assisted with a variety of implementation challenges such as space considerations for the intervention classroom, scheduling of the intervention provision time across multiple classrooms, the provision of professional development opportunities for school staff related to the intervention, and promoting parent engagement for those parents whose children were involved in the program. Our ninth helpful finding was the importance of sharing information with the homeroom teachers about Empower™. We noticed that when school staff understood Empower™ and how it helped their students, their [sic] appeared to be more buy-in to the withdrawal process. This finding suggests that any implementation of a program where withdrawal is needed, it is important to facilitate an understanding of the program and its benefits to the homeroom teachers.¹⁰⁸⁶

Pre-service education is equally as important for classroom teachers. Effective instruction in foundational word-reading skills in the classroom reduces the number of students needing intensive interventions later on. As noted throughout this report, tier 1 instruction in the early grades (Kindergarten to Grade 3) needs to include class-wide explicit, direct instruction in word reading, ongoing screening of all students, and immediate interventions. When school leaders and teachers have the knowledge and tools to teach all students word-reading accuracy and fluency, schools and families will be able to work together without need for blame.

Without effective instruction in each tier, it is common to see the responsibility for learning to read transferred to families, often accompanied with explicit or implicit blame placed on home-literacy practices. Some school improvement plans centre largely around increasing family literacy. This is not appropriate. When teachers are not being adequately prepared on best practices, it is not reasonable to expect parents to address their children's struggles to learn to read.

Many teachers reported not being taught about what works for students with reading difficulties. They felt they had to research information themselves but did not have enough time, and would have appreciated a resource with “best practices in a succinct and practical manner.” One survey respondent, a Grade 1 teacher, said:

I would say that the need for reading interventions might be decreased if we changed the way we deliver the language program in the Early Years and Grade 1. Thankfully, my colleague who teaches Kindergarten still manages to teach most students the sounds and names of the alphabet and does phoneme work with them as well, within the play-based learning experience of Kindergarten. By the time they come to me in Grade 1, many kids know their alphabet. My program is heavily based on direct instruction of phonics, word families, diagraphs, blends, etc. I have just pulled this stuff together from many sources. I would love to follow a prepackaged guided plan that could be provided by my board. I feel that more students would learn to read in Grade 1 and 2 where they

should be learning to read and interventions should be offered in late Grade 1 and early Grade 2...This seems to me a better approach than waiting until Grade. 4 and 5 when by this time, all subjects are suffering because the child can't read.

One inquiry board echoed this observation and said:

Teachers have never been taught how to teach a child how to read. Students coming out of [teachers' education programs] lack this expertise – we are seeing some shifts but they are not significant. The work is left to boards to make sure teachers become experts in teaching kids how to read but finding time for that is limited.

The educator survey asked which reading interventions should be used. Respondents could select more than one option. Across the categories of teachers, special education teachers, SLPs and psychologists, participants most often chose Empower™ as the intervention tool that should be used.

Classroom and special education teachers' second intervention choice was different from SLPs and psychologists. They chose LLI second while SLPs and psychologists chose Orton-Gillingham.

Table 22: Preferred interventions by profession¹⁰⁸⁷

	Classroom teachers	Special education teachers	SLPs	Psychologists
Empower™	42%	60%	66%	85%
LLI	31%	42%	10%	16%
Corrective Reading	7%	11%	14%	18%
Reading Mastery	5%	10%	15%	24%
Wilson Reading Systems®	4%	7%	10%	15%

Table 22 shows a trend where evidence-based interventions are more favored by SLPs and psychologists compared to teachers. This may be because teachers are not trained on evidence-based reading interventions during their pre-service and in-service education. The majority of educators responded that they did not receive training on how to address reading disabilities.

Research has linked teachers' pre-service experience to outcomes for students with disabilities.¹⁰⁸⁸ Recent research from the U.S. found that teachers are more effective when their special education pre-service preparation on Kindergarten to Grade 12 literacy is evidence-based. This study, conducted in Washington State, found that evidence-based literacy practices were more present in school districts than in the teacher preparation programs. However, when teachers were taught evidence-based

instruction (phonological awareness, phonics and reading fluency) in their pre-service programs and when their school districts emphasized these practices, students showed larger reading gains.¹⁰⁸⁹ Also, in school districts that emphasized balanced literacy approaches, students with disabilities had considerably lower reading gains.¹⁰⁹⁰

Many inquiry boards stressed that teachers are not adequately trained on how students acquire literacy skills, particularly students who struggle. One board acknowledged that “kids do fall through the cracks even though everyone does their best” because of this lack of preparation on reading.

There are clear steps that Ontario can take to meet the needs of students with reading difficulties/disabilities. Preparing teachers in evidence-based instruction and intervention and providing evidence-based interventions to students, at every tier, will lessen the academic, financial, social and emotional burden on students, families and teachers.

Recommendations

The OHRC makes the following recommendations:

Standardize evidence-based reading interventions

68. The Ministry should provide stable, enveloped yearly funding for evidence-based reading interventions in word-reading accuracy and fluency.
69. The Ministry should work with external expert(s) to mandate and standardize evidence-based interventions in word-reading accuracy and fluency. The Ministry and its external expert(s) should:
 - a. Select appropriate early interventions (Kindergarten to Grade 1) and later interventions (Grade 2 and onwards) that are evidence-based and that school boards must choose from to implement
 - b. Make sure the interventions are systematic, explicit programs in phonics instruction and building decoding and word-reading accuracy and fluency. Early intervention should target the foundational skills of phonemic awareness, sound-letter knowledge, decoding and word-reading accuracy and fluency. Later interventions should include more advanced orthographic patterns, syllables and morphemes
 - c. Make sure there are sufficient tier 1 class programs in these foundational reading skills that prevent later reading difficulties and that are used for whole-class instruction
 - d. Set out the steps necessary to effectively implement these programs within individual schools and boards. This should include the necessary resources, funds, comprehensive, sustained and job-embedded training and ongoing support

- e. Set up a process to make sure the list of approved reading interventions undergoes a periodic review to ensure it reflects the latest scientific research, and the interventions being used are shown to be effective in the data collected by the boards.
70. School boards should immediately stop using reading interventions that do not have a strong evidence base or are based on the three-cueing approach for students who struggle with word reading. These programs should not be used for students who struggle with word reading, and students at risk for or identified or diagnosed with reading disabilities or dyslexia.

Develop eligibility criteria

71. The Ministry should work with external expert(s) to mandate and standardize evidence-based eligibility criteria to receive reading interventions. The Ministry should:
- a. Set out the recommended grade levels to receive the specific interventions
 - b. Outline clear and appropriate decision-making rules for selecting evidence-based programs, and for matching students to intervention programs. Standardized scores or percentiles on reading measures (e.g. a score that is one standard deviation or more below the mean on a standardized test of word recognition or decoding) should replace vague language about being “significantly” below grade level. These decision rules should be universally applied.
72. The Ministry and school boards should make sure that any student who struggles with reading should receive an intervention. Access to interventions should never be based on a formally identified disability, diagnosis or requirement to have at least average intelligence or a discrepancy (or inconsistency) between intellectual abilities and achievement. Students with other disabilities should never be disqualified from receiving an intervention.

Make evidence-based reading interventions available

73. School boards should make sure every school has at least one evidence-based reading intervention that can be implemented with students in each grade level and for each tier, and interventions are available to all students who require them. Students should not have to change schools to receive evidence-based interventions.
74. School boards should make sure resources for effective classroom instruction and interventions are distributed in a way that meets the needs of schools that may be deemed higher priority in terms of high numbers of students at risk for or with reading difficulties.

Remove inappropriate eligibility requirements

75. School boards should never require a psychoeducational assessment as a precondition for receiving an evidence-based reading intervention.
76. School boards should provide small-group early and later interventions (tier 2) for students when evidence-based classroom instruction (tier 1) is not adequate for them to develop average-level foundational word-reading skills. School boards should provide more intensive and individualized interventions (tier 3) to students who do not respond adequately to tier 1 instruction and 2 interventions, based on progress monitoring with standardized measures of reading. At tier 3, a professional (psychoeducational or speech-language pathology) assessment **could** be used to fully assess the learning challenges, but should not be required or delay tier 3 intervention (see recommendations in section 12, Professional assessments).
77. School boards should not use grade- or age-equivalent scores for entry into intervention programs. Instead, boards should:
 - a. Use standardized scores or percentiles at each grade level and provide interventions to students below a pre-determined criteria
 - b. Include fluency scores, as students who score adequately on accuracy but low on fluency may still struggle with reading comprehension and will benefit from intervention
 - c. Collect information on whether and to what degree foundational reading skills are impairing the student's classroom achievement
 - d. Consider measurement errors when a student just misses a cut-off score for a program. These students should be considered for interventions if they are also experiencing classroom difficulties.
78. School boards should not use results from intelligence tests and/or the absence of another disability (for example, ADHD, ASD) as prerequisites to receive a reading intervention.

Develop a mechanism for centralized support

79. The Ministry should determine how boards must support and monitor their interventions for program fidelity (how and when the intervention is delivered).
80. The Ministry should set up a mechanism to support boards in implementing and monitoring intervention programs. This will help resolve inconsistencies and could serve to consolidate best practices among school boards, so that boards do not need to reinvent the wheel and can share successes and failures.

Mandate data collection

81. The Ministry should work with external expert(s) to mandate data collection on the selected reading interventions, to improve accountability and decision-making procedures. The Ministry should:
- a. Mandate that school boards track the effectiveness of interventions for individual students through standardized individual assessments/progress monitoring (including analysis of student errors to determine the nature of difficulties)
 - b. Develop valid and reliable progress monitoring and outcome measures to inform programming decisions for individual students, and to inform boards' efforts to evaluate program effectiveness. Progress monitoring measures should include word-reading accuracy, non-word-reading accuracy, reading comprehension, word-reading efficiency (fluency) and text-reading fluency measures. For early reading interventions, standardized measures should include phonemic awareness, sound-letter fluency, and reading and decoding accuracy and fluency
 - c. Require school boards to input this data into a centralized system and break down the information by demographics to identify and address any equity gaps
 - d. Publish provincial data, without any identifying information, on the progress of students and trends
 - e. Mandate that school boards track the overall effectiveness of interventions to assess and compare what is showing the best outcome for students. Students' book-reading levels should not be used to examine the effectiveness of an intervention program
 - f. Require school boards to track the length of time it takes for individual students who are identified as at risk according to screening tools, to receive an intervention and the type of intervention received.

Mandate accountability measures

82. School boards should make sure clear standards are in place to communicate with students and parents about available interventions. If a student is receiving a reading intervention, the school should communicate details about the intervention such as information about the program, the timing, expected length of the intervention, results from progress monitoring and what steps the school will take if the student does not respond well to the intervention.

Ensure staff receive adequate training on reading intervention

83. The Ministry of Education should provide increased funding to hire and train additional teachers to provide tier 2 and tier 3 interventions, without increasing class sizes.
84. School boards should make sure all intervention providers have access to thorough and effective training in program delivery, with initial and ongoing coaching.

85. School boards should build collaborative teams from personnel with knowledge and experience in the science of reading. Interdisciplinary teams may bring together special education and elementary teachers, psychologists and SLPs who have advanced their knowledge and experience in this area. These teams can develop and provide comprehensive, sustained and job-embedded professional learning on the fundamental processes related to reading, early reading skills and the needs of learners with reading difficulties.



11. Accommodations

11. Accommodations

Introduction

As discussed in section 8, Curriculum and instruction, the Ontario curriculum should incorporate a universal approach to reading instruction that includes systematic, explicit instruction in foundational word-reading skills. Schools should supplement this universal approach with evidence-based reading interventions (discussed in section 10, Reading interventions), for students who require more support to learn to read.

These curriculum and intervention approaches are vital elements of an inclusive education system. Even with these measures in place, students with reading difficulties – who are disproportionately students with reading and other disabilities, racialized and Indigenous students, newcomer and multilingual students and students from lower socioeconomic backgrounds – may still face barriers to education. The *Code* requires that schools accommodate these students to the point of undue hardship.¹⁰⁹¹

Accommodations for students with reading difficulties fall into two categories:

- Assistive technology (AT) accommodations, including devices like a computer tablet or smartphone, and software such as screen readers
- Non-AT accommodations, including, for example, extra time for tests or assignments and assistive services such as a note-taker.

For this report, *Code*-related accommodations are distinct from reading interventions, but both are instrumental to facilitating the needs of students with reading difficulties. The primary purpose of accommodations is not to teach students to read, but to provide supports to enable them to meaningfully engage with curriculum material and take part in classroom activities. Accommodations are not a substitute for reading interventions. They can never replace active involvement in the classroom or interventions aimed at teaching and addressing reading and writing skills. Schools must provide accommodations **alongside** evidence-based curriculum and intervention strategies.

The Ministry of Education (Ministry) states:

The term *accommodations* refers to the special teaching and assessment strategies, human supports, and/or individualized equipment required by students with special education needs to enable them to learn and demonstrate learning. The provision of accommodations in no way alters the curriculum expectations for the grade level or course.

Accommodations are different than modifications. According to the Ministry:

Modifications are changes made in the grade-level expectations for a subject or course in order to meet a student's learning needs. These changes may involve developing expectations that reflect knowledge and skills required in the curriculum for a different grade level and/or increasing or decreasing the number and/or complexity of the regular grade-level curriculum expectations.¹⁰⁹²

Modifications to grade-level expectations from a lower grade are a form of streaming: they place students below the standard grade level of their peers and can interfere with students' access to future learning at the same level as their peers.

School boards and schools should take great care not to confuse accommodations with modifications. Accommodations help students meet curriculum outcomes; modifications change curriculum outcomes. Schools should modify to lower grade-level expectations only as a last resort – and only after making every effort to provide interventions and successfully accommodate the student's learning needs to attain grade-level expectations.

When schools do use modifications, they should limit these to only curriculum expectations the student cannot meet with the assistance of interventions and accommodations. Parents (and students, where appropriate) should be fully aware of the modifications and their potential ramifications, and at the same time the school should work to provide evidence-based interventions and suitable accommodations to bring the student to the point where they are meeting grade-level expectations.

This section and others often refer to communications between schools and parents. This is not to exclude students. This report focuses on early reading and the youngest students. Even these young students should be included in processes and communications that concern them.

Key principles when accommodating a reading difficulty

Under the *Code*, schools have both a procedural and substantive duty to accommodate. They must:

- Have transparent, accessible and effective procedures for developing and delivering accommodations
- Consider students' individual needs, develop a range of possible accommodation options, and provide the accommodations that best serve students' needs to the point of undue hardship.

An education provider can claim undue hardship only in very limited cases where there is excessive cost (factoring in outside sources of funding), or significant health and safety risks.¹⁰⁹³

Use transparent and efficient accommodation procedures

Schools must never provide accommodations as a substitute for interventions that provide highly systematic and explicit reading instruction. If students need accommodations, schools should provide them together with interventions. Providing assistive technology without reading interventions is damaging, because students lose the opportunity to learn to read. It is also damaging in a more insidious way: it can **mask** the student's reading difficulties.¹⁰⁹⁴

Appropriate training for the student and/or their teacher may be necessary to successfully implement accommodations. For example, students may need training on software before they can effectively use AT accommodations. As such, schools may need to provide training for educators and students as part of the continuum of substantive accommodation.

Accommodations may not be as effective as anticipated, or students' needs may change over time. Therefore, once accommodations are appropriately implemented and supported in the classroom, educators should regularly monitor and evaluate them to make sure they are helping to improve the student's learning experience and performance.

To effectively determine, implement and support accommodations in the classroom, school boards and schools must communicate openly and regularly with students and parents. They must:

- Tell all families that students with disabilities are entitled to accommodation
- Explain how students and parents will be involved in the accommodation process
- Proactively investigate accommodation options if a student is having reading difficulties
- Develop and share clear accommodation plans, including explaining how the student will learn the best way to access and use their accommodations, and implement those plans.

School boards and schools should always provide accommodations as quickly as possible. They should:

- Engage in the accommodation process with the same urgency for all students – and should not rely on parental pressure to move the process along
- Make sure that accommodation does not depend on a professional assessment or be postponed until after one
- Routinely use accessible materials that can interact with assistive devices (such as books available in digital format) for all classes
- Provide interim accommodations immediately, while waiting to develop and implement permanent accommodations
- Establish transition plans to allow a smooth transition when students move to a new teacher, grade or school.

Consider students' individual needs

Schools must customize accommodations for each student, and carefully monitor them. To decide on the best possible accommodation, schools should consider the student's individual strengths and needs (including specific tasks that are challenging for the student), the classroom environment's existing supports, physical or attitudinal barriers, and the range of potential accommodations that could meet the student's needs.¹⁰⁹⁵

Wherever possible, schools should seek out and implement accommodations that have a strong track record of boosting student performance – either in the student’s own experience or in rigorous study.¹⁰⁹⁶

Schools should make sure accommodations address students’ intersecting needs (for example, co-existing disabilities), and should evaluate, update and support implementing accommodations regularly, to make sure they meet students’ needs.

Schools must provide accommodations that respect students’ privacy, dignity and individuality. Accommodations should not isolate or stigmatize students.

Students with learning disabilities are at increased risk of bullying, victimization, rejection and social isolation,¹⁰⁹⁷ and there is evidence that children and youth with learning disabilities are significantly more likely to be bullied than their peers.¹⁰⁹⁸ Schools must account for these circumstances when developing respectful accommodations by making sure there are proactive and reactive strategies to address bullying.

Schools have a duty to immediately deal with bullying – and this applies to accommodations. Schools should also consider proactive approaches to prevent bullying and eliminate the stigma that is attached to some accommodations, by educating students and educators about learning differences and explaining that supports and accommodations simply provide equitable access to learning and the curriculum for all students. This can eliminate the stigma that is often attached to certain accommodations. A proactive approach can lessen educators’ fears that providing an accommodation will be stigmatizing, and will support implementing and integrating accommodations into the classroom.

AT accommodations

AT for reading difficulties is any device, piece of equipment or system that helps students with disabilities access grade-level curriculum. Access to the curriculum means that students can take in and understand the material being taught in school, understand and complete assignments, and show what they have learned. For this report, we do not consider technological tools that support learning reading skills – like software-based reading programs – to be AT accommodations.

The primary role of AT accommodations is to work around reading and writing challenges. AT accommodations can never replace high-quality reading instruction or evidence-based reading interventions. Whether or not accommodations are provided, schools must always provide: (1) evidence-based classroom reading instruction, and (2) reading interventions for students who require them (see sections 8, Curriculum and instruction, and 10, Reading interventions).¹⁰⁹⁹

AT accommodations for students with reading difficulties include:

- Audio books and alternate format publications
- Optical character recognition/scanning devices
- Personal listening systems
- Portable devices (laptops/tablets)
- Proofreading programs
- Speech-to-text devices/speech recognition programs
- Talking spell-checkers and electronic dictionaries
- Text-to-speech devices/speech synthesizers/screen readers
- Word prediction programs.¹¹⁰⁰

AT accommodations may help students to:

- Access and better understand curriculum
- Effectively and quickly communicate what they know to their teacher, other educators and the class
- Become more self-reliant, confident and independent
- Boost their motivation
- Minimize frustration.

In other words, AT “is used by a student with a disability to complete a learning task independently and at an expected performance level.”¹¹⁰¹ Accommodations can also help scaffold students’ learning, “providing just enough assistance to enable [them] to perform at a skill level just beyond what [they] can do on [their] own, then gradually reducing the support as [they begin] to master the skill, and setting the stage for the next challenge.”¹¹⁰²

Schools must address common barriers to AT accommodations including making sure:

- Students who need AT get it in a timely way
- Students have enough time to learn to use their AT
- Educators, students and families receive adequate training and support to make the accommodation useful and effective
- Students’ concerns about using AT are considered and addressed so students won’t stop using the AT because they think it draws unwanted attention to them
- Educator’s concerns or lack of understanding about AT are addressed, including any misconceptions that technology gives an unfair advantage to some students.

At the time of the inquiry, AT was not widely available at every school and every board. The Auditor General noted in its 2020 annual report:

Overall, we found that the [Ministry] had no broad [information technology (IT)] strategy for curriculum delivery, use of IT by students or administration of IT. In addition, student access to IT varied across the province because each board made its own decisions about equipment acquisition.¹¹⁰³

The Auditor General found, among other issues:

- The availability of tablets, laptops, computers and applications varied among schools, and school boards generally did not formally assess whether classrooms had adequate, up-to-date and consistently allocated IT resources. For example, at some schools, eight students shared a single computer. At others, each student was assigned their own computer.
- Classroom IT equipment ranged from new and modern, to outdated hardware that could be slow and incompatible with the latest software. Older technology could also adversely affect the learning experience.¹¹⁰⁴

If a wide variety of modern AT is available to all students, it may help remove the stigma of using AT as an accommodation.

AT is constantly evolving. It is important that school boards and schools monitor and evaluate the effectiveness of technology they provide, and gather up-to-date information on how best to:

- Standardize a process for selecting and implementing AT
- Match AT to students' strengths and challenges
- Integrate AT with instruction and curriculum.

Non-AT accommodations

Many non-AT accommodations are easy to implement as they need no equipment, little training for the educator or the student, and are in theory easily transferrable from class to class. Some (such as agendas or graphic organizers, chunking, early notice for tests and clarifying instructions) are good classroom practices that can be helpful to all students, and can easily be extended as instructional approaches for the whole class. Extra accommodations for individual students can be built into teachers' classroom support.

Non-AT accommodations for reading difficulties include:

- Agendas or graphic organizers
- Chunking (assignments broken into smaller tasks)
- Early notice for tests
- More check-ins by the teacher or other educators
- More space for written answers
- More time to complete assignments or tests
- No penalties for spelling errors
- Oral instruction and evaluation
- Quiet area to complete work
- Receiving class notes and other study materials in advance
- Repeating/re-phrasing instructions where needed
- Scribing
- Submitting answers in point form.

Certain classroom practices – such as reading aloud in front of the class and peer editing or marking – are very stressful for many children, but are especially traumatic for students with reading difficulties. While the ability to opt out of these activities is sometimes offered as a non-AT accommodation, educators may want to consider the potential negative impact of these practices on many children.

Some accommodations may raise challenges that require sensitivity and troubleshooting by administrators and educators. For example, granting a student extra time to complete an assignment during recess or lunch may draw attention to the student or potentially isolate them. Oral evaluations and scribing can require a significant amount of time for the classroom teacher, an educational assistant or other support person.

There is a duty to accommodate despite any challenges. Where an accommodation stigmatizes a student, the school must address the stigma proactively and reactively (as discussed above), and must also consider alternative accommodations. For example, instead of providing more time for tests during lunch or recess, schools can provide tests that examine all pertinent learning goals through fewer questions.

Where students require staff support to be accommodated, teaching staff, schools and school boards must work together to identify:

- If current in-class staff have capacity to provide accommodation support
- What extra staff support is needed to fill gaps in capacity
- How staff support can be provided in a timely way
- What steps they can take to accommodate the student in the interim.

School boards and the Ministry of Education (Ministry) also have a role in providing adequate funding to make sure staffing levels are enough to meet the duty to accommodate.

Modifications for reading difficulties

As noted, modifications are not accommodations. Accommodations enable a student to meet curriculum expectations; modifications alter the curriculum expectations. For example:

- Reading books at grade level with the help of text-to-speech software is an accommodation; changing curriculum expectations and having the student read alternate books at a lower grade level is a modification
- Writing tests that evaluate the same concepts as one's peers with the assistance of a scribe is an accommodation; changing curriculum expectations and writing tests that evaluate different concepts is a modification.

Schools should not modify curriculum expectations instead of providing reading interventions and accommodations. Schools should only provide modifications, where necessary, **after** the student has received reading interventions and accommodations.

One goal should always be to make sure the student is reading at grade level, so even when modifications are in place, schools should provide more intensive interventions and continue to provide accommodations.

Putting modifications in place for a student is a serious decision that may have life-altering negative consequences. When curriculum expectations are modified to a lower grade level, students often do not catch up to peers or return to the standard curriculum. Students who reach high school without meeting Grade 8 curriculum expectations are likely to be streamed into classes that limit their choices for future education and employment. Given the high stakes, modifications should be used only as a last resort.

Some school boards acknowledged the risks of modifying students' curriculum outcomes. For example, Hamilton-Wentworth noted that "if teachers modify below grade level, it has lifelong implications for school pathways and future work – even for students with greater needs." As a result, the board is "focusing the work [of addressing reading difficulties] in Grade 1 because [the board] want[s] to close the gap before there is a gap."

Thames Valley shared its "modified programming criteria." This stipulates that before modifying a student's program, staff must, among other things:

- Consistently implement differentiated instruction and appropriate accommodations
- Use targeted interventions
- Show that a formal assessment and professional services staff support providing the modifications
- Inform parents of "the impact of program modification on pathway planning and credit accumulation."¹¹⁰⁵

When curriculum expectations do need to be modified, the modifications should be as limited as possible. Parents must understand the effect of modification so they can give fully informed consent. As one board explained during an inquiry interview, if there has not been "ongoing communication between school and family" then parents may see "B" grades on report cards without understanding that the student is working at a lower grade level. They will then struggle to understand why, in Grade 8, the transition team recommends that the student take locally developed courses in high school. The board advised that there "should be long discussions with parents about what accommodations have been given," "showing them what [the] student's work is like," and helping them to understand the life-long effects of modifications, before any modifications are implemented.

At the provincial level, the Newfoundland and Labrador Department of Education emphasizes the risks of modifications to education providers:

A modified prescribed course may impact the student's eligibility for post-secondary programs. Before modifying a prescribed course, the program planning team must determine whether the proposed programming is in line with

assessment data and whether all other means of supporting the student have been explored, exhausted and documented. Curriculum guides must be consulted regarding instructional strategies, resources, and evaluation procedures which may allow the student to successfully achieve course outcomes with accommodations. The program planning team should consider whether the student is capable of achieving at least 50% in the provincially prescribed course without modification. If a passing mark is possible, the course should not be modified.¹¹⁰⁶

The Ministry has not issued a similar caution to boards in Ontario. The OHRC asked the Ministry if it is planning to (1) provide guidance to make sure accommodations/interventions are provided before modifying curriculum expectations; and (2) require that certain procedural steps are followed to make sure modification is used as a last resort. The Ministry responded that it had not made decisions “about future policy changes or guidance to the sector” and indicated that it looks forward to reviewing the OHRC’s inquiry report. The Ministry discussed the principle that “students’ needs are best addressed at the local level,” and stated that “it is expected that school teams are diligent and thoughtful in their use of intervention.”

For a discussion about the importance of standardized provincewide action to protect the rights of students with reading difficulties, see section 13, Systemic issues.

Funding for AT accommodations

The Ministry provides Special Equipment Amount (SEA) funding¹¹⁰⁷ to school boards to provide accommodation to students with special needs, so they can attend school or access curriculum.

Students with reading difficulties may use SEA funding to access computer software that supports teaching reading skills, tools that provide access to printed text, or training and support to help them use and master these tools.

SEA funding for each board comes in two forms:¹¹⁰⁸

- **A SEA per-pupil amount** (a base amount of \$10,000, plus \$36.101 multiplied by the board’s average daily enrolment) to buy “all computers, software, robotics, computing-related devices...[plus providing] training to staff and students, equipment set-up, maintenance, and repair”¹¹⁰⁹
- **SEA claims-based funding** (more than the initial \$800 per student, payable by the board) for “the purchase of non-computer based equipment” to be used by students with special education needs, including “sensory support, hearing support, vision support...personal care support equipment and physical assists support equipment.”

To use funds from the SEA per-pupil amount, the board must provide the Ministry with a copy of the student's Individual Education Plan (IEP) "that provides evidence of the intended use of the equipment in the student's program signed by the principal," and proof of purchase.¹¹¹⁰

To use funds from the SEA claims-based funding, the board must provide the Ministry with the IEP and proof of purchase, and also an assessment(s) from an appropriately qualified professional.¹¹¹¹

Before the 2018–19 school year,¹¹¹² Ministry guidelines required an assessment(s) from an appropriately qualified professional for **all** SEA funds (there was no exclusion for SEA per-pupil funds, as there is now).

Per-pupil SEA funding for computer hardware and software, which is slightly easier to access than claims-based funding, is capped based on board enrolment. Some boards, that need more computer hardware and software than can be purchased with the per-pupil SEA funding, attempt to get overflow funding from the claims-based SEA funding pool. However, the guidelines stipulate that these funds are for "non-computer based equipment."¹¹¹³

Claims-based SEA funds require a recommendation from an "appropriately qualified professional." These can be a:

- Psychologist or psychological associate
- Physician
- Audiologist
- Speech-language pathologist
- Augmentative communication therapist
- Optometrist/ophthalmologist
- Occupational therapist
- Physiotherapist
- Orthopédagogue (Quebec registered).

It can be extremely hard for families to access the services of these professionals in a timely and affordable way, especially if they live in a remote area. The Ministry should make SEA funds available to students without requiring them to obtain an assessment.

Funding for non-AT accommodations

Most costs arising from non-AT accommodations relate to staffing. For example, students who require a scribe may not always be able to get support from their classroom teacher. They may need classroom assistance from an extra educator, such as an educational assistant.

In its 2018 report “If Inclusion Means Everyone, Why Not Me?” Community Living Ontario reported:

32% of parents [who responded to its survey] reported that their child did not have access to additional support staff when it was needed by their child (e.g. Educational Assistants, etc.). This is comparable to similar statistics reported by People for Education in 2016, which reported that 26% of elementary schools did not have the recommended levels of support available.¹¹¹⁴

In its 2017 annual report, the Auditor General cited a 2016 Elementary Teachers’ Federation of Ontario news release that raised concerns that:

[T]he number of special-education students identified as requiring individualized plans and support has continued to increase and outpace the grants to support special education. At least 14 public boards are struggling with cuts to special education and some are laying off education assistants, who are crucial in assisting teachers to meet the needs of all students.¹¹¹⁵

The Auditor General did not reach a conclusion on whether current funding for education support staff is sufficient, but recommended a “comprehensive external review” of the special needs funding formula to make sure the funds the Ministry provides school boards “are adequately allocated to meet students’ needs,” and that “students with similar needs living in different parts of the province will receive the same amount of services and support.”¹¹¹⁶

Issues with current approaches to accommodating students with reading difficulties in Ontario schools

The inquiry asked stakeholders to share their views on how accommodations for reading difficulties are currently delivered. As noted earlier, 1,425 people responded to the OHRC’s survey for students and parents, and 1,769 responded to the survey for educators and other professionals. The OHRC held public hearings at various locations. Many organizations with expertise in reading difficulties also submitted comments.

Role of accommodations

Although accommodations can play an important role in helping students access the curriculum, they can never replace effective instruction and intervention. In the survey, the OHRC heard from educators and professionals who agreed with the limited role of accommodations. We also heard from organizations like the International Dyslexia Association, Ontario which cautioned that AT accommodations should be used to achieve “mastery and independence,” and technological supports “should not replace appropriate and effective structured literacy and intervention.”

Effectiveness of accommodations

As the Ontario Association of Speech-Language Pathologists and Audiologists (OSLA) noted in its submission to the inquiry, accommodations are “essential to prevent or diminish stress, anxiety, low self-image and depression, and to ensure learning across all areas of the curriculum.”

Challenges

In some cases, accommodations are not effective because they are too hard to use. For example, some students and parents noted that text-to-speech software with a computerized voice can be hard to understand. One parent said that voice-to-text software can be “sloppy in a classroom setting” because it “picks up all noise in the room” and “students are not shown how to use it effectively to communicate in writing.”

Another parent reported that passwords assigned to students for their devices are unchangeable and “are something in the neighbourhood of 18 nonsense characters long,” which is “impractical/obstruction[]ist” for students with reading difficulties. Yet another parent explained their son’s frustration with assistive software accommodations:

[H]is reading is not strong enough to realize that [his assistive software] has made a mistake. Then he has to wait until a parent or teacher reviews it. At that point, he feels stupid and useless and like he is not capable of being successful. It is a constant struggle to get him to try to use a tool when it doesn’t work that well.

Accommodations can also be ineffective if students feel they are punitive. For example, we learned from educators and other professionals that teachers struggle with accommodating students with “extra time.” To receive extra time for an assignment or test without missing out on other lessons, students usually have to give up part or all of their recess or lunch, and “feel like they are being punished and are missing out.” As well as loss of social opportunities, several students and parents agreed that losing recess or lunch negatively affected students’ ability to concentrate later in the day.

Some accommodations are ineffective because schools do not take proper steps to develop and customize them to the student. For example, educators and other professionals raised concerns with current planning documents like IEPs that are populated with generic “drop-down menu” accommodations, and Identification, Placement and Review Committees (IPRCs) that “list too many buzzwords and lack detail on what strategies work...[or] have not worked” for the student. The OHRC’s position is that the duty to accommodate requires that the most appropriate accommodation be identified and then provided, short of undue hardship. Schools must examine each student’s individual circumstances, create customized accommodations that truly help them access the curriculum, and evaluate their effectiveness on an ongoing basis.

Standard quality assurance processes – to measure the effectiveness of accommodation planning tools like IEPs – do not exist across all boards. For example, some inquiry boards appear to have IEP standards checklists for teachers and administrators, some for administrators only, and some do not have any. Some boards, like Hamilton-Wentworth, described detailed IEP auditing systems and professional development programs, while others had less formal processes. One board said “there is currently no formal quality assurance process for IEPs,” but instead special education facilitators provide “ongoing training and at the elbow coaching and support” to help teachers create “meaningful IEP’s as well as...provide the most timely and effective accommodation.” All school boards would benefit from a formal review process that measures whether accommodations improve student performance and experience.

To provide more effective accommodations, school officials need to better understand what types of accommodation work and how, for which students with reading difficulties, and in what situations. For example, schools do not currently have a common list of quality-assured AT products that are available in Ontario. Nor do boards have common guidelines for how to critically evaluate their IEPs, or how to monitor student progress once accommodations have been provided in accordance with IEPs. The OHRC believes the Ministry has an important role in providing this type of guidance.¹¹¹⁷

Access to accommodations

We heard about a troubling and widespread lack of access to accommodations. Only 57% of the surveyed educators and other professionals said most or all students who need accommodation receive it.¹¹¹⁸

Eighty per cent of the surveyed students and parents said the school provided accommodation – but half of them had to request it.¹¹¹⁹ Some parents described how teachers entirely failed to implement accommodations stipulated in the IEP. Others said that teachers implemented the stipulated accommodations inconsistently, or implemented some but not all of the accommodations.

The OHRC heard about a variety of barriers to access, described in the following sections.

Barriers faced by students with intersecting needs

Under the *Code*, school boards and schools have a duty to accommodate students according to their individual needs – including when their needs arise because they identify with intersecting *Code* grounds like disability and race. Yet students with intersecting needs face significant barriers to receiving accommodations.

In the OHRC survey, over 60% students with co-existing disabilities or their parents agreed that barriers to accessing accommodation in school for their non-reading disability interfered with their learning to read.¹¹²⁰ At the OHRC’s Ottawa hearing, one parent said:

It is good and well to put in place programs to help children to learn how to read, but we also have to equip the schools to help children with other issues like ADHD...

Educators and other professionals discussed how some racialized students, and students from lower income backgrounds, also face significant barriers to receiving accommodations. For example, one elementary special education teacher summed it up this way:

...unless [the] parent is powerful, the matter of accommodations doesn't go back to the teachers to be addressed. Rac[iali]zed marginalized students do not report these issues to their families as they are ashamed, internalized racism is an issue and they are afraid of repercussions from teachers. Parents [a]re also afraid of repercussions from teachers. Parents, [Special Education Resource Teachers] and students who are marginalized do not experience success in advocating for accommodations as the professional judgement discourse is a barrier to engagement and advocacy.

One elementary school educator stated that schools with well-funded school-community councils “who can buy laptops will have more students able to use AT such as text-to-speech software than schools in economically struggling communities.” An elementary school teacher who responded to the survey explained that the different treatment experienced by low-income versus more affluent students was so detrimentally pronounced that it had a negative impact on the teacher’s own ability to meet the needs of their students:

[Whether I can facilitate access to accommodation] depends on the class makeup. Since changing schools to a more affluent and rural school I am able to meet the needs of my students as the IEP numbers are lower. In my school that was high transient, low income, high behaviour with 13 IEPs I could not meet the needs of my students. I left that class after five weeks because I just couldn’t do it.

When providing accommodations – or considering whether students may need accommodation – schools must use “an individualized approach that recognizes each student’s unique identity and the fact that each student is uniquely situated to understand their own needs.”¹¹²¹ Yet the inquiry heard that Ministry funding and other support structures may not adequately take into account the varying needs of schools and students so that all students, regardless of their intersecting, *Code*-protected needs, have meaningful access to education.

Barriers arising from students' fear of stigma

In some cases, students will not use accommodations due to perceived stigma.

The OHRC heard from educators and other professionals about how, especially in the higher grades, students “become reluctant to use the tech,” and how staff need to take steps “to help them get over this reluctance.” They reported that students feel “stigmatized” using devices like scanning pens, and that some students refuse to use accommodations like voice recorders because they do not want to “stand out.”

Students and parents also spoke about the isolation and stigma associated with certain accommodations, like using speech-to-text software in front of their peers. Many students stopped using an accommodation because they were too embarrassed by it, or experienced bullying because of it.

Barriers arising from educator attitudes

In some cases, educators’ attitudes create barriers to accommodating students.

Teachers and school staff play a major role in deciding whether a student will receive an accommodation. According to educator/other professional survey respondents, some teachers support accommodations, while others feel that accommodations are “cheating” or a form of “special treatment” that prevent students from learning to read on their own. There can be a “huge variation in approaches from class to class.”

Some students and parents described their struggle to receive accommodations for reading difficulties. Parents described situations where a teacher or school administrator:

- Said accommodations were “cheating”
- Told a child he was “faking it” and mocked him
- Said the school could not provide an assistive computer to a child because “if we give her one, we will have to give all the kids one”
- Said “they couldn’t offer reading supports to children in French Immersion”
- Persisted in having a child participate in peer editing of work, which set “her up for bullying.”

It is unconscionable for an educator to mock a student based on their disability, or to hamper a student’s access to accommodations for their disability. It is also a breach of the *Code*.

Educators may not always have enough training on the needs of students with reading difficulties, discrimination under the *Code*, educator and education institution duties to accommodate under the *Code*, and consequences of *Code* breaches. It appears that school boards and schools do not always inform students and parents of their rights under the *Code*, including their right to be free from discrimination and to receive accommodations for reading difficulties. It also appears that boards and schools often

do not provide students and parents with clear recourse (for example, a straightforward and meaningful complaint process with appropriate supports to help families address accommodation issues).

Barriers arising from lack of professional learning

It appears that in some cases, teachers fail to accommodate reading difficulties because they do not have sufficient preparation in how to navigate the accommodation process. One teacher noted:

...I think teachers and school personnel are relied on heavily to identify and implement accommodations. Their judgement is influenced by their own lived experience and professional experience, their biases, their understanding of reading pedagogy...their desire to help or intervene...the availability of resources at their school and in their community...pressures...based on the results of standardized assessments...parental negotiations and advocacy, or the lack thereof. Teachers need to have a role, but they need specific training in order to make sure they understand their role.

The inquiry found a particular concern around lack of educator training for AT accommodations. Educators noted that they needed AT support from specialized staff. Students and parents echoed the call for support. One parent said their child “received an iPad without any instruction and the teachers did not know how to use it [and he] did not get any training until 1.5 years later.” Another parent said the school did not provide training for parents on how to use students’ assistive software. Yet another parent said that their child’s “[t]eacher was overwhelmed and did not know how to accommodate” using AT, so when the assistive device arrived “it was locked in a cupboard for six months.”

Staff training on AT requires sufficient financial resources. As the Ontario Catholic School Trustees’ Association noted in its inquiry submission, “staff training requirements for AT [are] intensive and costly.”

Ontario boards each develop their own unique approach to training. Thames Valley indicated that “AT Teachers on Special Assignment provide initial and ongoing training to both students and staff in the use of AT,” and “parents can sit in on SEA training.” Peel provides AT training through a “third-party company” to students using SEA devices, and also employs AT resource teachers who “collaborate with teachers on the use of [AT] to support all students in the classroom.”

Simcoe Muskoka Catholic shared that it employs three AT trainers who travel to schools to deliver training to students, teachers, and in some cases, parents. Lakehead said it has a full-time Student Support Professional (SSP) responsible for SEA training, and training is also provided to every student receiving SEA technology, teachers and support staff. Ottawa-Carleton reported having six itinerant teachers of AT (at the board level), with the support of an educational assistant. London Catholic employs a teacher

as the SEA Trainer who works with students (individually, in groups, or as a class). This teacher also provides “a monthly training session in the evenings for parents and caregivers to ensure the circle of care is informed and able to support the student’s use of [AT].”

Despite these approaches across the different boards, family and school staff responding to the OHRC survey identified many problems and barriers accessing adequate training and support for AT.

At the time of the inquiry, boards were not consistent in how they shared information about the range of AT options that are available, and the advantages and drawbacks of each. Simcoe Muskoka Catholic produces a memo called “SEA Technology Options” that lists platforms currently supported by the board, with advantages and limitations of each option. Other boards do not appear to provide this information. Given educators’ reports of potentially limited experience with AT, a list may not be sufficient to support knowledge and decision-making for AT.

The inquiry found that educators do not appear to receive enough training and resources on the range of available AT accommodations, and on which accommodations tend to work best in which situations. Educators do not appear to currently have standardized guidelines and protocols for implementing accommodations. They also do not appear to receive ongoing and timely access to training on the AT devices ultimately chosen, and to AT support staff. There do not appear to be standardized guidelines and protocols for AT training, including who should provide the training, how often, what topics it should cover, and who should attend the training.

As long as educators receive inadequate training and support in accommodation processes and tools, they will be unable to offer optimal accommodations to students. This is especially the case with AT accommodations, which can be more complex.

Barriers arising from lack of student training

It appears that some accommodations fail because students have not been explicitly and adequately taught and supported to use the tools successfully. Students often give up on accommodation strategies and AT if they do not feel that using them increases their success.

Educators and other professionals highlighted that for accommodations to be successful, students need training on how to optimize them. Students and parents echoed the call for students to be trained in how to use AT applications effectively, and in building typing skills. They spoke about long delays in waiting for such training.

The inquiry found that while training and support for students and parents can help students effectively use their AT at school and home, schools and boards do not always provide such training. School boards and schools have not met their duty to accommodate if they provide tools that students cannot use due to lack of effective training and support.

Barriers arising from transitions

Students often lose access to their accommodations at times of transition, whether it is a new teacher, change in classroom or grade, new school or different jurisdiction. Each of these transition points creates stress and hardship for families because the system does not provide for a seamless transfer of information about accommodation needs.

Some students receive IEP accommodations consistently from one teacher, but not from others. For example, educators and other professionals reported that supply staff may not be aware of students' accommodations. We also heard that when students transfer from one school board to another, their Ontario Student Record (OSR) may not be immediately available to the new board. This may hamper the new board's ability to provide timely accommodations.

In their survey responses, students and parents shared similar concerns about transitions. One parent said that accommodation "varies by class and teacher and subject." Another parent noted the burdens on their child, as "accommodations had to constantly be requested from year to year and teacher to teacher." One parent explained:

[E]very September/October I need to go in and remind teachers of my son's accommodations because they aren't being implemented. For example, my son failed his first two math tests, and I realized that my son was expected to take extensive notes off the board which was impossible for him and as a result he had incomplete notes which he was expected to study from.

The *Code* requirement to accommodate is not limited to a student's classroom teacher. All teachers and staff need to be informed of the student's accommodation needs. It is troubling, then, that the inquiry found that school boards and schools do not have a standard system where every educator who works with a student in a given year is made aware of their accommodation needs, and accommodations from one year are made known to educators for the following year. It is also troubling that OSRs are not always immediately available to a student's new board. In summary, the inquiry found that the Ministry does not foster optimal coordination between school boards, nor do school boards between schools, or schools between teachers.

Barriers arising from lack of resources

A widespread lack of human and material resources severely limits student access to accommodation.

In their survey responses, many educators and other professionals spoke of teachers being overworked and overwhelmed. One educator talked about having to take a triage approach: helping students with the highest needs first and then “if we can get to students whose needs are not as high, we will.” Many respondents spoke about the need for smaller class sizes, so teachers can pay more attention to each of their students. They also discussed the need for more education workers, like learning support teachers and educational assistants, to help with in-class accommodations such as scribing. One educator noted:

There are many students in each class with pretty extensive accommodations. How does one person scribe for six kids? At my school there are **no** [educational assistants] available for general classrooms beyond kindergarten.

Educators and other professionals also highlighted the need for more resources to support accommodations. For example, one teacher spoke about waiting several months for laptops ordered through SEA claims (and then even longer for training on how to use them). Another teacher said:

I just implement accommodations and scrounge and buy what I need to ensure my students are getting what they need....I spent countless dollars trying to find and make books that students could use their phonological skills to read as opposed to just levelled books filled with sight words, because the school has no money to purchase anything. I had to fight for technology for students to use their Lexia accounts. I had zero when school started even though I should have had five tablets. It took until December to get iPads from the resource room. In February I finally got tablets.

These and other educator respondents’ comments show that educators may be working in conditions that make it challenging or impossible to meet each student’s education needs.

In its inquiry submission, the Ontario English Catholic Teachers Association (OECTA) discussed resource constraints that limit accommodation options for students with reading difficulties. OECTA suggested that the special education system is stretched too thin, with a ratio of 38 students receiving special education support to one special education teacher in elementary schools, and a ratio of 77:1 in secondary schools. It noted that “more than 80 per cent of school boards are spending more on special education than they are allotted by the government.”¹¹²² It cited pressures caused by the provincial government’s elimination of the Local Priorities Fund, which led to “the loss of 335 teaching positions in Catholic schools, many of which were dedicated to assist students with special education needs.”

OECTA also discussed resource constraints. For example, it highlighted that many elementary schools no longer have teacher-librarians, and “[a]mong schools where the position still exists, teacher-librarians are more frequently being required to cover other teachers’ planning time and maintain the library, rather than providing additional literacy supports to the school.” It also highlighted that although AT can be helpful, “the government must provide long-term, sustainable investments in technology and training, to ensure students have the required supports.”

Students and parents also addressed resource shortages. For example, some parents purchased assistive computers for their children’s in-school use to circumvent long wait times for school-funded computers. Some parents reported that their child’s school-funded computer – which was supposed to be a dedicated resource – was ultimately shared among various children in the class. One parent reported that wi-fi access was spotty in their child’s school and multiple students had to share the same laptop charger, rendering their child’s laptop “useless” or “dead” most of the time.

Students and parents also raised concerns about a lack of curriculum resources that are compatible with AT. Some teachers do not provide digitized worksheets, assignments or tests. Some textbooks are not available in a digital format compatible with text-to-speech software.

The Ministry of Education (Ministry), school boards and schools must meet the duty to accommodate by providing necessary human and material resources to support accommodations unless they can establish that this would constitute undue hardship.

It does not appear that the Ministry has successfully taken steps to make sure the funds it provides school boards adequately meet students’ needs, and that students with similar needs across Ontario receive similar levels of support. At the time of the inquiry, the Ministry had not yet made sure that textbooks and other materials on the Trillium list are available in digital format compatible with text-to-speech software.

The inquiry found that schools do not always ensure that students who need AT resources as an accommodation have access when needed, and that sufficient AT is available so students do not have to share AT in a way that limits their access to accommodation. Further, schools do not always make sure that educators provide digitized worksheets, assignments and tests to all students who need them as an accommodation – before or when distributing the paper version.

Barriers arising from school administration

School administrations sometimes fail to facilitate the accommodation process.

For example, one elementary school educator said that at “our school, if our accommodations are not effective, we are often either made to feel as though it is a failure on our part, or as though it’s a shame but there’s nothing we can do.” A high-school teacher who responded to the inquiry survey said:

...[W]hile teachers are often the ones working with the student, their observations and conversations are weighed against the admin[istration's] and/or the school's ability to afford accommodations...When asking about [a] student who should have received some support, I was told [they could not receive support] because they were "passing the course"...with a 55.

Student and parent survey respondents also shared a concern that schools provided accommodation sparsely, and not in a way that meets individual students' needs. Other parents raised concerns about how their children were provided accommodations for EQAO testing but not for everyday classroom activities.

Educator/other professional survey respondents shared that failures in the accommodation process are sometimes caused by ineffective bureaucracy within the school system. A speech-language pathologist described a particularly onerous system at her school board, where students who need AT must seek Ministry funding through an SEA claim. Her board mandates that students receive an assessment and formal identification from a specialist to qualify for the funding (the Ministry requires professional assessments for SEA claims-based funding but not for SEA per-pupil funding; it is not clear what type of SEA claim this person was discussing). She said that sometimes, in the board's view, the assessment does not provide enough data to support an identification of the student, so the student must get a second professional assessment. After this, specialist board staff (not in-school staff) must prepare the application for SEA funding. They must seek certain internal approvals for the application and then send it to other staff for processing and transmission to the Ministry. She observed:

There are further steps but by the time we are all done I think that computer has been paid for several times over by the salaries of the multiple professionals involved. Is there not a more efficient system whereby we can trust schools to ask for computers for the students who need them most?

Under the *Code*, schools and school boards have a procedural as well as a substantive duty to accommodate. School boards and schools are not meeting their procedural duty if they have inefficient accommodation processes that excessively delay providing accommodation and are hard to navigate. Boards are legally required to make sure their policies and procedures facilitate the timely delivery of effective accommodations.

The inquiry found that students with reading difficulties face unnecessary barriers to certain accommodation funds and services. Some schools use complicated accommodation processes, including multiple staff approvals, and multiple steps for processing SEA equipment claims.

The inquiry found that school boards may not provide accommodation for students with reading difficulties who are receiving passing grades or perceived to be doing "well enough," even though they could do better with these supports. The inquiry also found that accommodations offered for EQAO testing are not always extended to the student's

everyday school experience. This is not consistent with principles of accommodation, as accommodation should be provided to allow the student to reach their individual full potential.

Barriers in French Immersion programs

The OHRC heard that some schools refuse to provide accommodations for students with reading difficulties in French Immersion programs. For example, one parent noted that she “asked for testing and reading supports” but was told that her daughter “needed to leave the French Immersion stream as there are no special [education] accommodations in French Immersion.” Another parent explained that the school “wouldn’t accommodate or support my child unless I transferred him to the English stream.”

Schools cannot refuse to provide accommodations simply because a child is in a French Immersion program. It is the OHRC’s position that under the *Code*, schools have a duty to accommodate to the point of undue hardship, regardless of whether students study in French or English.¹¹²³

Barriers arising from school reliance on student and parent advocacy

Schools and school boards deliver accommodations unevenly, depending on how much parents (or the students themselves) advocate for those accommodations. While recognizing that accommodation is a cooperative process, families shared experiences about being forced to repeatedly push to secure the accommodations that the school should have been aware of from student records.

Educators and other professionals acknowledged that parental advocacy and student self-advocacy helped secure accommodations, and consistently said that students who advocate for themselves and/or have a parent who advocates for them are more likely to receive accommodations.¹¹²⁴

Many students and parents agreed. For example, parents spoke about having to:

- Regularly remind teachers to provide accommodations
- Meet with teachers before semesters “to respectfully inform staff of the learning style required and the accommodations”
- Call their trustee to speed up receipt of accommodations
- Meet with a trustee to get an assistive computer fixed after it had been broken for most of the school year
- Hire a lawyer to advocate for accommodation.

Many student and parent respondents also raised concerns that students were called on to self-advocate despite educators having notice of existing accommodations. For example, one parent said that their daughter’s teacher rarely provides her IEP-stipulated accommodation of extra time, and “she will not ask for it as she does not want

to appear ‘difficult’ or ‘different’ from her peers.” Another parent reported that some of their son’s teachers said “they would help if he would ask, however a frustrated eight-year-old boy who doesn’t know what to ask for isn’t going to get the help he needs.”

One parent said that their child “went to every teacher at the beginning of the semester and told them” about his accommodations, but found the process to be “humiliating” and wanted the teachers to simply review his IEP. Another parent noted:

The expectation for the special needs student is that it's an "advocacy skill" to initiate and speak up for what they need – a skill that other students aren't expected to [have]. If mine has to ask for alternative format, why don't the other students have to line up at a photocopier to make copies of the handouts they need, or race to the school and public libraries to sign out the one or two copies of the novel AFTER it gets assigned as a task, or go and pay out of pocket for the book from a book store?

Some educator/other professional survey respondents agreed that too much responsibility is being placed on students and parents to advocate for accommodations. A psychologist noted:

There is a burden on parents to advocate for this for their kids. Though parents supporting their kids is certainly positive, it should not be a requirement so kids can receive accommodations. Those students whose parents can [not] or do not advocate lose out. Student self-advocacy is necessary before they can reasonably be expected to have the skills to [self-advocate].

Students and parents also noted the unfairness of a system that relies on student and parent advocacy. One parent commented that the “system is very daunting to navigate,” and questioned how parents can “ask for supports if no one tells us what is available?” Another parent said students “often do not know what they need to learn effectively so the onus should not be on them or their parents to demand proper supports.” Even a parent who said that they “work in education and understand the system,” and advocated for their child “from day one” to receive timely accommodation, said “it is still difficult to get the required supports.”

A system that relies on advocacy to start off the accommodation process is manifestly unfair and inequitable. Not all students and parents can advocate equally for accommodations or arrange for their own accommodations. For example, families who are racialized, Indigenous, live with disabilities, are newcomers, or lack fluency in English or French may not be in the same position to seek accommodations, or they may face extra barriers when seeking accommodation. The system is daunting for many families to learn what to ask for, find free time during the day to meet with school staff, and then advocate vigorously during that meeting and beyond. This system also ignores the simple fact that all students are entitled to receive accommodations based on their needs, regardless of the intensity of their parents’ – or their own – advocacy.

Timeliness of accommodations

In many cases, students wait a long time to receive accommodations. Only 38% of the surveyed educators and other professionals said most or all students who begin receiving accommodation received it in a timely way,¹¹²⁵ and only 48% of student and parent respondents said they received timely accommodation.

Many educators and other professionals shared their concern that accommodations are often provided too late. One respondent said few students “get what they need before a crisis is reached in some form or another.”

Assessments, diagnoses and delays

In many cases, schools refuse to provide accommodations until students have gone through the time-consuming (and sometimes costly) process of obtaining one or more assessments and diagnoses.

Sometimes the delay is due to restrictions imposed by the Ministry. As noted earlier, the Ministry requires professional assessments for SEA claims-based funding.

Sometimes the delay comes at the board or school level. Many families reported that at their boards or schools, a psychoeducational assessment or an IPRC was a prerequisite for obtaining accommodation. Some students and parents spoke about how accommodation was delayed until they received a psychoeducational assessment. One parent explained:

We asked for a [psychoeducational] assessment when our son was in Grade 3 and w[ere] told our school only got about three a year, our son was not high on the priority list so we would not get one until he was in at least Grade 4 but probably Grade 5 so we privately paid for one, this is what allowed for the creation of an IEP which in turn got our son the accommodation he needed.

Fifty per cent of educator/other professional survey respondents believe that psychoeducational assessments should never be mandatory to receive accommodations.¹¹²⁶ One respondent said that accommodations do not change the content of what the student learns, so psychoeducational assessments are simply not necessary. Other respondents said that these assessments might sometimes be useful to “determine how to support a child or what is the root of the difficulty,” but to avoid delays, interim accommodations should be provided before the evaluation and can then be adapted once the evaluation is completed.

Another respondent said that teachers “can recognize issues with students’ learning, and can implement accommodations to promote the students’ successes,” and generally have access to much contextual information that a “psychologist will not likely have.” A different respondent said that while “[m]any schools are requesting that an

assessment be completed before providing accommodations, psychologists at [our school board] are trying to change this mindset so that earlier interventions and support can be implemented.”

Given these concerns, it is troubling that IPRCs can also act as a roadblock to receiving accommodations, and over half of educator/other professional survey respondents believe that IPRCs should never be required to receive accommodation.¹¹²⁷ One respondent said:

IPRCs pose another bureaucratic roadblock to a long process to receive support. And IPRCs only occur after [a] psychoeducational assessment is completed and the student qualifies for an exceptionality. It is unfair to deny accommodations for the other students who don't qualify for an exceptionality but still need the help.

Some boards reported that they do not require psychoeducational assessments or IPRC identification to deliver an accommodation. For example, Ottawa-Carleton said:

Accommodation[s] for reading disabilities or suspected reading disabilities are provided for students who are reading at least one year below grade level based on informal assessments, PM Benchmarks, and/or screening tools. A psychoeducational assessment is not required for accommodations, neither is an IPRC identification.

Under the *Code*, a formal diagnosis with an exceptionality is not required to receive accommodation. Any requirement that students have a psychoeducational assessment before receiving accommodations is troubling because it causes serious delay and perpetuates a two-tiered education system. The evidence indicates that students whose parents can afford costly, private psychoeducational assessments gain access to an IEP and accommodations faster than children of parents who cannot afford a private assessment. Without a private assessment, children may wait a long time for an assessment, or may not be considered for an assessment at all.

The inquiry found that the Ministry, boards and schools all appear to use professional assessments as a prerequisite for receiving certain accommodations. This means that students face delays – sometimes extreme – in receiving the accommodations they need.

The Grade 3 threshold and delays

Many students and parents also spoke about being made to wait for accommodations until around Grade 3. Many parents said that despite raising concerns about their child's reading challenges early on, they were told not to worry about it until around Grade 3. One parent said their child “was flagged in JK” but did not receive supports or accommodations until Grade 3. Another parent said their child received accommodations “too late” in Grade 4, and in the interim lost “the spark to learn” and developed “a high anxiety of going to school.”

Delays in the accommodation process are very damaging to children. For example, one parent said it took “months” for their daughter to receive accommodations, and she “basically shut down in the classroom while we waited,” becoming “incredibly anxious and very down.” Another parent said:

[Accommodations] helped [my daughter] when [they were] eventually put into place. It shouldn't have taken over three years to get them into place. The wait to fail system damaged my daughter, I feel a piece of her is broken forever.

The inquiry found that schools often fail to provide accommodations until around Grade 3. The Ministry and boards do not appear to have sent out consistent messaging to counter this practice.

This practice of delaying accommodation is not in keeping with the *Code*. Under the *Code*, accommodation must be timely, because accommodation delayed is accommodation denied.

Lack of transparency and accountability for accommodations

Once accommodations are in place, some students and parents remain concerned that schools do not update them on how those accommodations are progressing. One parent noted:

There is absolutely no feedback given outside of report cards etc. as to the efficacy of the IEP. This is the first year the IEP has been implemented and I believe there should be closer monitoring as to how it's working.

Educators and other professionals emphasized the value of keeping open lines of communication with parents, to make sure accommodations are delivered in an effective and transparent way. Some said communication could happen through the IPRC, IEP, or a dedicated document created specifically to outline accommodations and shared with all relevant staff.

IEPs do not currently track all accommodations. Not all students who receive accommodations have IEPs. Not all students who receive accommodations and have IEPs have their accommodations listed on their IEP.¹¹²⁸

Some educators and other professionals raised concerns about a lack of accountability for accommodations. For example, they said that accommodations simply being listed on an IEP “doesn't mean they are appropriate or happening,” and parent advocacy is often needed to determine what is being provided.

If a student regularly requires accommodations (including specialized equipment) for instruction or assessment, the accommodations should be included in an IEP. An IEP can be created without an IPRC. If properly followed, the IEP process has the potential

to be robust, is provided for by regulation, and can be audited (see section 4, Context for the inquiry). Yet the inquiry found that accommodations are not always included in an IEP. Some appear to be fairly *ad hoc* and informal.

While recording the accommodation in an IEP helps keep a record of the accommodation and in the right circumstances can promote accountability, it is not enough to make sure the accommodation will be successful. In its inquiry submission, the Toronto Family Network noted:

[W]hat is most important regarding any and all accommodations is not ... whether or not they are written on the IEP but whether or not they are being implemented efficiently, effectively, regularly and consistently across all teachers, all curriculum areas, and developmental areas (social, emotional, psychological).

To make sure the student's evolving needs are met, the duty to accommodate requires open communication – and partnership – with families. The duty to accommodate requires educators and administrators to proactively monitor accommodations to make sure any concerns that have surfaced or needs that have changed are addressed in a timely way. Yet the inquiry found that that students and parents do not always receive regular reports on whether accommodations are successfully allowing students to access the curriculum.

Students and parents should give input into the IEP,¹¹²⁹ both at the time it is created and on an ongoing basis. This does not appear to be happening in at least some cases.

The inquiry found that IEPs as currently prepared are not always thorough, individualized or useful. There does not appear to be a practice of including a description of accommodation strategies that were tried but were unsuccessful, so that future educators take care not to repeat ineffective accommodations.¹¹³⁰ There does not appear to be an expectation to include a timetable for evaluating, monitoring and communicating the effectiveness of the listed accommodations in helping the student reach their learning expectations.¹¹³¹ There does not appear to be a mandate for schools to regularly examine (for example, once every reporting period)¹¹³² whether listed accommodations are helping the student meet the learning goals and expectations laid out in the IEP.¹¹³³

All educators (including occasional teachers, commonly known as supply teachers) who support a student do not always have easy access to the student's IEP, which means that it cannot be applied consistently by all educators who interact with the student. The inquiry found that there does not appear to currently be a system where educators maintain ongoing communication about the status of accommodations with the student, their parents, other teachers, and other professionals and support staff involved with the student.¹¹³⁴

Modifications

School boards are inappropriately using modifications for students with reading difficulties, in many cases in place of accommodations and interventions. Some boards do not appear to have safeguards in place to make sure modification is used only as a last resort. And many students and parents do not fully understand the potential negative consequences of modifying curriculum expectations for the student's educational trajectory.

Thirty-eight per cent of educator/other professional survey respondents said that based on what they have observed in the education system, "currently...the learning expectations of students with reading disabilities [are] modified" often or always.¹¹³⁵ Only 30% of respondents said that "before modifying their learning expectations...students with reading disabilities receive reading interventions" often or always.¹¹³⁶ Fifty-six per cent of respondents said that "before modifying their learning expectations...students with reading disabilities receive accommodations" often or always.¹¹³⁷

Some educators and other professionals said there is system-wide confusion about accommodation and modification. A psychologist said: "I'm not convinced that most teachers understand the difference between accommodations and modifications." Other survey respondents said that some teachers conflate decoding with comprehension and inappropriately modify expectations for a student who only has issues with decoding.

Some educators and other professional respondents said that modifications are provided only in limited circumstances. One teacher said they are provided only if the student's "reading is [two] years below grade level based on [an academic achievement] assessment." Another teacher said that if "the student is [three or more] years behind in their reading level, we modify language and maybe math [and if] more severe, other subjects may also be modified as needed."

These and similar practices are concerning, because modifications should be used only as a last resort. Students with reading difficulties may be two or more years behind in reading and **not** need modifications. Both interventions and accommodations need to be implemented to allow the student to fully take part in grade-level curriculum. Poor decoding and word-reading skills are the definition of reading disabilities. Measures of these skills being behind should not lead to modifications. Rather, this is precisely when accommodations should bridge the gap to allow full participation in grade-level curriculum across subject areas.

It is also important to note that the more extreme step of grade retention (sometimes called "holding students back a grade") is not a solution to learning difficulties – including reading disabilities. The evidence is overwhelming that grade retention has negative social and educational consequences.¹¹³⁸

The OHRC asked school boards if they are using modification as a last resort only after all accommodation options and reading interventions have been fully exhausted.

Several inquiry boards admitted that modifications are not always a last resort. For example, one board stated:

Typically accommodations are provided prior to modifications. In some cases students who transfer in from other boards and have modifications on their IEP, those modifications are adhered to until our teachers are able to perform their own diagnostic assessments. In some cases, a teacher may modify the number or complexity of grade-level expectations while gathering baseline information while classroom teams work in collaboration with school and system teams.

Reading interventions are not always provided to students before creating modified curriculum expectations particularly around expectations for decoding or reading fluency.

Another board said it has seen programs being modified “too quickly” and acknowledged that “modifying is a serious step...as soon as you modify you are building in gaps.” The board reported that it has challenged schools to take a hard look at using modification “because it has a significant impact on pathways for students.” The board has “been very clear to schools with intensive [professional development] that there should not be any consideration for modifying until all accommodations [are] exhausted.”

Another board had a similar view, acknowledging that “if teachers modify below grade level, it has lifelong implications for school pathways and future work.” The board reported “trying to make educators understand that if they modify early on, [students] don’t ever get caught up.”

In 2021, an Education Standards Development Committee (formed under the *Accessibility for Ontarians with Disabilities Act, 2005*¹¹³⁹ (AODA)) prepared an initial report that discussed the harmful effects of modifications. The ESD Committee stated that students should not prematurely be removed from accessing age-appropriate curriculum and/or the regular classroom based only on a diagnosis or identification. It noted that this narrows student pathways, creates barriers to accessing credit-bearing courses and impacts post-secondary options. The ESD Committee also noted the intersectional effects of this:

Current research...provides evidence that racialized minority students are disproportionately segregated in special education classrooms with fewer pathways remaining open to them over the duration of their school careers. Moreover, students with disabilities from racialized cultural minorities are overrepresented in segregated special education classes and disadvantaged through streaming processes.¹¹⁴⁰

Educators and other professionals acknowledged how the inappropriate use of modifications can limit students' future opportunities. One teacher noted:

Too often, teachers just modify, keeping students at [Grade 1]. They don't expose students to the language, vocabulary, syntax and literature at grade level, so the students fall further behind. Students should be using AT to access grade level text while simultaneously receiving remedial reading instruction. When we keep them modified forever at [Grade 1 or 2], then we cut off their chances for post-secondary, or even for applied or academic in high school one day.

Another educator highlighted that these modifications sometimes happen without families understanding the long-term effect on the student:

This is a travesty because these students' parents are not told that they cannot obtain a Graduation Diploma out of high school if they are modified there. Most students with [learning disabilities] have average IQ...which means they should NOT have modified IEPs rather simply accommodations. What happens is many schools want to give good marks to these kids for their self-esteem, so they include a modified curriculum in the IEP. It's not modified to a different grade either, just modified.

One inquiry board explained what can happen when schools fail to clearly explain to parents the nature and effect of modifications:

...all parents will see [is a] "modified" statement on [the] IEP which [the parents] may or may not...understand...[so] parents of a Grade 8 student [might] see a B on [the] report card, [and] they don't understand why the transition team is recommending [the] student take locally developed courses in high school...[because] they don't realize [their] child is getting a B but working at a Grade 4 level.

Parents also voiced concerns about program modifications. For example, at the OHRC's London hearing, one parent shared her experience of agreeing to her children entering a modified program without any awareness of its possible effects. She described attending IPRC meetings about her children's reading disabilities, where school staff recommended placing her children on modified programs. She agreed, but soon discovered how her children's "pathway" of learning could be changed and their ability to attend post-secondary education could be compromised. She expressed shock that no one at the meeting told her that modifications were a "last resort" and "would affect what courses they could take in high school." She also said:

It would have been so helpful to know the effects of a modified IEP before the meeting so we could have thought it through. I'm not saying modification isn't needed, but it shouldn't be added before we are able to see if accommodations alone are enough. There should be information given to parents explicitly explaining this and it should have to be signed by everyone involved so parents are fully aware and the school has explained to the parents what this does to a child's learning pathway.

In its interview with the OHRC, one board cautioned that “we have to be careful that we’re not modifying for our convenience as teachers” – to alleviate “the overall worry about what goes on a report card,” and because at times it can be “difficult to have difficult conversations with parents.” At the same time and as noted earlier, teachers may be placed in very difficult positions with inadequate resources to successfully accommodate students’ learning needs. Teachers may turn to modification because it feels like a last resort in a system that is not adequately supporting school staff to successfully implement accommodations and interventions or gain access to AT.

Students and parents raised concerns about the overuse of modifications. One parent said they worry modifications “will not help the situation.” Another parent said a teacher “lowered the level” of their child’s work contrary to recommendations in the IEP and only “stopped after complaint.” One parent said that because of modified expectations, the school “did nothing” to teach their child to read and “bring him up to grade level,” and he has remained at the same writing level for four years.

In their survey responses, educators and other professionals said that modifications are beneficial in some cases. One person raised concerns that some necessary modifications may not be provided because “sometimes parents object to modifying [the] program,” or because the teachers find modifications “really hard to do – it’s basically making two or three versions of all assignments and rubrics [and] many teachers don’t understand how to do this or simply don’t have time,” or because “[t]eachers and staff are encouraged not to modify as this makes more work during reporting, and issues with students going from grade to grade.”

Because modifications limit students’ future opportunities, schools should not offer them until evidence-based reading instruction and reading interventions have been delivered, and multiple accommodations have been implemented, evaluated and adjusted. Even then, students and parents (and educators) must clearly understand the implications of the student embarking on a modified program, and have the right to choose not to modify.

The inquiry found that most if not all boards lack protocols to make sure multiple interventions and accommodations are provided before schools modify curriculum expectations. Most if not all boards lack procedures and protections to make sure modification is used as a last resort. The Ministry does not appear to have offered any guidance to boards on these points.

Although the inquiry focused on modification in the context of students with reading difficulties, it also heard that modifications are often inappropriately used for students with other disabilities, with the same negative consequences. The inquiry’s recommendations with respect to modifications apply generally to all students.

Recommendations

The OHRC makes the following recommendations:

Develop standards for educator professional learning on accommodations and modifications

86. The Ministry of Education (Ministry) should work with external expert(s) to revise its program planning and professional development policy documents to address:
- a. Key steps for accommodating a reading difficulty, including:
 - Provide accommodations at the same time as reading interventions, where appropriate
 - Consider students' individual needs (including intersectional needs), develop a range of possible accommodation options, and provide the accommodations that best serve students' needs without causing undue hardship
 - Seek out accommodations that have a strong track record of boosting student performance and experience
 - Support accommodations with comprehensive, sustained and job-embedded professional development
 - Provide accommodations as quickly as possible, provide interim accommodations where it will take time to develop permanent ones, and make sure accommodation supports are maintained during transition periods
 - Work with students and their families to establish students' accommodation needs, and monitor accommodations for any necessary changes.
 - Communicate openly and regularly with students, parents and other education staff throughout the accommodation process
 - Regularly evaluate the impact of accommodations to make sure they are helping to improve the students' learning experience and performance
 - Take a proactive approach to prevent bullying and eliminate the stigma that is attached to some accommodations, by educating students and teachers about learning differences and explaining that supports and accommodations simply provide equitable access to learning and the curriculum for all students.¹¹⁴¹
 - b. Examples of assistive technology (AT) and non-AT accommodations that support students with reading difficulties and situations where each may be appropriate
 - c. The limited role of modifications as a "last resort" including that:
 - Students with reading difficulties should first receive evidence-based classroom reading instruction, reading interventions and accommodations to allow them to meet grade-level expectations. If the student is not responding to initial interventions and accommodations, then more intensive interventions and further accommodations should be offered
 - Only when these have been exhausted and the student is still unable to meet grade-level expectations with accommodations (as assessed using evidence-based assessments), modification to a lower grade-level expectation for the specific expectation(s) the student cannot meet may be considered

- Before modifying to a lower grade-level expectation, parents – and students, where appropriate – must be informed that a modification to a lower grade-level expectation has the potential to affect the student’s ability to “catch up” to their grade-level peers, access future course options, and access post-secondary school options
- Once a student’s curriculum expectations have been modified, school boards should continue to consider whether further interventions or accommodations may allow the student to be brought up to grade level.

87. The Ministry should develop customizable materials to support school boards in delivering professional learning on the revisions to the program planning and professional development policy.¹¹⁴²
88. On a yearly basis, school boards should provide teachers with comprehensive, sustained and job-embedded professional development on the revisions to the program planning and professional development policy, and include this professional development in their new teacher induction program.
89. The Ontario College of Teachers¹¹⁴³ should require pre-service education to address revisions to the program planning and professional development policy, and make sure relevant Additional Qualifications courses [including Inclusive Classrooms, Language, Principal’s Development Course and Principal’s Qualification, Reading, Special Education, Teaching Students with Communication Needs (Learning Disabilities), and Use and Knowledge of Assistive Technology], address this training need.¹¹⁴⁴

Improve access to accommodations

90. The Ministry should evaluate existing funding structures and levels to make sure adequate resources are provided to boards to provide timely and appropriate accommodations to all students who need them. The Ministry should provide teachers and other educators with comprehensive, sustained and job-embedded training on accommodation.¹¹⁴⁵ Boards should support the Ministry’s evaluation by tracking and reporting on what necessary accommodations or accommodation supports, including training, cannot be provided due to resource constraints.¹¹⁴⁶
91. The Ministry should develop a broad, province-wide information technology (IT) strategy for curriculum delivery, with a focus on equitable access to AT for students with reading difficulties.¹¹⁴⁷
92. The Ministry should create and make public examples of AT products that are available in Ontario, along with a description of how and when each product can be used.¹¹⁴⁸ The Ministry should publish guidelines and protocols for comprehensive,

sustained and job-embedded AT training, including who should provide the training, how often, what topics the training should cover, and who should attend the training.¹¹⁴⁹

93. The Ministry should make sure that every resource on the Trillium List is available in digital form and is compatible with AT.¹¹⁵⁰
94. The Ministry should eliminate the current requirement that Special Equipment Amount (SEA) claims-based funds require a professional assessment.
95. School boards should simplify the process for AT accommodations by removing any requirements for psychoeducational assessments and/or an Identification, Placement and Review committee (IPRC), and by minimizing the number of required staff approvals.¹¹⁵¹
96. School boards should mandate that all classroom assignments, handouts and tests must be available electronically (in a format compatible with AT) at or before the time they are distributed to the class.
97. School boards should have sufficient knowledgeable and trained staff to provide comprehensive, sustained and job-embedded AT training and support for teachers and other educators, and also to provide training for students, and where requested, parents.¹¹⁵²
98. School boards should make sure the student's Ontario Student Record (OSR) is immediately transferred when a student moves from one school board to another.¹¹⁵³
99. School boards should communicate effectively to students and parents, through multiple platforms and forums, about the right to receive accommodation including:¹¹⁵⁴
 - That students with disabilities are entitled to accommodation (including at any grade level and in both French¹¹⁵⁵ and English-language programs)
 - That accommodations for students with reading difficulties should be provided alongside evidence-based interventions
 - How students and parents can be involved in the accommodation process.
100. Teachers and educational assistants should proactively identify students who need accommodation, not just when parents or students advocate for it. Students should not be expected to self-advocate to receive accommodations.

101. Where the best accommodation option short of undue hardship is unknown or unavailable because of a lack of information or resources, teachers, educational assistants and schools should provide interim accommodation immediately.¹¹⁵⁶

Improve accountability around accommodations and modifications

102. The Ministry of Education (Ministry) should include examples of appropriate accommodation timelines in an Education Accessibility Standard, its Individual Education Plan (IEP) guide and/or an update to *Special Education in Ontario, Kindergarten to Grade 12, 2017, Draft*.¹¹⁵⁷ These timelines should include maximum times between:

- The request for accommodation and follow-up meeting with the parent (and student, where appropriate)
- The request for accommodation and its start
- The start of accommodation and a progress update to the parent (and student, where appropriate)
- All future progress updates.

103. School boards should provide students and parents with a straightforward and meaningful complaint process for accommodations, and should refer to it in their Special Education Plans and in all special education guides for parents.

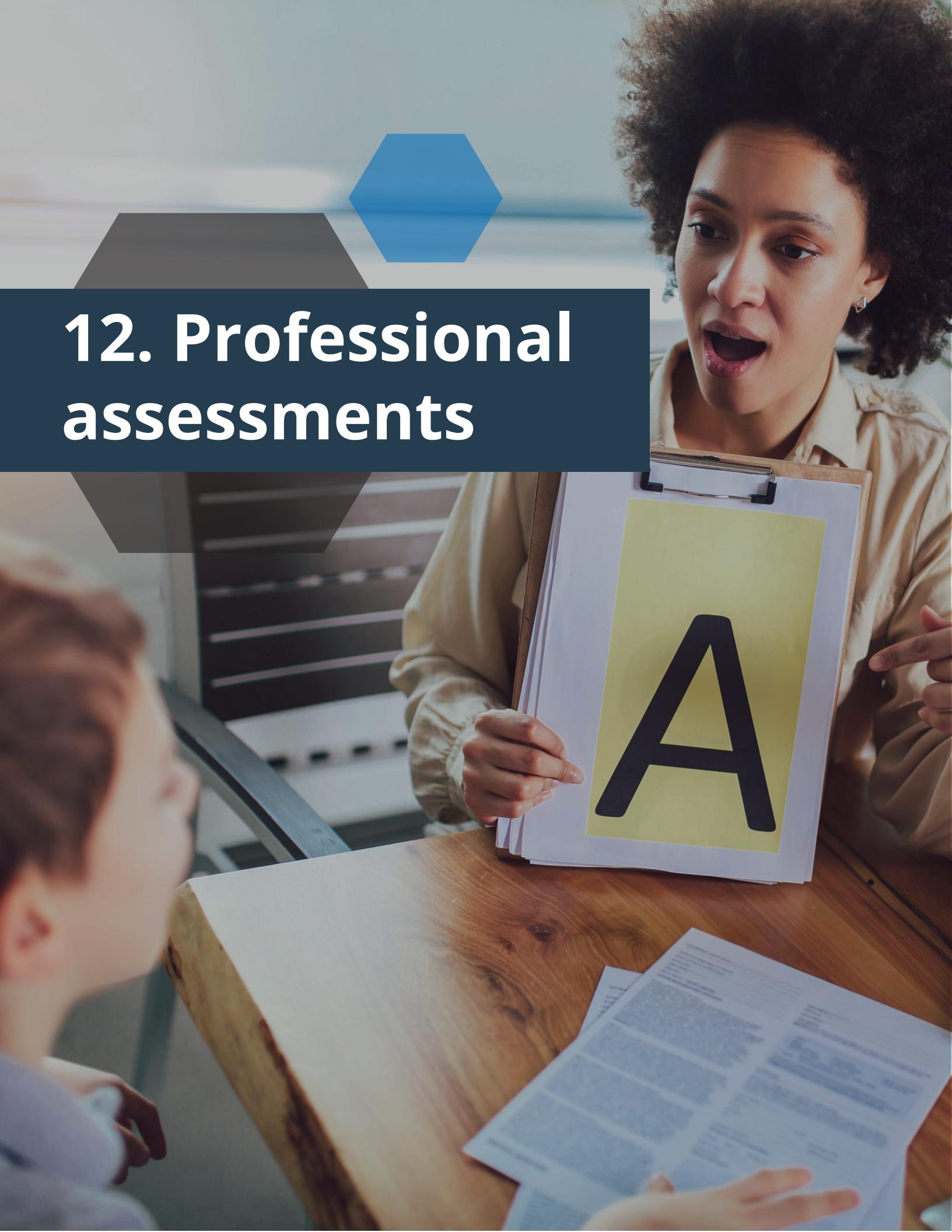
104. The Ministry should mandate that an IEP be developed for every student who regularly needs accommodation (including specialized equipment) for instruction or assessment.¹¹⁵⁸

105. Boards should create a checklist of key accommodation-related items teachers and administrators should consider when developing IEPs, including “information obtained from consultations with parents and psychologists and other professionals, strategies and accommodations tried by previous teachers, the results of educational diagnostic tests, and minutes of in-school support team meetings.”¹¹⁵⁹

106. Boards should develop and mandate use of a board-wide electronic management system for IEPs.¹¹⁶⁰ Schools should make sure that every educator (including every supply teacher) who works with the student has access to their IEP.¹¹⁶¹

107. Boards should mandate that schools examine, at least every reporting period,¹¹⁶² whether accommodations are helping the student meet the learning goals and expectations laid out in the IEP.¹¹⁶³

108. Teachers, educational assistants and schools¹¹⁶⁴ should make a plan, including a timetable, for gathering student and parent input on accommodations,¹¹⁶⁵ and for evaluating, monitoring and communicating the effectiveness of the accommodations in helping the student reach their learning expectations. This plan should be shared with the student and parents.¹¹⁶⁶
109. Boards should make sure that parents provide informed consent to modifying a student's curriculum expectations (including making sure they understand the effects on the student's academic progress, future course options and job opportunities).
110. Boards should publicly report every year on what percentage of students have had their curriculum expectations modified and how.



12. Professional assessments



12. Professional assessments

Introduction

In this report, professional assessments refer to assessments by psychologists and speech-language pathologists. Assessments by psychologists are called psychoeducational assessments or psychological assessments.

Many students who are at risk for a word-reading disability will never develop one if they are taught foundational reading skills using curriculum and instruction that reflect the scientific evidence, are properly screened in Kindergarten to Grade 2, and receive early evidence-based tier 2 and tier 3 interventions when screening identifies them as at risk. These students will be less likely to have mental health difficulties, such as depression and anxiety, and behavioural issues that are associated with falling behind in reading. With the changes recommended in this report, fewer students will need referral for professional assessments. This will shorten wait times for students who do need assessments, and free up school board psychology and speech-language pathology staff to support students in other ways. Parents will also be spared the burden of finding and paying for private professional services, assuming they can.

Universal early screening will flag students who need evidence-based structured literacy interventions (explicit and systematic programs that target phonemic awareness, decoding and accurate and quick word reading). If a student is not responding appropriately to such interventions, a professional assessment referral may be appropriate. This can happen as early as Grade 2, or following intense intervention in Grade 1. In the meantime, schools should provide more intensive interventions.

Currently there are long wait times for professional services, particularly psychoeducational assessments, in Ontario school boards. This is in part due to ineffective approaches to teaching reading, failing to identify students who are at risk in Kindergarten or Grade 1, and not providing these students with early, evidence-based interventions.

Some school boards either lack or have problematic criteria for identifying students who are having reading difficulties for board professional assessments. For example, there is a common, but incorrect, belief that a student must be in at least Grade 3 before they should be considered for a psychoeducational assessment for a reading disability. Most inquiry boards do not have centralized, transparent systems for maintaining and managing wait times. The order students are seen in is discretionary and may depend on which school or family of schools the student is in. There is a risk of bias and unfairness in selecting students for a board psychology assessment. Most inquiry boards are not following the Auditor General's recommendations about how to better manage assessments to ensure timeliness and equity.

Professional assessments should not be required for interventions and accommodations, and all students who are waiting to be assessed should be receiving effective supports. Yet in practice, professional assessments help secure these supports. Because of the long wait for board assessments, parents who can afford to pay get private assessments. This creates a “two-tiered system” in a public education system that should be equitable for all.

Current criteria for a reading disability are also problematic. The Ministry of Education’s Policy/Program Memorandum 8: Identification of and Program Planning for students with Learning Disabilities (PPM 8) says that students must have “academic underachievement that is inconsistent with the intellectual abilities of the student (which are at least in the average range) and/or (b) academic achievement that can be maintained by the student only with extremely high levels of effort and/or with additional support.”¹¹⁶⁷ The latest research or principles for diagnosing word-reading disabilities/dyslexia in the DSM-5¹¹⁶⁸ do not require students to have “at least average intelligence” or a discrepancy between their ability and achievement. These criteria do not predict whether a student will respond to an evidence-based intervention.

Assessments for suspected reading disabilities do not always need a battery of intelligence and cognitive processing tests. Thoroughly assessing the student’s achievement compared to children of the same age can provide information about whether there is a reading disability/dyslexia, and inform the needed interventions. When a learning disability is identified or diagnosed, the subtype or area of impairment (for example, a learning disability in word reading/dyslexia) should be identified in the assessment and noted by the school board for better planning and tracking. Ontario’s definition of learning disability should recognize “dyslexia,” which is a useful label, and people should be able to self-identify using their preferred terminology.

In addition to assessments by psychologists, speech-language pathologists (SLPs) are integral to supporting the multi-dimensional nature of reading. Boards should use an interprofessional approach (for example, with educators, psychologists and SLPs) to assess and identify learning difficulties. As noted earlier, students need a strong foundation in both word recognition/decoding and language comprehension (oral language) to become skilled readers who understand what they read. Speech-language pathologists have expertise in oral language, evidence-based assessment, screening, and intervention planning in the area of decoding and oral language.

When to refer students with suspected reading disabilities for psychoeducational assessment

Kindergarten to Grade 2

As discussed in section 9, Early screening, students in Kindergarten to Grade 2 should be regularly screened using evidence-based screening tools that assess their reading accuracy and fluency. Screening in Kindergarten to Grade 1 should also include pre-reading skills that support word reading such as alphabetic knowledge and phonological awareness (with the focus on phonemic awareness).

If a student is flagged by these screening measures, evidence-based explicit and systematic interventions that target phonemic awareness, decoding and word reading should be implemented immediately (no later than Grade 1). These interventions should supplement, rather than replace, similar evidence-based classroom instruction.

This approach will significantly reduce the number of children who will still have reading difficulties. However, if a student is not responding after a period of evidence-based reading interventions, a child in later Grade 1 or in Grade 2 may be referred for a psychoeducational assessment. That is, if a student's skills compared to others of the same grade and age on word-reading accuracy and fluency measures is not improving, further assessment may be appropriate. At the same time as considering assessments for such a student, interventions should become more intense (for example, more time; smaller group size; and more explicit instruction, cumulative review and supported practice). In other words, schools should not wait for the results of a psychoeducational assessment before providing more intensive intervention.

Example: A student in Grade 1 or 2 is scoring below the 15th percentile on word and/or non-word-reading accuracy and/or fluency at the beginning of a word-reading intervention. They remain at about the same place below the 15th percentile, after receiving the intervention in accordance with the program's specific requirements, including adequate time and intensity. In other words, the student is not making significant progress compared to same-age peers. This student must receive more intensive intervention, and can be referred for psychoeducational assessment at the same time.

Example: A student in Grade 1 or 2 is scoring below the 15th percentile on word-and/or non-word-reading accuracy and/or fluency at the beginning of a word-reading intervention. The student improves significantly with the intervention. A further period of intervention, or a more intense intervention, may be appropriate before considering referral for psychoeducational assessment. If the student does not continue to improve after this further intervention (for example, if they start at the 5th or 10th percentile and do not move past about the 20th percentile), then a referral for psychoeducational assessment is appropriate. In either case, interventions should continue until the student comes into a solidly average range.

Example: A student in Grade 1 or 2 is scoring below the 15th percentile on word-and/or non-word-reading accuracy and/or fluency, but moves into a solid average range on both word-reading accuracy and fluency (for example, at or above the 25th to 30th percentile). They likely do not need a psychoeducational referral for word-reading difficulties. However, the student should be closely monitored over the next several school years to make sure their reading trajectory remains within the average range for their age and grade.

A student with severe word-reading difficulties who is not responding to appropriate interventions can be diagnosed in late Grade 1 or in Grade 2. If the student has not responded adequately to intensive, evidence-based interventions, it is not necessary or appropriate to wait until Grade 3 to refer them for psychoeducational assessment, although this is a common belief and practice. The student's lack of response to an intervention, not their age, maturity or developmental level, is the information that should trigger decision-making around assessment. It is important that students waiting for assessment should always receive more intensive intervention immediately, regardless of when the assessment is completed. The critical window for early intervention should not be missed due to delays in being assessed.

Grade 3 through high school

If a student is having, or is suspected of having, difficulty reading words accurately and/or fluently in late Grade 2 or later, it is very concerning as they should have been identified and given interventions sooner. Urgent steps are needed for such students. The student should be immediately tested using tests of word- and/or non-word-reading accuracy and fluency that compare that student's performance to same-age peers (norm-referenced measures). If the results show the student is at or below about the 25th percentile, they should be immediately given an intense, targeted evidence-based intervention with proven effectiveness. Appropriate accommodations, such as assistive technology, to help the student have equitable access to learning materials and allow them to complete their work, should be provided and supported immediately. Studies have shown that students in late Grade 2 or beyond who are struggling with reading words accurately are much less likely to catch up to their peers in their reading fluency than students who received earlier interventions.¹¹⁶⁹

For children at Grade 3 and beyond, starting an intensive evidence-based intervention immediately is most important. At the same time as starting this intense and targeted evidence-based intervention, the student should be referred for a psychoeducational assessment if they have not been already.

Providing an accurate diagnosis sooner rather than later can provide valuable information for the students and parents. For example, it is often reassuring for them to understand the diagnosis and path forward. This may reduce some of the self-blame and emotional consequences that often accompany reading impairments.

Since there is often a wait for board psychoeducational assessments, if the student responds well to the interventions they are receiving and their reading difficulties, including reading fluency, are resolved, the assessment referral can be withdrawn or the psychologist can conduct the assessment based on simple reading measures alone.

Assessments for suspected word-reading disabilities/dyslexia

When a student needs a psychoeducational assessment based on the criteria listed earlier, the primary focus should be to assess the student's current academic functioning in reading, writing and math.¹¹⁷⁰ The assessment should also document the student's past struggles in these areas and response to interventions, and identify further interventions or accommodations. If parents or educators raise concerns about other issues that are negatively affecting the child's functioning, a psychologist can also investigate and identify possible co-existing difficulties or disabilities such as attention issues, developmental language disabilities, or mental health issues. However, a student with dyslexia must not be disqualified from receiving reading interventions because of co-existing disabilities (see also section 10, Reading interventions). The assessment could also note the student's interests or self-reported strengths (for example, other academic areas, art, sports, music, etc.).

Psychoeducational assessments are often used to obtain a formal diagnosis (for example, for the IPRC process). However, under the *Code*, a professional assessment or diagnosis must not be required for a student to receive interventions or accommodations.¹¹⁷¹ The Ministry of Education (Ministry) has also recognized that a diagnosis is not a pre-requisite for special education supports:

The determining factor for the provision of special education programs or services is not any specific diagnosed or undiagnosed medical condition, but rather the needs of individual students based on the individual assessment of strengths and needs.¹¹⁷²

The Ministry's definition for a learning disability, which includes reading "disorders" such as dyslexia, is set out in PPM 8.¹¹⁷³ There are several concerns with the definition. First, it states that a student must have "academic underachievement that is inconsistent with the intellectual abilities of the student (which are at least in the average range) and/or (b) academic achievement that can be maintained by the student only with extremely high levels of effort and/or with additional support."¹¹⁷⁴ The Ontario Psychological Association's (OPA) *Guidelines for Diagnosis and Assessment of Learning Disabilities* also states that a person must have at least average abilities essential for thinking and reasoning for a psychologist to diagnose a learning disability.¹¹⁷⁵ Similarly, the Association of Psychology Leaders in Ontario Schools includes this criterion in its *Recommended Guidelines for the Diagnosis of Children with Specific Learning Disabilities*.¹¹⁷⁶

Intelligence and discrepancies or inconsistencies between ability and achievement are not necessary criteria for identifying word-reading disabilities/dyslexia and planning for intervention.¹¹⁷⁷ A student's IQ does not influence their ability to respond positively to structured literacy interventions; that is, IQ test scores do not predict which students will benefit from evidence-based interventions and which will not.¹¹⁷⁸

There is no evidence showing that students with different IQ levels who are having word-reading difficulties use different cognitive processes for reading or have different patterns of errors.¹¹⁷⁹ Also, there are no significant differences in the processes involved with reading between students who have a discrepancy between their IQ scores and their achievement, and students who do not.¹¹⁸⁰ Nor are there any differences on measures of their brain imaging.¹¹⁸¹

Leading researchers have known for some time that IQ tests are not necessary in evidence-based criteria for diagnosing learning disabilities in word reading/dyslexia. For example, in 2002, leading U.S. researchers stated:

We propose a rationale and procedures for more efficient approaches to the identification of children as learning disabled in reading or at-risk for these disabilities that are aligned with research on reading disabilities and other forms of LD. This approach emphasizes the assessment of academic skills and their components in an effort to develop intervention plans. **Intelligence tests are not necessary for the identification of children as learning disabled and do not contribute to intervention planning.** [Emphasis added.]¹¹⁸²

Some seminal research and highly-cited articles about IQ tests for diagnosing learning disabilities came out of Ontario.¹¹⁸³ Research has continued to find that using thinking and reasoning (most often measured by scores on IQ tests) and cognitive processing strengths and weaknesses as criteria for diagnosing word-reading disabilities/dyslexia is not necessary.¹¹⁸⁴

Another concern with PPM-8's criteria is bias. Intelligence test results may be racially and culturally biased and favour upper- and middle-class students.¹¹⁸⁵ One study with Canadian First Nations students in Grades 3 and 4 concluded:

Indeed, if a discrepancy definition had been employed for the purposes of identifying serious reading problems, a majority of the children from our sample would not have qualified for special needs funding based on IQ criteria and may not have received help.¹¹⁸⁶

Indigenous participants also told the inquiry about their concerns that "colonial bias" can subconsciously affect decisions about whether to refer Indigenous students for assessments and the assessment process.

The OPA recognizes that full-scale IQ test scores may not be valid measures of thinking and reasoning for many people with learning disabilities, including people who are culturally and linguistically diverse, have experienced trauma, have minimal or no

schooling or who may not have had experience with certain tasks such as two-dimensional puzzles, sorting by shape, and constructing and analyzing patterns.¹¹⁸⁷ There are suggested guidelines for psychologists on how to use and interpret tests in a culturally responsive and anti-oppressive way.¹¹⁸⁸ While this is important, even assuming individual psychologists can always address any testing bias, this may be an insufficient response to the risk that using intelligence criteria may fail to identify a reading disability in some students from Code-protected groups.

Concerningly, PPM-8 also says that a student's learning difficulties should not be "the result of...socioeconomic factors; cultural differences; lack of proficiency in the language of instruction..."¹¹⁸⁹ As discussed throughout the report, low socioeconomic status, cultural differences and learning the language of instruction are not acceptable reasons for students to fail academically, although due to a culture of lowered expectations for such students, it may be seen as inevitable or beyond the control of the education system. Any student who is having word-reading difficulties should be given additional supports, and such factors should not be excuses for accepting children's academic struggles. No student should be disqualified from receiving intensive reading interventions because of a definition of learning disability that excludes them based on cultural differences, low socioeconomic status or learning the language of instruction. If these students do not respond to intensive interventions, just like any other student, a diagnosis of a reading disability/dyslexia may be appropriate.

Another common practice is to administer cognitive processing tests to identify "patterns of strengths and weaknesses" or to look for discrepancies between overall IQ and cognitive processes.¹¹⁹⁰ The validity of this approach has also been strongly contested, and the information gathered is not useful for informing a diagnosis of dyslexia or interventions for academic struggles in word-reading accuracy and fluency.¹¹⁹¹ Importantly, a particular cognitive profile or cognitive processing weaknesses do not predict who will benefit from reading interventions or what intervention strategy should be used.¹¹⁹²

As a result of the research on learning disabilities, including dyslexia,¹¹⁹³ the new edition of the DSM-5, released in 2013, eliminated the need for IQ tests as a routine part of assessments for reading disabilities/dyslexia. The DSM-5 recognizes that IQ tests need only be used where a global intellectual impairment is suspected and needs to be ruled out. The DSM-5 also does not require cognitive processing tests to determine "patterns of strengths and weaknesses" or cognitive processing deficits.¹¹⁹⁴

In the DSM-5, the diagnostic criteria for a "learning disorder" for school-aged children are:

1. The student experiences difficulties in reading, writing or math skills, which have persisted for at least six months even though the student has received interventions that target the difficulties
2. The difficulties result in the affected academic skill(s) being substantially and quantifiably below those expected for the student's age. This is determined through standardized achievement tests and clinical assessment

3. The learning difficulty started during school-aged years (though may not fully manifest until young adulthood in some individuals)
4. The problems are not due to intellectual disabilities, hearing or vision problems, other mental or neurological disorders, adverse conditions or inadequate instruction.¹¹⁹⁵

Section 10 of the Ontario *Human Rights Code* (Code) states that a disability includes a “learning disability or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language.” A learning “disorder” or potential learning “disorder” triggers the obligation under the *Code* to provide special education services and supports. Therefore, PPM 8 should not contain additional requirements that students have at least average intelligence before the education system recognizes a learning disability. “At least average intelligence” should not be a criterion for receiving reading interventions or other supports.

Assessing a student for potential dyslexia/word-reading disability can focus on a thorough assessment of reading skills, including: phonemic awareness, decoding accuracy and fluency (for non-words), word-reading accuracy and fluency, spelling, text-reading fluency, reading comprehension, and can include a test of letter-naming fluency. Assessing the student’s understanding of syntax and morphology can also be informative. If academic issues are also present in writing and/or language comprehension, these areas should also be assessed. When there are concerns about a student’s adaptive functioning and global intellectual development, then the referral question is different and an intelligence test may be one of the assessment tools.

With evidence-based classroom instruction and early interventions, fewer students will need psychoeducational assessments for reading difficulties. Eliminating the intelligence criteria in PPM 8 reduces the need for IQ testing and tests of cognitive processes for students referred for evaluation of word-reading difficulties, which can streamline the assessment process. This will allow for more timely assessments of students with suspected reading disabilities who are not responding to interventions (as discussed above) and of students with other difficulties.

One of the inquiry school boards candidly acknowledged that the current approach to teaching reading and responding to reading difficulties unnecessarily contributes to increased demand for assessments by psychologists. The board wants to re-position its four psychologists to offer coaching on evidence-based instruction and intervention, but currently cannot because of the long wait list for psychoeducational assessments its psychologists must get through. This board recognized that some students are on the wait list for an assessment because they did not receive evidence-based classroom instruction and early intervention that would have addressed their reading challenges.

This report's findings and recommendations should not be the basis for reducing psychology staff or budgets. School psychologists have an important role to play in addition to providing diagnostic assessments, including being available for consultation, counsellng students, crisis response, referral to community-based services and providing professional development for staff.¹¹⁹⁶

School psychologists and SLPs can also provide guidance and help interpret school boards' results on evidence-based early screening and evidence-based interventions; help determine which students need interventions and which interventions would be appropriate; help assess students' response to intervention and assist with accommodation planning. Psychology staff can also deal with student mental health challenges such as anxiety and depression, and can help students experiencing social and emotional difficulties.

Focusing resources on complex diagnostic processes and separating students who are struggling to acquire academic skills into students with and without a learning disability has limited benefits. An article in the *School Psychology Forum*, a publication of the U.S. National Association of School Psychologists, noted:

Distinguishing a group of students who truly do have [a specific learning disability] in a stable and predictable way has been a significant hurdle to our field and actually ignores the larger question we should be asking, which is whether doing so actually brings benefit to the children for whom the diagnosis is made. In my view, these questions must be asked and answered in concert. To make the diagnosis when the diagnosis does not convey benefit is a miscarriage of justice as much as failing to make a diagnosis when doing so does convey benefit. Thus, **the onus is on all school psychologists to bring improvements to the most vulnerable students, regardless of how they are categorized in our systems. One important reason to limit actions that do not produce a measurable return for their investment is that they carry an opportunity cost of time that could have been spent to benefit child learning.**¹¹⁹⁷ [Emphasis added.]

The inquiry heard similar concerns about the current focus on assessment and diagnosis. One special education teacher who completed the educator survey said:

I can't speak for other school boards, but I see that in [my board] the focus for psychological services support has been on assessment. Surely educational psychologists should be able to provide expertise in providing intensive support in remediation of reading difficulties, and not just do assessments? More instruction and less assessment please!

A speech-language pathologist wrote:

I think there needs to be more emphasis on what can be done with screening and intervention without formal reports from professionals. This would allow for more students to be supported and for support to happen earlier. I believe speech-language pathologists and psychologists could help guide teachers with

their screening and intervention and that this may be a better use of time. If SLPs and psychologists also employed a tiered approach to our interventions/assessments, this could mean more students getting the supports they need.

Failure to identify the type of learning disability or use the term dyslexia

In Ontario's public education system, the umbrella term "learning disability" is used to identify all forms of learning disability including reading disabilities/dyslexia. Learning disabilities are not categorized by the area that is affected: word reading, reading comprehension, writing or math. The term "dyslexia" is almost never used, even though it is the most common learning disability.

Although PPM 8 notes that learning disabilities include difficulties developing and using skills in one or more of reading, writing, mathematics, and work habits and learning skills,¹¹⁹⁸ it does not encourage or require identifying the academic area(s) that is impaired when a learning disability is diagnosed or where a student is identified as having a "learning disability" exceptionality through the IPRC process.

The OHRC asked school boards if they distinguish learning disabilities by subtype, and if they use the term dyslexia. We also asked them to provide information about students with reading disabilities specifically.

The inquiry boards reported that they use the definition of learning disability in PPM 8. However, one board uses the term "learning disorder" and the definition does not align with either PPM 8 or the DSM-5.

The boards reported that they do not identify the type of learning disability or students whose difficulties relate to reading, although they said psychologists' assessment reports may identify the nature of the learning disability. The boards were not able to provide information about students with reading disabilities specifically, as they do not break down the category of learning disability any further to identify students whose academic difficulties relate to reading. Boards also said they do not use the term dyslexia because it is not used in PPM 8 and they believe that the term is not helpful or is confusing. Some suggested that the term dyslexia is misunderstood by "lay people" or does not provide as much information as the general term learning disability.

Only a few boards appeared to be aware that the DSM-5 does identify dyslexia as a subtype of "learning disorder" and says that "dyslexia is an alternative term used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition, poor decoding, and poor spelling abilities." Consistent with the inquiry's findings, research has shown that teachers often misunderstand dyslexia or

are confused by the policies in education systems,¹¹⁹⁹ and may believe it is different than a word-reading disability (see also section 4, Context for the inquiry). In Ontario, this may be compounded by the failure to recognize dyslexia in PPM 8 and within Ontario faculties of education (see section 8, Curriculum and instruction).

Parents told the inquiry they often received psychoeducational assessments from school board or private psychologists that were confusing and difficult to understand, or failed to provide a clear diagnosis, indicate the subtype of learning disability, or use the term dyslexia. Parents of children with dyslexia reported that board staff did not believe or accept that dyslexia is a type of disability, and they were often told that the term dyslexia may not be used. For example, one parent said: "We have heard over and over that dyslexia isn't real and honestly we gave up on our school."

When a learning disability is diagnosed, there should be a statement of what academic area(s) is affected. For example, a diagnosis should indicate when there is a learning disability in word-reading accuracy or fluency (dyslexia); reading comprehension; written language composition/writing; or mathematics. If several areas are affected, they should all be identified. Further, when the learning disability is in word-reading accuracy and/or fluency, the term dyslexia should also be specified.

Contrary to the prevalent beliefs in Ontario's education system, including the diagnostic label "dyslexia" is accurate and more specific and descriptive than the umbrella term "learning disability." When dyslexia is identified, it makes a wealth of information readily accessible to parents, students and teachers. Many useful resources and websites written for families use the term dyslexia,¹²⁰⁰ as do many books, articles and Internet sites for educators within and outside of Canada.¹²⁰¹ Not providing the "dyslexia" label in assessments and failing to recognize the term within the school system makes it harder for parents and teachers to make the connection and find these resources for supporting their children and students.

Recognizing the term "dyslexia" and ensuring educators know what it means will also reduce disagreements between schools and families. It is also consistent with the requirements of the *Code* that recognize the importance of people being able to self-identify and have their preferred identity respectfully recognized. Some may choose not to use the term "learning disability" or "learning disorder" due to the socially constructed stigma that can be associated with these terms.

One of the reasons school boards identified for not recognizing subtypes of learning disabilities or using the term "dyslexia" is that students may have impairments in other areas. For example, one board said:

We do not currently use [the term "dyslexia"] as the majority of the students who we diagnose with learning disabilities impacting reading have difficulties not only with accurate/fluent word recognition, decoding and spelling but also have additional issues with reading comprehension. Students with learning disabilities impacting written expression typically have issues not only with spelling but

overall written expression skills (grammar, punctuation, clarity or organization of written work). We want to ensure clarity for parents about their child's profile and its impact on learning.

In addition to identifying dyslexia, assessment reports can clarify associated difficulties (for example, where the student has difficulties with reading comprehension solely because of their dyslexia) and other academic areas that are impaired (for example, where a student has language difficulties that have an impact on reading comprehension and writing that are separate or in addition to their word-reading difficulties). This is helpful for students, parents and educators.

Categorizing learning disabilities by the area of academic impairment and recognizing and using the diagnostic label "dyslexia" will also facilitate many of the functions of the education system, such as tracking the prevalence of disabilities in each area to inform resource allocation, tracking the effectiveness of interventions for students with dyslexia, and monitoring achievement for these students. This is currently not possible with the general category of "learning disability." Collecting information on specific learning disability areas, rather than learning disabilities in general, is more useful and will provide more clear and accurate information for students, parents and educators.

There is support for identifying the specific learning disability and using the term "dyslexia" for the specific learning disability in word reading. Organizations such as Yale University's Center for Dyslexia and Creativity, the International Dyslexia Association, Decoding Dyslexia and Dyslexia Canada call for using the term "dyslexia" within schools and education policies.¹²⁰² In the U.S., the *Individuals with Disabilities Education Act (IDEA)* uses the term "specific learning disability" and includes dyslexia as one of the possible "disorders."¹²⁰³

In 2015, the U.S. Department of Education published a letter to address concerns that state and local educational agencies were reluctant to reference the terms dyslexia, dysgraphia and dyscalculia when developing individualized education programs under the *IDEA*.¹²⁰⁴ The letter clarified that nothing in the *IDEA* prohibits the use of these terms, and encouraged state and local education agencies to consider situations where it would be appropriate to use them.¹²⁰⁵ The letter stated there may be occasions where having the specific "disorder" (for example, dyslexia) listed in a student's plan would be helpful for determining learning disability eligibility and program implementation.¹²⁰⁶ There are 47 states with dyslexia-specific laws. Many define dyslexia in their education codes, and 17 states have handbooks and resource guides specific to dyslexia.¹²⁰⁷

The U.S. National Centre on Learning Disabilities (NCLD) has recognized that it is helpful to use specific terms such as dyslexia to help describe a child's learning disability and capture and share information about the child's challenges and needs. The NCLD states:

Appropriately including *dyslexia*, *dyscalculia*, and *dysgraphia* on a student's IEP will help ensure that the instructional strategies, interventions, goals, and objectives outlined in the IEP match with the students' specific needs.

That's why NCLD believes it is appropriate to make specific mention of these subtypes of specific learning disabilities in an IEP.¹²⁰⁸

The NCLD has emphasized the importance of parents and educators using the same language to reduce confusion and conflict and better support students. It has published a resource guide to facilitate communication between parents and educators about terminology.¹²⁰⁹

A March 2020 update to the Ontario Psychological Association's *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults With Learning Disabilities* describes dyslexia as a subset of learning disabilities and states that "when appropriate, psychology practitioners could use the term dyslexia in addition to learning disabilities when providing a diagnostic formulation according to the OPA guidelines,"¹²¹⁰ and "some individuals with [learning disabilities] may wonder whether they have dyslexia and, when appropriate, may find this diagnosis to be helpful because of the resources available to them in books or on websites."¹²¹¹

School board approaches to psychoeducational assessments

Previously identified concerns

There have been longstanding issues with board professional assessments. In 2017, the Auditor General of Ontario audited a sample of four school boards: the Toronto Catholic District School Board, Hamilton-Wentworth District School Board, Halton Catholic District School Board, and Hastings and Prince Edward District School Board. The Auditor General found:

- Long waits for students to be assessed or served by psychology and speech-language professionals
- A significant variation in wait times among schools in the same board
- A failure to implement systems for centralizing and managing wait times, which prevents boards from prioritizing students for assessment
- A failure to conduct assessments in the summer months, which would help bring down wait times.¹²¹²

The Auditor General reported that nearly one-quarter of students with special education needs in the four boards wait more than a year for psychoeducational assessments.¹²¹³

People for Education issues an annual report based on survey responses from school principals from English, Catholic and French schools across the province. Year after year, its reports have found issues with assessments. For example, in its 2018 report, People for Education said that based on surveying 1,244 school principals, 93% of elementary and 79% of secondary schools had students on wait lists. In 2018, 66% of elementary schools and 53% of secondary schools reported restrictions on the number of students who can be assessed. The restrictions are worse in rural areas, with 73% of rural elementary schools reporting restrictions, compared to 61% of urban schools. Some schools reported only being permitted to refer two students for assessment per

year.¹²¹⁴ This is an arbitrary cut-off that may not reflect the number of students who need to be assessed. This results in boards having to “triage” and refer only some students deemed to have the greatest needs.

People for Education has also noted that wait times for assessment vary based on the severity of student needs and the school board’s policy for wait lists.¹²¹⁵

Long wait times for assessment have also been the subject of media reports.¹²¹⁶

The Ministry told the inquiry that in 2018–19, it allocated one-time funding for special education professional assessments for all school boards. Boards had the flexibility to use the funding to:

- Contract professionals to complete professional assessments (at least 50% of the funding had to be used for professional assessments)
- Develop and implement information systems to track information to enhance and/or improve practices related to professional assessments
- Provide early intervention supports to reduce wait times for professional assessments.

Therefore, the Ministry has recognized that early intervention can reduce the need for assessments.

Inquiry findings on psychoeducational assessments

The eight inquiry school boards were asked about their approach to referring students for psychoeducational assessments, and how they maintain and prioritize students who are waiting for assessment. They were asked for:

- Policies, procedures and directives related to assessments
- The criteria they use to determine whether to recommend a student for an assessment by a board psychologist
- Who makes decisions about assessments and how the decisions are made
- If there are any restrictions on how many students can be referred for assessment
- If there are restrictions on the age or grade of the student before they will be considered for a psychoeducational assessment
- Data on current wait times for assessment.

Based on its analysis of the materials provided and interviews with the boards, the OHRC identified several issues related to school boards’ approaches to psychoeducational assessments.

Approaches and criteria for referring students for psychoeducational assessments

In general, when classroom teachers, or sometimes parents or board staff, have concerns about a student's academic difficulties, the school initiates a series of steps. The degree to which these steps are formalized and written down differs widely by board. For example, some inquiry boards have clearer documented procedures and flow charts or checklists, and identify some specific criteria used in making decisions about professional assessments. Other boards have little or no transparent documentation for the process or factors that are considered. One board only has a brochure for parents explaining psychoeducational assessments, but no written documentation on the process or criteria for considering a student for a psychoeducational assessment. This board's general, vague criteria for deciding which students to refer for an assessment include "cultural, educational and developmental history; interventions tried; priority of need."

Most inquiry boards reported that school teams, which often include special education staff and/or school specialists, have initial discussions about the difficulties the classroom teacher has observed, the steps that have already been taken, and other steps that can be tried. Most boards reported having a range of strategies the school team might implement, ranging from differentiated classroom instruction and accommodation to academic achievement assessment and educational assessments to determine if a student should have access to an intervention program. Boards said that as students progress through these steps and strategies, the school team considers whether to refer the student for a psychoeducational assessment. In some cases, board psychology staff are part of these team discussions, but in one board, one school board psychologist makes all the decisions about who will receive a psychoeducational assessment.

A concern with these approaches to determine who qualifies for assessments is the potential for wide differences between schools within a board, and among different school boards. Students with the same pattern of academic functioning may be candidates for an assessment at one school but not at another. This can be compounded when schools have restrictions on the number of students they can recommend. Although the inquiry school boards said that there are no formal restrictions on the number of students a school can put forward for assessment, several boards mentioned that limited resources do affect the number of students who can be assessed, which requires triaging of students based on greatest need. For example, one school board said: "[b]ased on current staffing capacity, there is a general understanding that each school should consider submitting 3 or 4 assessment packages each year."

Educator survey respondents also confirmed there are limits to how many students per school can be referred for assessment. This is also consistent with People for Education's finding that most school principals who respond to their yearly survey say there are restrictions on the number of students who can be assessed. Therefore, when students who need assessments are identified using a school-by-school approach, and

there are practical limits on how many students each school can put forward, students who are in schools with more students who need assessment may miss out even if they need an assessment and would have been considered higher priority if they attended a different school.

Bias can also come into play when school teams or one or two board psychologists decide who will get an assessment instead of following consistent guidelines from the board or the province. Bias may also result when different factors are considered when deciding who to refer for an assessment. For example, one board reported that students' poorer eye-tracking and sequencing skills, but good ability to understand spoken language, are considered in referring for psychoeducational assessments. Using these processing criteria (poor eye tracking and sequential skills) is not supported by research, and dyslexia occurs across the range of oral language comprehension abilities.

Other board materials emphasized that to have a learning disability, students must have a discrepancy between their ability and their academic achievement or average to above-average intelligence, and that staff could use informal judgements about whether a student meets these requirements when deciding whether to refer them for assessment. The notion that students must have at least average intelligence for a learning disability may result in students with higher perceived intelligence being more likely referred for assessment. The ability-achievement discrepancy criterion has been discredited.¹²¹⁷

Two boards said that cultural factors or cultural bias are relevant considerations without indicating how these factors are considered. One board said "[t]here are factors that might compromise the validity of an assessment, such as student engagement (motivation), mental health challenges, language proficiency, cultural bias," suggesting that these factors would result in a student being less likely to be referred for assessment. This board did not indicate how it controls for cultural bias. Therefore, students from non-dominant cultures may be less likely to receive needed assessments.

It is also concerning that students who may be showing the common effects of having an unaddressed reading disability, such as decreased motivation or poor mental health, may be denied an assessment for these reasons. If assessments focus on academic skills and identifying the interventions and supports a student needs to increase their academic achievement and eliminate the routine use of IQ tests, it may help alleviate the risk of some of these biases.

The Ontario Association of Speech-Language Pathologists and Audiologists' inquiry submission noted the importance of reducing bias in the process for selecting students for professional assessments, to make sure students from all equity seeking groups, particularly from intersecting *Code*-protected groups, have access to them.

Several boards reported delaying considering multilingual students who are learning the language of instruction at the same time as they are learning the curriculum (referred to as English Language Learners or ELLs) for an assessment until the student has at least two to three years of English language instruction. The Ministry's Policy/Program Memorandum 59: Psychological Testing and Assessment of Pupils states:

If the pupil's first language is other than English or French and/or the pupil lacks facility in either of these languages consideration should be given to postponing the assessment or, where possible, conducting the assessment in the child's first language.¹²¹⁸

The Ministry's 2007 Policy and Procedures for English Language Learners and ESL and ELD Programs and Services says that boards must develop a protocol for identifying multilingual students who may also have special education needs. If information from the student's home country, from initial assessment or from early teacher observation, indicates the student may have special education needs, the student will be referred to the appropriate school team.¹²¹⁹

The inquiry heard that in practice, school boards commonly delay assessing multilingual students because they think their struggles are due to a lack of language proficiency or they cannot be assessed.

However, research on how language and reading skills develop shows that the skills that are part of learning to read words are the same for multilingual students as for students whose first language is English, and multilingual students who enter Ontario schools in the primary grades (Kindergarten to Grade 3) who do not have dyslexia quickly develop word-level reading skills.¹²²⁰

Although some period of adjustment and exposure to the language of instruction (English or French) may be appropriate, most multilingual students become reasonably proficient after one year of exposure. If their performance is lagging behind after a year, assessing their academic performance should be considered.

Schools should be alert to the signs of a reading disability in multilingual students, and not delay intervention or assessment unnecessarily. They should not set rigid cut-offs for interventions or assessments, such as requiring a minimum of two to three years of English language schooling. Instead, several factors can be considered:

- The age of the student. For example, a multilingual student in Kindergarten should catch up with English first-language peers very quickly. If they do not, it may be a sign of reading difficulties
- The multilingual student's progress compared to other multilingual students who have been learning in English for the same amount of time
- How similar the student's first language is to English
- Whether the student had any learning difficulties when learning in their first language. If they struggled to learn to read in their first language, it may indicate a disability.¹²²¹

Multilingual students' progress should be monitored with regular academic assessment. If they are not learning grapheme-phoneme correspondences to decode words and are not gaining word-reading accuracy and fluency skills, they should immediately receive intervention. If their skills are not improving with appropriately intense and sufficient time in an intervention, then they should be referred for a professional assessment. The inquiry heard that SLPs adopt culturally and linguistically responsive assessment protocols for multilingual students, which can help determine if a learning difficulty is due to a language difference or language disorder. A speech-language pathology referral should be considered for struggling multilingual students to evaluate the underlying language profile and its interplay with reading.

Two Ontario psychologists with expertise in culturally and linguistically diverse children, Dr. Esther Geva and Dr. Judith Wiener, note the importance of providing psychological services to children who face challenges from their cultural and linguistic diversity intersecting with learning difficulties:

Some of the culturally and linguistically diverse children and adolescents who struggle are those who, in addition to being second language learners and culturally different, have significant learning, behavioural, social and emotional difficulties and require the services of psychologists and other mental health professionals.¹²²²

Traditional psychological assessments, including assessments that use intelligence testing, "may not be valid for many of these children."¹²²³ However, there is research to guide psychologists to collect information that will allow them to assess and diagnose children from culturally and linguistically diverse backgrounds.¹²²⁴

Many educators and other professionals who work within school boards confirmed the scarcity of assessments and lack of transparent criteria. They noted that parental advocacy is often a factor in which students get referred for an assessment. For example, an educator survey respondent said that there are usually only one to three students per year referred for assessment in a school of 800 students, and the wait list for the school is at least 20 students. This educator noted that parents' inability to pay for private assessment may be a factor, and parents' ability to advocate for a board assessment may also help determine whether their child will get one. Many educators described ways schools triage students for assessment and said that students with reading difficulties are rarely identified as a priority:

Students with the highest behavioural needs are placed first. Students with reading challenges are recommended to seek private assessments as the wait is indefinite.

This was consistent with what many parents told the inquiry. They reported being told that their child would not be considered for an assessment, no matter how far behind in reading, as other students would be given priority.

Most inquiry boards reported they will generally not consider a student for a psychoeducational assessment until Grade 3 (or age eight). For example, one board said:

In general, psychoeducational referrals are made for students in [G]rade 3 and older. They are done to rule out the developmental phase or lag that students sometimes have up to age 8...Students must be in [G]rade 4 before we will assess. There are special cases where this might not be the case.

The same board said it requires psychoeducational assessment and diagnosis to provide a student with its most intensive intervention.

Survey responses from students, parents and educators confirmed that Ontario school boards do not consider referring students for psychoeducational assessments until at least Grade 3, and students often do not receive them until Grade 5 or 6. They reported that students must be in at least Grade 3 or 4 and “well below grade level” before referral for a psychoeducational assessment will be considered. This results in students getting assessed far too late.

The OPA has clearly stated that delaying assessment is not necessary or appropriate:

Historically, assessments for considering diagnoses of LD were discouraged until [G]rades three or four. Delaying would account for developmental and environmental variability in the early years, as well as for the lack of tools available to assess young children...The practice of postponing assessments was also influenced by **the now highly-discredited ability-achievement discrepancy criteria**, and the reality that children had to be a certain age for such discrepancies to be documented...With advances in test construction, knowledge of early risk factors associated with LD, and expertise among clinicians in evaluating young children effectively, there have been many gains in our ability to assess neurocognitive development and learning during the early academic years...While risk factors may be identified at earlier stages of development, once a child is receiving formal schooling, academic difficulties can be reliably assessed and diagnosis of LD may be considered.¹²²⁵ [Emphasis added.]

The OPA also recognizes the harm that can result from delaying assessment:

...if a child is struggling academically and has gone unidentified or unsupported during [G]rade one, assessment to indicate the nature of difficulties to guide intervention is essential to emphasize and advocate for the child’s needs.

Waiting until the end of grade two misses an evidence-based window of opportunity for intervention and may reduce the effectiveness of future interventions.¹²²⁶ [Emphasis added.]

The DSM-5 criteria for diagnosing a learning “disorder,” including in reading, do not require that students be in Grade 3 or older.

Delaying referral for assessment until at least Grade 3 combined with wait times for assessments mean that many students do not get assessed until Grades 4, 5 or later. If students are not receiving evidence-based intervention while waiting, the critical window of opportunity to address their reading skills is missed. As described in this section, students who are not responding to interventions should be considered for assessment as early as late Grade 1 and should receive more intense evidence-based interventions while they are waiting to be assessed.

Wait list management and wait times for psychoeducational assessments

Consistent with the Auditor General's 2017 audit findings, the inquiry found that most inquiry boards do not maintain centralized wait lists. Only two of the boards, Hamilton-Wentworth and Thames Valley, reported they maintain a centralized, electronic wait list. London Catholic reported that individual psychology staff members maintain and manage the assessment wait list for their families of schools, but as of June 2019 it has started maintaining a central Excel spreadsheet so it can calculate mean wait times.

The few inquiry school boards that do maintain a central electronic wait list were better able to report on the average number of days students are waiting for an assessment, once referred.

The other inquiry school boards all reported that wait lists are either maintained at the school level or by the psychology staff person responsible for that school or group of schools. One very large school board said:

Each school prioritizes a list of students recommended for assessment. This list can be fluid – as learning needs of students may change over time based on their response to targeted support and intervention. Currently, at the board level, we are not able to identify the date on which students are added to the wait list nor their grade level.

As a result, this board was not able to provide the OHRC with requested information about wait times. Several other boards were also not able to provide any information on students waiting for assessment.

The inquiry boards have limited or no ability to reallocate students between psychology staff to make sure a student does not wait too long for assessment as recommended by the Auditor General.

In 2017, the Auditor General said failing to maintain central wait lists and make sure that students are not waiting too long based on the school or group of schools they are in is an equity issue:

Without a central consolidation of wait lists and reallocation of cases, services related to psychological assessments cannot be provided to students in an equitable and more timely manner.¹²²⁷

Despite this, most of the inquiry boards are not following the Auditor General's recommendations. They have not addressed the potential for wait times to vary "significantly based on the school the student attends,"¹²²⁸ or addressed the Auditor General's concern that "because the wait-list information is not consolidated, the board cannot properly prioritize students for assessments."¹²²⁹ The boards also lack any data that would allow them to assess whether they are providing this service in a timely and equitable way.

Wait times for psychoeducational assessments

The OHRC asked the school boards to provide data about wait times for psychoeducational assessments. There were significant issues with the information provided.

Students are typically only put on an assessment wait list after the psychology department receives the referral package. However, this does not necessarily reflect how long the entire referral process takes. Board wait lists do not appear to reflect the actual amount a time a student may be waiting for an assessment after concerns about them are identified.

Only six of the eight boards were able to provide a list of students waiting for assessment.¹²³⁰ This information was inconsistent and difficult to analyze. Some boards were able to provide the specific date a student was placed on a list, while one board only provided the year. One board was able to provide a list with specific dates for both when a student was put on the list and when they were assigned a psychoeducational assessment (however, this does not mean that the assessment was completed on the day it was assigned). All other school boards provided a list of students waiting for a psychoeducational assessment as of the day the data was retrieved. One board provided the students currently waiting but did not indicate the date the data was retrieved.

Seven out of eight school boards provided an average time for how long students are waiting before receiving a psychoeducational assessment (or before getting assigned to one; this was unclear from the data provided). How boards calculated this was unclear and inconsistent. Most inquiry boards provided a number of months as the average time (for example, six months). These boards did not indicate how they calculated this time (including whether they counted the summer months) and most of these average times seem to be an estimate and not exact values. For example, one board said four to five months; another said two-and-a-half months if a student is placed on the list early in the school year; and another one said the average time was "typically within one year." However, this board does not maintain a wait list so it was not clear what information it used to generate this estimate.

One school board that reported maintaining a central electronic wait list was able to provide a more precise average time and a median time on the wait list. Another board that also reported maintaining a central wait list provided an average based on the number of calendar days.

Students at several school boards were waiting years for an assessment. In five of the six boards that provided lists, there were students waiting 600 days or more. The OHRC also compared the data provided to the board's self-reported average wait time and found that many students are waiting longer than the self-reported average wait time. In two of the six boards where data was available, more than half the students waiting for a psychoeducational assessment had been waiting longer than the board's average reported time for receiving an assessment.

The Ministry told the inquiry that boards' Special Education Plans are supposed to include information on managing wait times for assessments. However, the Ministry said it "has little information/data on wait times and wait lists in individual boards." It said that the evidence it has collected to date suggests:

- Wait lists and wait times for professional assessments vary from school to school and board to board
- Some boards may not use wait lists to record and manage wait times for assessments
- Only some boards may use tracking systems (such as case management software) to track and/or assign professional assessments.

Despite recognizing these issues, it was not clear whether the Ministry has plans to require boards to improve their approaches to managing and collecting data on wait times for professional assessments.

In its inquiry submission, the Ontario English Catholic Teachers' Association noted persistent issues with students not being able to access professional services and supports.

The Ontario Association of Speech-Language Pathologists and Audiologists emphasized the urgent need to implement the Auditor General's recommendations about wait lists and wait times. It emphasized the importance of an infrastructure (for example, electronic case management) to manage wait lists, assessments and interventions. It also stressed that boards should remove barriers, such having to travel long distances, for students and families to access professional assessments. It recommended boards consider providing transportation and conducting virtual assessments, as appropriate.

Professional assessments should not be needed to get supports, but often are

Professional assessments should not be a pre-condition for a student to receive intervention, accommodation or other special education supports. Yet, the inquiry found that they are often required, even if official board policies do not say so. Most inquiry school boards said they do not require a professional assessment such as a psychoeducational assessment or a formal diagnosis for a student to be offered a reading intervention or most forms of accommodation. However, it is concerning that one board said that a psychoeducational assessment with a formal learning disability diagnosis is required to access Empower™ Reading. This is even more troubling since students in this board face unique challenges obtaining board or private professional assessments due to geography, and because it is very hard to attract and retain professionals to work in the area. Other boards said students with a diagnosis are more likely to be included in Empower™ Reading groups.

Where parents pay for private psychoeducational assessments, some boards require their school board psychologists to vet the assessment before the board will implement recommended interventions and accommodations. Boards said this is to make sure they have the capacity and ability to incorporate the report's recommendations in the classroom. Parents reported that this can result in delays in obtaining services for students and expressed their frustration that they had to pay for a private assessment because a board assessment was not available, but still faced barriers in having their child's professionally identified needs addressed. Boards should consider whether it is necessary for board psychologists to routinely review the work of another psychologist who has assessed the student to determine whether the types of interventions and accommodations are available in the board, or if other board staff could fulfill this role.

The inquiry heard that even where boards say assessments are not needed to access supports, the reality is much different. Survey responses from students, parents and educators across Ontario noted that assessments are often required or **perceived** to be required to receive reading interventions and accommodations.

It is concerning that 41% of respondents to the survey for educators and other professionals said that a psychoeducational assessment should sometimes (37%) or always (4%) be required to receive reading interventions. They said that in practice, they are typically always (6%) or sometimes (37%) required to receive interventions. Many parents (42%) reported that assessments were required for their child to receive reading interventions compared to 45% who said that an assessment was not required, and 13% who said they did not know whether an assessment was required to receive the reading intervention.

A significant proportion (39%) of respondents to the survey for educators and other professionals also said that a psychoeducational assessment should sometimes (35%) or always (4%) be required to receive accommodations. Many (44%) of educator survey respondents said that they are typically required to receive accommodations. A large proportion of parents (72%) reported that a professional assessment was needed for their child to receive accommodations.

Lack of interventions and accommodations while waiting

The OHRC asked boards whether students with suspected reading disabilities awaiting assessment had IEPs and were receiving interventions and accommodations. Boards said that most, but not all, students waiting are receiving some form of supports. However, it was not clear if these supports were evidence-based interventions. Only one board clearly stated that it follows an RTI model and identified the interventions it provides while students are waiting for assessment. Every student with a suspected reading disability should be receiving a tier 2 or tier 3 intervention, and any needed accommodations, while they are waiting to be assessed.

Since assessments are often needed to get interventions and accommodations, it is not surprising that the inquiry heard that in practice, many students do not receive interventions and accommodations while awaiting assessment. One parent said:

The system is failing kids. You need the assessment to get resources and accommodations. But no kid is getting put forward for this until Grade three. Dyslexia needs early and consistent intervention. My daughter developed heart-breaking negative self concept and aversion to trying new things in her first years of school. We are lucky to have the knowledge and resources to have somewhat helped her. She still struggles incredibly at school and is still healing from how she sees herself and her learning. It truthfully makes me cry thinking of other kids who are unidentified and ineffectively supported.

The Ontario English Catholic Teachers Association reported that students who have not gone through the IPRC process often do not get special education support:

While the Ontario Human Rights Commission (2018) policy says that schools should provide accommodations for any student with a disability, regardless of whether they meet the Ministry of Education's definition of "exceptionality," it is still the prevailing practice that only students with identification through the formal Identification, Placement, and Review Committee (IPRC) process are automatically provided with special education support. Because school boards are struggling to provide supports for the students who have already been identified, they are often reluctant to go through the IPRC process....As a result, students often go far too long without their learning needs being acknowledged, which means they do not get the proper interventions while they are awaiting identification, and it is more difficult to build new skills or change attitudes when identification finally happens.

Students and parents also reported that an IRPC was required to receive interventions and accommodations. Many students with reading disabilities who have not had a formal assessment will not have gone through the IPRC process. This is more pronounced for multilingual students. Significantly fewer multilingual students in Ontario have an IPRC learning disability identification compared to other students.¹²³¹ Students who have not gone through the IPRC process may be less likely to receive accommodations and interventions than students who have.

Professional staff shortages

The inquiry heard about challenges finding and maintaining staff to provide services needed to support special education needs. The Ontario Catholic School Trustees' Association noted that the shortage of speech-language pathologists and psychologists is "a significant challenge to many rural and northern boards across the province. This affects the timeliness of conducting various health and psychological assessments for students."

People for Education has noted that smaller, rural and northern boards also face challenges due to funding formulas that are tied to enrolment:

Small town/rural boards, which typically have lower enrolment, may be at a disadvantage when it comes to hiring professionals and para-professionals such as psychologists, social workers and child and youth workers. As is the case with most education funding, boards receive funds for these staff based on enrolment. ...Boards with lower enrolments may be making decisions about which types of support staff to employ based on finances rather than need.¹²³²

In another recent report, People for Education estimated that schools in northern and rural boards have limited access to psychologists compared with schools in the Greater Toronto Area.¹²³³ This is consistent with what we heard from several inquiry school boards.

Recommendations

The OHRC makes the following recommendations:

Update criteria for identifying a word-reading disability/dyslexia and make sure all students who need supports have them

111. The Ministry of Education (Ministry) should work with external expert(s) to immediately revise PPM 8 to align with the research and DSM-5 criteria, and to address any potential biases. This includes:
 - a. Removing the statement that students must have assessed intellectual abilities that are at least in the average range and any reference to a discrepancy (or inconsistency) between their intellectual abilities and achievement to be identified with a learning disability, and making it clear that at least average intelligence is not a requirement for receiving reading interventions or other supports
 - b. Removing the statement that the student's learning difficulties should not be "the result of...socioeconomic factors; cultural differences; lack of proficiency in the language of instruction..."
 - c. Keeping the focus on academic functioning throughout.

The Ministry should also work with external expert(s) to re-examine all exceptionality definitions, such as the definition for intellectual disabilities, based

on the changes to PPM 8, and should ensure that the criteria for other exceptionalities do not exclude these students from receiving instruction and supports.

112. PPM 8 should reflect the current DSM-5 criteria that require showing:
 - a. The student experiences difficulties in reading, writing or math skills, which have persisted for at least six months even though the student has received interventions that target the difficulties
 - b. The difficulties result in the affected academic skill(s) being substantially and quantifiably below those expected for the student's age. This is determined through standardized achievement tests and clinical assessment
 - c. The learning difficulty started during school-age years (or even in preschool), although it may not become fully evident until young adulthood in some people
 - d. The problems are not solely due to intellectual disabilities, hearing or vision problems, other mental or neurological "disorders," adverse conditions or inadequate instruction (however, reading disabilities/dyslexia can co-exist with other disabilities including mental and neurological "disorders").
113. The Ministry should amend PPM 8 to explicitly state that students do not need to be a certain age or grade level to be considered for assessment. It should direct school boards not to delay identifying learning difficulties and should state that students who are not benefiting from early evidence-based structured literacy interventions should be considered for assessment by end of Grade 1.
114. The Ministry should amend PPM 8 to encourage identifying the subtypes of learning disability/academic areas that are impaired, and explicitly recognizing the term "dyslexia" for learning disabilities that affect word reading and spelling.
115. School boards should change their definitions of learning disabilities and align their practices for recognizing learning disabilities to be consistent with the revised PPM 8.
116. The Ontario Psychological Association's *Guidelines for Diagnosis and Assessment of Learning Disabilities* and the Association of Psychology Leaders in Ontario Schools *Recommended Guidelines for the Diagnosis of Children with Learning Disabilities* should also be updated to make the assessment guidelines for dyslexia/learning disabilities in word reading consistent with current DSM-5 requirements, including by removing the requirement for at least average intelligence (or at least average abilities for thinking and reasoning) or a discrepancy/inconsistency between intellectual abilities and achievement. They should recommend limiting or eliminating the routine use of routine intelligence and cognitive processing tests for assessing students for word-reading disabilities/dyslexia.

117. The criteria for identifying students with a learning disability in word reading should apply to students learning in French, and these students should have equitable access to professional assessments.
118. The Ministry should revise Policy/Program Memorandum 59: Psychological Testing and Assessment of Pupils, to remove the statement that school boards should consider delaying assessment if the pupil's first language is other than English or French and/or the pupil lacks facility in either of these languages. Instead, the Ministry should work with external expert(s) to set out factors for determining whether to refer a student whose first language is not English or French for psychoeducational assessment.

Establish criteria for referring students with suspected reading disabilities for assessment

119. School boards should create clear, transparent, written criteria and formalize their processes for referring students with suspected reading disabilities for psychoeducational assessment based on the young student's response to intervention (RTI). The criteria should recognize that any young student who has not responded appropriately (based on measures of word and/or non-word-reading accuracy and/or fluency and text-reading fluency and comprehension), after a period of classroom instruction and early evidence-based intervention should be referred for a psychoeducational assessment. Older students (beyond Grade 2) who have word-reading accuracy and fluency difficulties should be referred for assessment immediately. Young and older students should receive more intensive evidence-based interventions while they are waiting to be assessed. Speech-language pathologists can be a resource for assessments for all students with reading difficulties, particularly when there are concerns about language development and to help determine if a student has a language disorder.
120. The criteria should account for the risk of bias in the selection process, particularly for students who are culturally and linguistically diverse, racialized, who identify as First Nations, Métis or Inuit, or who come from less economically privileged backgrounds. School boards should regularly assess whether students from Code-protected groups are receiving equal access to professional assessments.
121. School boards should remove barriers to students receiving professional assessments, such as by providing transportation and virtual assessments, where appropriate, valid and reliable.
122. School boards should eliminate any limits on how many students can be referred for assessment. Any student who meets the criteria should be referred for assessment.
123. School boards should stop requiring students be a certain age or grade level before being considered for assessment.

124. School boards should stop requiring multilingual students to have a minimum number of years of learning English or French before referring them for assessment. Instead, school boards should regularly monitor the progress of these students, and if a student is having difficulty, consider the relevant factors, based on the guidance in this report and any revisions to PPM 59, in deciding whether to refer for assessment. If the student is still struggling after one year of exposure to English/French, a detailed assessment of reading, spelling, writing and mathematics is appropriate. Special attention should be paid to analyses of successes and errors.
125. School boards should immediately stop requiring a psychoeducational assessment for interventions or accommodations.

Track students based on learning disability subtype and recognize dyslexia

126. School boards should track students by the learning disability/academic area that is impaired, and should explicitly recognize the term dyslexia for learning disabilities that affect word reading and spelling.

Manage wait times for professional assessments

127. The Ministry of Education (Ministry) should require school boards to implement the recommendations identified in the 2017 Office of the Auditor General of Ontario's report on School Boards' Management of Fiscal and Human Resources.¹²³⁴ To make sure assessments are completed in an equitable and timely manner, school boards should:

- a. Establish reasonable timelines for completing psychological and speech language assessments
- b. Maintain centralized, electronic wait lists at the board level
- c. Use the centralized, electronic wait lists to monitor and manage wait times, and where necessary, reassign assessments to specialists who have smaller workloads
- d. Implement a plan to clear backlogs.

128. The Ministry should monitor school boards' compliance with these requirements.

129. The Ministry should adopt the *Accessibility for Ontarians with Disabilities Act, 2005* Kindergarten to Grade 12 Education Standards Development Committee's recommendations related to professional assessments.¹²³⁵ For example, the Ministry should implement the recommendation to create a standardized provincial rubric for documenting the number of professional and specialist assessments provided by each school board annually that includes information on the

prioritization criteria used in referring students for assessments and the length of time from when the need for assessment is identified to when the assessment is completed.¹²³⁶ Boards should implement the recommendation to publicly report on an annual basis data related to professional assessments.¹²³⁷

Provide funding for professional services

130. The Ministry should provide stable, enveloped yearly funding for professional services that boards can use to develop infrastructure, such as electronic case management information systems; create wait lists where they do not yet exist; manage wait lists and track professional assessments; respond to professional staff shortages; and complete assessments in a timely way.



13. Systemic issues

13. Systemic issues

Introduction

As well as examining the five issues identified in the inquiry's terms of reference, the inquiry identified several other systemic issues that negatively affect Ontario students' right to read. These have a negative effect on the quality of education services for students with disabilities, students from marginalized groups, and students who experience intersecting forms of disadvantage.

One significant finding is a lack of consistency across the province. School board approaches to early reading instruction, early screening, reading interventions, accommodations and professional assessments vary widely. Students' and families' experiences differ based on where they live in Ontario, where they live in a school board's district and even which teacher they have. The differences are so significant that parents reported moving their children to different schools or school boards to get access to better services. Other families were frustrated and disappointed that Ontario's education system does not have universal access to the same level and quality of services and supports. Educators also identified this lack of consistency as a challenge, and said they too want consistent direction from the province and board leaders.

Many of the inconsistencies between boards and within boards are due to a failure to set standards for services and supports at provincial and school board levels. The Ministry of Education (Ministry) has provided little guidance to school boards and has not set consistent minimum standards for early screening, intervention, accommodation or professional assessments. The current Language curriculum does not contain clear mandatory learning expectations related to early reading, or prescribe direct and systematic instruction in foundational reading skills. Boards also provide little guidance to schools and teachers in these areas.

Another consistent theme was inadequate monitoring and accountability at the board and provincial levels. Boards are not doing enough to keep track of how reading instruction is being delivered in the classroom. This includes looking at whether:

- Students are being screened for reading difficulties using evidence-based screening tools, and the results of any early screening
- Students are receiving evidence-based reading interventions and are making the expected gains
- Accommodations are helping students meet their learning goals
- Schools are exhausting all possible accommodations before modifying a student's curriculum expectations.

Also, many boards are not keeping centralized data on professional assessments. This affects their ability to monitor how long students are waiting, and to take steps to make sure there is equity and timeliness in assessments.

Little data has been collected or analyzed to track education outcomes and safeguard education equity for all Ontario students. The data that has been collected may not be from valid measures of foundational reading skills, is not consistent and has not been linked or cross-tabulated with other data, to identify, for example, systemic barriers affecting students from *Code*-protected groups. Decision-making has not been data-driven. The Ministry reports that a new Board Improvement and Equity Plan (BIEP) framework has been developed to better standardize provincial education priorities, goals and indicators. Also, as boards will all be required to conduct a student census by January 1, 2023, they should have increased capacity to analyze data for equity purposes.

Schools often fail to communicate transparently with students and parents. Some schools do not help parents understand what screening tools, interventions and accommodations are available to their children. Even when children are screened, schools do not always share the results of the screening with parents. When students receive interventions, accommodations and modifications, parents do not always know what the supports are, if they are effectively helping their child close reading achievement gaps, or if their child is on track to meet curriculum expectations. Some parents reported being ignored, or even facing reprisals, when they raised concerns about the school's approach to their child's reading difficulties.

Many of these issues have been identified in previous reviews and reports. There has been progress – for example, more boards are starting to collect demographic data. This is consistent with Ontario's *Education Equity Action Plan*¹²³⁸ and will be required by the *Anti-Racism Act, 2017*¹²³⁹ by January 1, 2023. The inquiry's findings show that more needs to be done to set standards, ensure consistency and monitoring; collect, analyze and mobilize data; monitor student outcomes and program efficacy; and ensure transparency and accountability.

Setting standards, ensuring consistency and monitoring

Ontario's public education system is highly decentralized. Ontario's 72 publicly funded school boards have significant discretion on how to spend funds and deliver services, including special education services. The Auditor General for Ontario reports that the Ministry's explanation is "that school boards are each governed by an elected board of trustees who have responsibility for making autonomous decisions based on local needs."¹²⁴⁰

Despite this, the Ministry has ultimate responsibility for administering publicly funded education in Ontario.¹²⁴¹ The Ministry sets the Ontario curriculum¹²⁴² and is responsible for developing laws, regulations, policies and programs for the education system. The Ministry can set standards, outline expectations for school boards, and monitor the implementation of Ministry policies and programs. It can set provincial standards for assessment, evaluation and reporting, and require boards to collect data. The Ministry

is also responsible for making sure school boards provide appropriate special education programs and supports, and it has an important role in providing guidance on special education services. The Ministry requires school boards to maintain Special Education Plans¹²⁴³ outlining the special education programs and services that the board provides.

The Ministry provides school boards with funding through a series of grants.¹²⁴⁴ Most school board funding is through the Grants for Student Needs program, which includes funding for teachers, classroom supplies, school administration and specific priorities such as special education (through the Special Education Grant), student transportation, mental health and Indigenous education. Boards have significant flexibility about how to spend their funding, including the Special Education Grant.

Although local decision-making may have benefits in some areas, there is no benefit to failing to have provincewide standards for teaching reading, screening all students, providing evidence-based reading interventions, implementing timely and effective accommodations or performing timely professional assessments based on clear criteria. The scientific research is clear and we know what works best for teaching foundational reading skills to all students. There is no need to deviate from evidence-based approaches based on local needs. For example, a student in one part of the province does not learn to read differently, require different screening or intervention than a student in another part of the province.

The OHRC has identified an urgent need for standardized provincewide action to protect the rights of students with reading difficulties. Several inquiry school boards said they would welcome more Ministry guidance and standardization based on the best scientific evidence to date. Boards said they have limited capacity to review scientific research and determine what approaches are supported by the most current evidence. Inquiry boards also noted benefits to having co-terminus boards (public and Catholic school boards that share the same geographic boundaries) using the same approaches. They noted this may avoid families switching boards to gain access to different services. Efficiencies can also be gained through consistency such as bulk-purchasing opportunities, partnering to provide professional development on common programs and supports, and other forms of co-operation between neighbouring and co-terminus boards.

Educators and other professionals also called for more consistency across Ontario. They described the lack of guidance and standardization as an additional burden on overworked professionals who are left to figure things out on their own. They expressed sadness and frustration that students' experiences vary so widely and many approaches are not effective for the most vulnerable students. One teacher summarized this systemic problem:

Inconsistent practices from school to school and within staff at the same school from year to year, provide systemic imbalances which result in children fall[ing] through the cracks.

Reports and studies recommending better standards, consistency and monitoring

Auditor General for Ontario

The Auditor General for Ontario is an independent officer of the Legislature with a mandate to assess whether government and school boards work in a way that is efficient and cost-effective. The Auditor General reviews whether the government and school boards have procedures in place to evaluate and report on the effectiveness of their programs.¹²⁴⁵

The Auditor General regularly reviews the operation of the public education system through “value for money” audits. Many Auditor General reports have identified issues with a lack of consistency within the education sector, and recommended establishing minimum expectations and better guidance for school boards, educators and the Education Quality and Accountability Office (EQAO). Reports have also focused on the need for better reporting by school boards and the Ministry, better monitoring, and ultimately improved accountability across the system.

The Auditor General’s 2017 Report on Ministry Funding and Oversight of School Boards stated:

...we found there are still opportunities for the Ministry to improve its oversight of school boards.

Most significantly, we found that the Ministry does not assess and address whether students with similar needs receive the same level of support no matter where they live in the province.¹²⁴⁶

The Auditor General identified several concerns with lack of monitoring of how funds allocated to school boards are spent, including whether funding for specific education priorities is being spent as intended and achieving the intended results for students.¹²⁴⁷ Although the focus is on value for money, efficiency and effectiveness, and ensuring taxpayer dollars are well spent, the identified concerns overlap with human rights concerns.

The Auditor General has identified other areas where more direction and consistency are needed. For example:

- The Ministry’s assessment policy *Growing Success* does not provide enough guidance to teachers on assessment, leading to inconsistent assessment of students¹²⁴⁸
- Ontario students have uneven access to classroom information technology (IT) resources across schools and school boards¹²⁴⁹
- IEPs vary in how well they set learning goals and expectations for students with special education needs working toward modified curriculum expectations¹²⁵⁰
- School boards lack procedures to assess the quality of special education services and supports at their schools¹²⁵¹

- Boards need procedures to monitor the effectiveness of schools' early identification practices and take corrective action where they have not been effective.¹²⁵²

Concerns with a lack of standards, monitoring and accountability are consistent themes in Auditor General reviews of the Ministry, school boards and related education sector actors such as the EQAO. These were consistent themes in the inquiry as well.

Other reports

In 2018, an independent review of assessment and reporting in Ontario schools made findings and recommendations about how Ontario can improve its assessment policies and practices. *Ontario: A Learning Province*¹²⁵³ addressed the need for greater consistency in understanding and practices for assessments across classrooms, schools and school boards. For accommodations, the review addressed the need to:

Provide consistency of accommodations and modifications for students with Individual Education Plans in assessments from one grade and class to another, and consider how to maintain consistency as these students transition from one school to another.¹²⁵⁴

A Ministry review identified the need for consistency in data collection. *Unlocking Student Potential Through Data, Final Report*¹²⁵⁵ identified ways the Ministry can improve student outcomes through data collection, analysis and reporting. It emphasized the importance of standards for consistency in data collection and analysis across Ontario:

...allowing school boards to collect data on their own, with no provincial standards to ensure consistency, will result in gaps within the provincial picture of whether, and to what extent, education equity is achieved for students from diverse communities, backgrounds, and identities. Routine, consistent demographic data collection will allow school boards and the Ministry to close these knowledge gaps and create an education system that better serves all of Ontario's students.

People for Education issues an annual report on Ontario's publicly-funded schools. It describes its reports as "an audit of the education system" based on survey responses from school principals from English, Catholic and French schools across the province. Its 2016 annual report, *The Geography of Opportunity: What's Needed for Broader Student Success*, identifies "considerable disparity between Ontario's schools in staffing, resources, and learning opportunities" as "an ongoing concern."¹²⁵⁶ The report noted that geography has an impact on access to services and supports, and access to special education supports is not evenly distributed across Ontario.

For example, in 2016, 91% of urban/suburban elementary schools reported having a full-time special education teacher, compared to only 66% in small-town/rural schools.¹²⁵⁷ Fifty per cent of urban/suburban elementary schools reported a restriction

on the number of students who can receive special education assessments. That number was much higher (72%) in small-town/rural schools.¹²⁵⁸ People for Education noted the need for the Ministry and boards to work together to improve equal access to supports and services across Ontario:

In order to provide all students with access to a wide range of learning opportunities – regardless of the size of their schools or their location – the province must work with school boards and communities to ensure that appropriate funding and policy is in place.¹²⁵⁹

The Auditor General has also found significant geographic discrepancies between school boards (for example, see the discussion of higher EQAO scores in southern boards compared to northern boards in section 5, How Ontario students are performing).¹²⁶⁰

Accessibility for Ontarians with Disabilities Act K–12 Education Standards Development Committee

The goal of the *Accessibility for Ontarians with Disabilities Act, 2005*¹²⁶¹ (AODA) is to make Ontario accessible by 2025 by implementing enforceable accessibility standards for goods, services, facilities, employment, accommodation and buildings. The accessibility standards apply to the public, private and not-for-profit sectors.

To create an accessibility standard, the Minister responsible for the AODA appoints people to an accessibility standards development committee. The committee develops a proposed accessibility standard and recommends it to the Minister. The public has an opportunity to give comments and suggestions on the proposed standard. The Minister reviews the committee's proposed accessibility standard and decides whether to implement it by making it into a regulation under the AODA.

Once a standard is implemented, people or organizations covered by the standard must comply with it. There is also a process to review and revise a standard within at least five years of it being made a regulation.¹²⁶²

In 2017 a Kindergarten to Grade 12 Education Standards Development Committee (ESD Committee) was formed to provide recommendations to government on removing and preventing accessibility barriers in the publicly funded education system. These recommendations will form the basis for a proposed new accessibility standard for education.

The ESD Committee's initial report and 197 recommendations were released for public feedback in 2021.¹²⁶³ The committee identified many barriers and recommendations relevant to the inquiry. Among many other things, the ESD Committee proposed standards:

- For inclusive curriculum that reflects current evidence and meets the needs of all students
- To clarify that accommodations must be provided to any student with a disability under the *Code*, and not just students identified with an exceptionality as defined by the Ministry
- To ensure consistent format, content and data collection for Individual Education Plans (IEPs)
- Requiring all boards to have a Digital and Technology Action Plan to identify, remove and prevent technology barriers for students with disabilities.¹²⁶⁴

The ESD Committee's report also noted several inefficiencies and duplication in the education system when boards each conduct their own research to find the best resources for students with disabilities.¹²⁶⁵ It recognized the role of the Ministry in researching and providing boards with lists of evidence-based options to choose from.¹²⁶⁶

Throughout its report and recommendations, the committee noted a lack of accountability mechanisms (including annual progress reviews and public reporting) to make sure policies, regulations and the delivery of programs and services to students are appropriately implemented.¹²⁶⁷

The committee addressed concerns with existing accountability mechanisms to promote the rights of students with disabilities. It recommended standardizing and improving these mechanisms, including by requiring school boards to develop accessibility committees and multi-year accessibility plans that identify barriers, establish plans to eliminate the barriers and ensure compliance with accessibility standards. The committee recommended standards for board accessibility plans.¹²⁶⁸

The ESD Committee recommended that each school within a board also have an accessibility committee to identify and address accessibility barriers unique to the school as quickly as possible.¹²⁶⁹

The committee called on the Ministry to set standards to ensure consistency among board accessibility committees and accessibility plans. It recommended that the Ministry provide boards with:

- Templates and resources to promote consistent processes and documentation for accessibility committees and accessibility plans¹²⁷⁰
- Accessibility expectations for programs and services¹²⁷¹
- A way to publicly share best practices for accessible education programs, services and facilities with other boards and stakeholders.¹²⁷²

The committee also recommended central oversight of board accessibility committees and accessibility plans by the Ministry.¹²⁷³

A consistent theme in the ESD Committee's findings and recommendations is that the Ministry should assume greater responsibility for ensuring consistency, accountability and oversight of school boards to make sure they meet the needs of students with disabilities¹²⁷⁴ by, among other things:

- Monitoring, auditing, surveying and gathering feedback on compliance with the AODA, Code and Charter¹²⁷⁵
- Designating an assistant deputy minister with authority to ensure a barrier-free and accessible school system for students with disabilities¹²⁷⁶
- Creating an ombudsperson/oversight office to investigate and resolve student and parent concerns about education of students with disabilities¹²⁷⁷
- Collaborating with the Ministry for Seniors and Accessibility to publicize effective special education and accessibility practices.¹²⁷⁸

The ESD Committee also identified several recommendations for school boards to make them more accountable. For example, it said that boards should be required to report to the Ministry (and the Accessibility Directorate) each quarter on their "successes and challenges" in meeting the ESD standards recommendations, along with "proposed solutions or remediation efforts."¹²⁷⁹

The committee recommended that the Ministry and boards work together to create "accountability tools and processes to survey, monitor and communicate student engagement and performance data."¹²⁸⁰

The committee emphasized the need for measurable performance metrics and timelines for implementing education standards.¹²⁸¹ It also recommended that the Accessibility Directorate (under the Ministry for Seniors and Accessibility) play a direct role in monitoring compliance with any new education standard under the AODA, including by conducting on-site inspections and implementation reviews of selected school boards.¹²⁸² The Accessibility Directorate should also conduct a compliance review or audit of the Government of Ontario on a quarterly basis.¹²⁸³

Inquiry findings on setting standards, ensuring consistency and monitoring

Information collected from multiple sources revealed that, as other reviews and reports have found, there is little standardization, consistency, monitoring or accountability in the five areas that are essential to meeting students' right to read. Processes in place at the time of the inquiry do not hold boards to a standard of excellence in reading instruction and related services, do not ensure equitable access to evidence-based interventions and accommodations, and do not allow boards or the Ministry of Education (Ministry) to identify problems or disparities in the system.

The Ministry told the inquiry that it gives school boards flexibility on how to spend funds to support special education, because students' needs are best addressed at the local level, and boards have the greatest knowledge of their students and local needs.

Boards also afford considerable discretion to individual schools and teachers for the same reasons and to respect teachers' professional judgement. This means that students' experiences vary widely by board, school and teacher.

Regulation 306 under the *Education Act*¹²⁸⁴ requires every school board to prepare and approve a report on the special education programs and special education services the board provides, and to submit it to the Ministry every two years. Each board is required to maintain a Special Education Plan, review it annually, amend it from time to time to meet the current needs of its exceptional students, and submit any amendment(s) to the Minister for review. One of the purposes of a school board's Special Education Plan is to inform the Ministry and the public about special education programs and services the board provides in accordance with legislation and ministry policy on special education.¹²⁸⁵

A Ministry policy document sets standards for these Special Education Plans.¹²⁸⁶ It states that each plan must be designed to comply with the *Charter*, the *Code*, the *Education Act* and regulations, and any other relevant legislation. The board must include a statement confirming the plan has been designed in accordance with this requirement. Plans must address early identification procedures and intervention strategies, the IPRC process and educational assessments, including average waiting times for assessments and the criteria for managing waiting lists if they exist.

The Ministry says it reviews each school board's Special Education Plan to determine if it complies with the Ministry's requirements to make sure certain standards are maintained across Ontario in developing and providing special education programs and services. Where the Ministry determines that a board's plan does not comply with the standards, it will require the board to amend its plan.

The Ministry says that there should be provincewide standards for Special Education Plans:

These standards support the government's goal of ensuring that exceptional students in Ontario receive the best-quality education possible. System-wide implementation of these standards will make school boards more accountable to students, parents, and taxpayers.¹²⁸⁷

Until November 2020, school boards were also required to provide a Board Improvement Plan to the Ministry each year. Board Improvement Plans were to include school board data, including data related to literacy achievement and identify the actions the board would take to respond to areas of concern about student achievement. The Ministry told the inquiry that boards typically included goals related to improving student achievement in literacy.

The Ministry did not indicate what follow-up occurs after boards provide their Special Education Plans and, until November 2020, their Board Improvement Plans, or what standards based on scientific research in education are used to evaluate the plans. It was unclear if and how the Ministry monitors the quality of boards' special education programs and services, or their progress in improving student achievement in literacy. It

was also not clear if the Ministry requires boards to take any corrective action if concerns are noted. It was therefore not possible to determine if and how requirements for Special Education Plans are being enforced. The various reports described above and the inquiry's findings suggest that to date, this process has not been particularly effective in ensuring minimum standards, consistency and accountability.

The OHRC reviewed a sample of boards' Special Education Plans to see how they address the issues in the inquiry. Some observations about the lack of consistency and standards in Special Education Plans include:

- Overall, the plans vary considerably between boards, with little consistency in what information is provided. This makes comparing special education approaches across boards very difficult
- Only some of the plans refer to universal design for learning (UDL), usually in a very minimal way and not specifically related to evidence-based classroom reading instruction (in other words, boards do not recognize that direct, explicit, systematic instruction in foundational word-reading skills that conforms to the scientific research is good for all students and essential for at-risk students)
- Not all plans identify a tiered approach to instruction, assessment and intervention, or if they do, they do not accurately lay out an evidence-based RTI/MTSS approach
- The plans vary in terms of how thoroughly they explain available assessment/screening, intervention and accommodation processes
- Few plans discuss specific evidence-based screening processes
- Few plans discuss specific evidence-based reading intervention programs
- Many plans do not include the wait times for formal assessments or the board's strategy (if any) for managing wait lists
- Only some boards include detailed professional development plans related to special education. Professional development plans do not reflect what is required for students with or at risk for reading difficulties, including related to evidence-based instruction interventions
- Not all boards break down service delivery models by types of exceptionalities and include information on available supports and programs for students with learning disabilities.

In September 2021, the Ministry released a Board Improvement and Equity Plan (BIEP) framework. The Ministry reports that this framework identifies improving literacy achievement as a goal and establishes three provincial literacy achievement performance indicators. These relate to reading and writing EQAO scores, reading and writing report card assessments, and the Ontario Secondary School Literacy Test.

The Ministry reports that within the BIEP Data and Planning Tool, boards will be asked to provide demographic data that will be used to identify disproportionalities among students for every student-related indicator. Boards will be expected to analyze how various marginalized student populations are faring against these performance

indicators (in other words, analyze any disproportionalities in outcomes) and set targets and develop actions to address those disproportionalities. Boards will submit the BIEP annually, starting in May 2022. The Ministry says it will review school boards' BIEPs annually.

The BIEP tool is a good step forward. However, report card data is currently not a good measure of reading achievement. As discussed below, report card marks may not be based on objective measures of reading skills, and the inquiry heard many examples of students receiving good grades that masked their reading difficulties. The Auditor General has also found provincial report cards are not meaningful assessments of achievement for students with IEPs. Standardized measures of reading skills described in this report will provide a better basis for boards and the province to assess provincial literacy achievement for young students.

The Ministry's other efforts to create some consistency and provide some direction to boards are often in the form of voluntary guides and resources. Where there are more directive Policy/Program Memoranda related to screening, professional assessments, learning disabilities and other matters relevant to students with reading disabilities, they are mostly outdated, do not reflect current science or evidence, or hamper boards' ability to promote consistency and standardization (for example, see discussion of PPM 155 in section 9, Early screening).

A Ministry document that all teachers are required to follow is the Ontario curriculum. The curriculum sets out what teachers are required to teach and the knowledge and skills students are expected to achieve at the end of each grade. The Language curriculum is therefore an essential tool for setting standards and ensuring consistency in evidence-based reading instruction in every classroom across the province. However, the curriculum promotes a problematic cueing system approach to reading instruction, and does not outline the research-based skills that are fundamental to reading acquisition. It provides no guidance on evidence-based approaches to instruction to make sure all students learn to read. As well as not aligning with evidence, the curriculum leaves a lot of room for interpretation. Several school board personnel and many educators who responded to our survey said they are looking for more explicit and evidence-based guidance in the Language curriculum:

I don't think there is enough consistency. There are broad curriculum goals without direction on how to get there. Too much is open to interpretation and many children, in my opinion, get left behind because a teacher is using outdated methods or hasn't been informed about the best way to reach all learners.

and

I see a wide range of mish mash approaches and materials. Inconsistency and lack of knowledge prevail.

Similarly, there is little consistency in early screening. Section 9, Early screening, details how Ontario lacks universal evidence-based early screening. School boards are currently limited to circulating a list of approved screeners, but cannot mandate and oversee their use. The screeners boards have approved and the procedures for their use, are generally not aligned with evidence-based measures and practices. Thus, the current approach to screening is not evidence-based and is *ad hoc*, inconsistent between teachers, schools and boards, and misses identifying many students who should be given early intervention and supports.

The OHRC asked the inquiry school boards to list the screeners they have approved for use by teachers. There were over 40 screeners approved across the eight inquiry boards. Boards did not know which screeners are being used, which students are being screened and when and how often they are being assessed. The validity of the screeners and the processes of their use largely do not align with the evidence.

Many educator survey respondents highlighted inconsistencies in the approach to early screening:

It seems to vary across not only school boards, but even across classrooms!
There is no consistency, which is very worrying.

and

Different standards for different teachers lead to kids falling behind or even falling between the cracks. Everyone needs to be screened.

In contrast, the U.K. has instituted a single national phonics screen using one common screening tool. This standardization and consistency allows the U.K. to collect, analyze and publish national data on the results of a valid and reliable early screening measure. Other jurisdictions such as North Vancouver District School Board require all students be screened using only one screening tool.¹²⁸⁸ This approach has been very effective in early identification and intervention for students with reading difficulties.

The eight inquiry school boards identified over 20 different interventions. Educator survey respondents named 13, as well as additional unnamed “others,” such as “general balanced literacy approach during intervention time” and “general structured literacy approach during intervention time.” As reviewed in section 10, Reading interventions, many of the named interventions were not consistent with the research. The variation and use of interventions that do not follow evidence-based approaches is concerning.

Many educators described inequity in access to interventions:

There are many effective reading interventions available, which require varying amounts of expertise and time to administer. Availability of reading interventions for students is currently very inconsistent within/between schools and school boards depending on ideology and budget priorities.

They also described unfairness associated with inconsistent approaches:

Benchmarks for screenings and recommended intervention approaches are needed because without [them] we see large inconsistencies across schools, school boards and the province which is not fair to students.

This significant variation and the many ineffective and unsupported screeners and interventions chosen by boards means that the needs of many Ontario students with reading difficulties or at risk for later reading difficulties are not being met. Combined with a curriculum and pedagogical classroom approaches that emphasize ineffective cueing systems and balanced literacy, it is no wonder so many students are struggling. Inconsistent access to timely and effective accommodation then multiplies these students' struggles. Students and parents report having to "fight" to have accommodations implemented from class to class, grade to grade and when transitioning to a different school or school board.

Finally, boards lack clear and consistent criteria for referring students for psychoeducational assessment. The level of discretion in this process creates a significant risk of bias and inequitable access.

Since the launch of the OHRC inquiry, boards have been allocated additional funds for reading supports. A 2021 Ministry transfer payment agreement attempts to provide more guidance around screeners and reading interventions by using examples of literacy programs that include direct instruction in core word-reading skills. This is a good start, but it is still framed as guidance and not direction. Explaining good approaches and providing examples of good programs is not the same as requiring boards to only choose from measures, approaches and programs that are supported by scientific evidence. Boards need clear direction that they must not use measures, approaches and programs that are not validated and proven to be effective for students with reading difficulties.

There is an urgent need to set clear standards and requirements consistent with evidence that **must** be followed by all schools across Ontario. In contrast, over 40 U.S. states have reading disability/dyslexia-specific laws that raise awareness about dyslexia and provide guidance to school districts on how to identify children at risk for dyslexia, and provide early evidence-based interventions. These laws often also address teacher education, providing accommodations, and the overall rights of people with dyslexia.¹²⁸⁹

Data collection

Data helps verify, monitor, measure and address achievement gaps for identified groups of students. Used well, it improves the quality of decision-making, service delivery and programming.¹²⁹⁰ Further data collection may be needed to help probe, identify and better understand the factors potentially contributing to the observed unequal outcomes.¹²⁹¹ Data is important for tracking student achievement and outcomes, and for accountability.

Lack of data collection, analysis and reporting has been a major accessibility barrier in Ontario's education system. Both the ESD Committee and the OHRC have identified the need for better data collection across the province as critical to the rights of students with disabilities.

The OHRC has long said that data collection is essential for promoting and protecting human rights. Examples of collecting data for purposes consistent with the *Code* include collecting data to:

- Monitor and evaluate potential discrimination
- Identify and remove systemic barriers
- Lessen or prevent disadvantage
- Promote substantive equality for people identified by *Code* grounds.¹²⁹²

Organizations must be proactive in ensuring equity and non-discrimination. Data collection is often necessary to make sure all groups benefit equally from services. In the context of education, school boards must monitor and evaluate the effectiveness of special education services and supports and take steps to measure student achievement and outcomes, particularly for students who come from *Code*-protected and disadvantaged groups.

The OHRC's *Policy on accessible education for students with disabilities* states:

Collecting data – both quantitative and qualitative – can help an education institution understand the barriers that exist, and identify and address concerns that may lead to systemic discrimination. Organizations should collect and analyze data when they have, or ought to have, reason to believe that discrimination, systemic barriers or historical disadvantage may exist. For example, data collection would be warranted where there are persistent allegations or perceptions of systemic discrimination, or where it is an organization's intent to prevent or ameliorate disadvantage already known to be faced by persons with disabilities. Where problems are identified, data analysis can provide useful direction for remedies to address systemic discrimination as well as evaluate the success of such measures. This is in keeping with the remedial purpose of the *Code*, and with human rights jurisprudence that finds organizations have an obligation to take into account a person's already disadvantaged position within Canadian society.¹²⁹³

When the OHRC released its accessible education policy in August 2018, it made recommendations to improve education outcomes for students with disabilities.¹²⁹⁴ Several were aimed at improving data collection. The OHRC recommended that school boards collect intersectional, demographic data on students with disabilities, including data on the nature of the disability, whether the student identifies with any other Code ground (for example, race, sex, gender identity, Indigenous ancestry); the amount of time taken to provide accommodations and resolve accommodation-related disputes; drop-out rates; and disparities in special education supports for students in urban wealthy school districts versus rural, Northern, remote, and/or lower-income school boards. The recommendations emphasized that the Ontario government should require that school boards collect this data and provide it to the Ministry, and the province should analyze system-wide data to identify barriers and address concerns that may lead to systemic discrimination.¹²⁹⁵

In a December 2018 submission to a provincial consultation on education, the OHRC recommended that the Ontario government measure access to student opportunities, achievement and outcomes by collecting and publicly reporting on disaggregated human rights-based data.¹²⁹⁶

Data is a means and not an end in itself. Data literacy and training are required to effectively collect and use it. An independent report commissioned by the U.K. government, *Eliminating unnecessary workload associated with data management*, aptly stated:

Nobody intentionally sets out to create unnecessary workload, and everybody involved in education – from Government ministers to classroom teachers – has a role to play in reducing burdens.¹²⁹⁷

Rolling out data systems must be approached with care and thoughtfulness to avoid undue burdens on educators, which can contribute to unnecessary resistance.

Reports and studies recommending data collection

Many reports, studies and plans about the Ontario education system have long noted the need for better data collection, management, analysis and mobilization. These documents have recognized that data is important for student equity as well as to support effective evidence-based program delivery. They have also found significant deficiencies in the education system's current approach to data collection.

Auditor General for Ontario

Many of the Auditor General's findings and recommendations about education relate to the need for better data collection, analysis and reporting.

In 2008, the Auditor General noted deficiencies in evidence-based decision-making:

Moving the education sector's decision-making and educational practices from the traditional intuitive/experience-based approach to an evidence/research-based approach requires the collection of better and more detailed data about students, their educational programs and services, and their performance.¹²⁹⁸

The Auditor General went on to say:

...the school boards we audited were not yet recording on their systems sufficient information regarding students with special education needs and the services and supports they received to support detailed analyses. As a result, the boards could not yet use information systems in significant ways to help manage and oversee special education programs.¹²⁹⁹

The 2008 report recommended that the Ministry identify (and help boards collect and use) information required to support "evidence-based program delivery models" for students with special education needs. This would include information about education programs for students with special education needs (for example, the type, timing and amount of services and supports provided) as well as the results the students achieve.¹³⁰⁰

In 2009, the Auditor General recommended that the Ministry develop:

...more comprehensive indicators for measuring and reporting on its effectiveness in improving student achievement...[including] how specific student cohorts perform over time while participating in the programs and initiatives intended to improve their performance.¹³⁰¹

The Auditor General has also made recommendations about EQAO reporting, including that the Ministry should report the gap between top-performing and lower-performing student groups and schools, as well as how specific student cohorts perform over time while taking part in the programs and initiatives intended to improve their performance.¹³⁰²

The Auditor General made recommendations to improve the Ministry's centralized data collection and information-sharing with school boards. This included recommending that school boards have better access to information in the Ministry's database to be able to use the data for decision-making and monitoring.¹³⁰³

In 2011, the Auditor General recommended that the Ministry and boards:

...assess the viability of calculating student success indicators by a variety of attributes such as ethnicity, language, and socioeconomic status, and consider a system or process for collecting data based on student self-identification.¹³⁰⁴

The Auditor General also found that:

- Boards use different methods for calculating graduation rates so it is difficult to meaningfully compare rates across the province.¹³⁰⁵
- Boards need better information on graduates' level of preparedness for post-secondary studies and employment.¹³⁰⁶

The Auditor General recommended that the Ministry and boards develop a common method for calculating and reporting graduation rates and other student success indicators, set reasonable targets for graduation rates and student success indicators, and require more formal reporting on whether these targets are being met at the provincial and board level.¹³⁰⁷

In 2017, the Auditor General once again looked at data collection by the Ministry and boards and found that the Ministry does not collect enough data to make sure its grants, especially grants for special education, get allocated equally to all students who need them. The Auditor General recommended that the Ministry "assess whether the funding of grants intended to serve the needs of a specific group of students or for a specific purpose is achieving that purpose."¹³⁰⁸

The Auditor General has also made findings about board information management systems and how boards report student data to the Ministry. In its 2018 audit, the Auditor General found there is no single common centralized student information system at the provincial level, and boards use different student information management systems. The Auditor General recommended that for the sake of efficiency and consistency, the Ministry work with school boards to investigate implementing one common, centralized student information management system, and noted that British Columbia has a centrally managed electronic student information system.¹³⁰⁹

The Auditor General's 2020 follow-up report said that the Ministry reported this recommendation would be implemented by June 2021.¹³¹⁰ The Ministry advises the investigation took place but found that moving all boards to a single information system was not feasible. Instead, the Ministry worked with boards to try to develop a common model for interoperability (the ability for computer systems to connect and exchange information with each other).

Ministry reports and plans

Ministry reports, studies and plans have identified the need to better measure factors that support student success and well-being. In its 2014 document, *Achieving Excellence: A Renewed Vision for Education in Ontario*, the Ministry emphasized the importance of demographic and perceptual data (for example, from student censuses and school climate surveys) for program and service enhancements and to address the specific needs of students who struggle.¹³¹¹

In Ontario's 2017 *Education Equity Action Plan*, the Ministry acknowledged that "collecting and analyzing voluntary demographic data and perceptual data can enable our school and system leaders to more precisely address the barriers to student success."¹³¹² The Ministry stated that relevant demographic data includes exceptionalities, immigration status, language first spoken, race, ethnicity, religion, disability, sexual orientation, gender identity and indicators of parental socioeconomic status. The Ministry noted that as of 2017, only one Ontario school board was collecting demographic data, and while other boards were collecting data on exceptionalities, immigration status and language first spoken, there is province-wide variation in how boards mobilize this data to close equity gaps.¹³¹³

The *Education Equity Action Plan* recognizes:

A consistent approach to collecting and analyzing voluntarily provided identity-based data will help local school boards identify where systemic barriers exist, and will help determine how to eliminate discriminatory biases in order to support equity and student achievement and well-being through training and targeted programs and supports. This work will support the mandate of Ontario's Anti-Racism Directorate and will align with data standards developed by the Directorate.¹³¹⁴

The *Education Equity Action Plan* includes a plan to work with school boards to develop a consistent approach to collecting voluntary student identity data. It also commits to working with First Nations, Métis and Inuit partners to co-develop indicators of Indigenous student success and well-being. Performance measures for the Action Plan include:

- Co-developing indicators of Indigenous student success and well-being with partners (2017–2019)
- Launching provincewide collection of voluntarily provided data on key identity-based data points for students (2017–2019)
- Using student identity and achievement data when developing multi-year strategic plans, Board Improvement Plans for Student Achievement and School Improvement Plans for Student Achievement (2019–2020+)
- Evidence of closing gaps in achievement and well-being (2019–2020+)
- School boards reporting on data collection of disaggregated identity-based data for students (2019–2020+).¹³¹⁵

The *Education Equity Action Plan* connects to the work of Ontario's Anti-Racism Directorate and is meant to align with data standards developed by the Directorate.¹³¹⁶ Under Ontario's *Anti-Racism Act, 2017*,¹³¹⁷ all school boards must collect race-based data by January 1, 2023. They must combine this data with other information to determine the impact of race on outcomes, and identify and monitor racial inequalities.

In 2017, the Ministry, in partnership with York University, conducted another study on data collection.¹³¹⁸ *Unlocking Student Potential Through Data, Final Report* identified ways the Ministry can better use the data it already collects; advance its equity agenda by collecting additional data including demographic, perceptual, program and student

learning data; and use data to follow children and youth from birth to post-secondary. The report noted the importance of collaborating with partners to strengthen data collection, performance measurement, evaluation and public reporting on education in Ontario. It described deficiencies in data currently collected by the Ministry and school boards:

While school boards currently collect a range of demographic data on students, there are a few key aspects of social identity that most school boards and the Ministry do not currently collect data on, including: race, ethnicity, creed (religion), disability, gender identity, and sexual orientation. In addition, these key demographic data are not asked as part of perceptual surveys, such as the School Climate Surveys.¹³¹⁹ Furthermore, allowing school boards to collect data on their own, with no provincial standards for consistency, will result in gaps within the provincial picture of whether, and to what extent, education equity is achieved for students from diverse communities, backgrounds, and identities. Routine, consistent demographic data collection will allow school boards and the Ministry to close these knowledge gaps and create an education system that better serves all of Ontario's students.¹³²⁰

The report made many recommendations on how to improve data collection and use data to improve decision-making and education outcomes for students. Some of the recommendations more relevant to the inquiry include:

- Recommending that the Ministry take a leadership role in mandating and supporting additional provincewide demographic data collection, and making sure this data is collected in a way that can be reported to the Ministry's central data repository, the Ontario School Information System (OnSIS).¹³²¹ The report recommended that the process to initiate additional data collection begin by the 2018–2019 school year.¹³²²
- Addressing ways program and process data can be improved. The report recommended the Ministry identify key program and process data that should be collected, analyzed and integrated with OnSIS, such as data about student participation in specialized programs, intervention and instructional processes intersected with achievement information, to identify achievement trends related to program type.¹³²³
- Recommending the Ministry, in collaboration with education partners, examine processes for identifying students with disabilities, exceptionalities and special education needs. Identifications, placement recommendations, exclusions from school and supports provided should be tracked using an intersectional framework analysis (for example, exploring disproportionate representation of racialized students in special education programs).¹³²⁴
- Recommending the Ministry, in collaboration with education partners, explore collecting early years provincial baseline data using Kindergarten entry assessments, especially for foundational literacy and numeracy skills.¹³²⁵ The

report also addressed older students and made recommendations on how to better track post-secondary registration and outcomes, including by demographics, to identify disparate outcomes for sub-groups, including students with special education needs.¹³²⁶

Reports about Education Quality and Accountability Office assessment data

In 1995, the Royal Commission on Learning recommended Ontario introduce large-scale provincial assessments of literacy and numeracy in Grade 3, and of literacy in Grade 11.¹³²⁷ It recommended assessments be administered by a proposed Office of Learning Assessment and Accountability, which would provide reports to the Minister of Education and to the public about provincewide data on student achievement overall and for sub-groups of students, according to gender, race, ethnicity and socioeconomic status.¹³²⁸ The recommendations resulted in the EQAO being established as a Crown agency through the *Education Quality and Accountability Office Act, 1996*.¹³²⁹

In 2018, *Ontario: A Learning Province* made recommendations about classroom assessments and EQAO assessments and reporting. The report recommended that data from the Early Development Instrument (EDI), which measures physical health and well-being, social competence, emotional maturity, language and cognitive development, communication and general knowledge of Kindergarten students, be better used to help schools, communities and the province understand the needs of their youngest learners.¹³³⁰ It concluded that EDI data should be used at the provincial, district and school levels for early childhood development and transitions from early years to primary schooling, and to support decision-making for prioritizing improvements and allocating resources.¹³³¹

The report recommended transforming reporting on EQAO data. It said the EQAO should produce:

A provincial annual report, including provincial results for elementary and secondary provincial large-scale assessments, considerations of equity, subgroup analyses with disaggregated data, cohort data, questionnaire responses, relevant provincial data and research, and in years when pan-Canadian and international assessment results are released, key findings for Ontario.¹³³²

The report also recommended two-way data sharing between the EQAO and Ministry, and data sharing with First Nations, Métis and Inuit partners.¹³³³

In October 2021, the International Dyslexia Association (IDA) released *Lifting the Curtain on EQAO Scores*.¹³³⁴ The IDA requested and analyzed data from the EQAO's Grade 3, Grade 6 and OSSLT (Grade 10) annual reading assessments from 2005 to 2019. The IDA looked at:

- The rate of AT/scribing use by all students, and for students with an IEP
- The percentage of students who passed the test independently (without accommodations) and who passed using AT/scribing

- Participation rates
- The percentage of students with an IEP and IPRC-LD designation
- The “pass rate”¹³³⁵ for students who wrote the test using AT/scribing
- The discrepancy in the rates of special education support and formal LD exceptionality identification for English language learner (ELL) and non-ELL students
- The discrepancy between “pass rates” for ELL and non-ELL students.¹³³⁶

The IDA found that the rate of AT/scribing accommodations for students with IEPs has been increasing. It noted that when students are receiving these accommodations, the EQAO assessment is not measuring their ability to read words unassisted, as the words are read aloud by the technology. As discussed in section 8, Curriculum and instruction, the ability to read words is a critical component of reading comprehension.¹³³⁷ Therefore, pass rates for students taking EQAO tests with AT/scribing do not accurately reflect the true state of Ontario students’ reading skills.¹³³⁸ The IDA also found little to no improvement in the unassisted pass rate for students with IEPs, with only 8% of Grade 3 students with an IEP passing the reading assessment without technology in 2019 compared with 10% in 2005.

The inquiry’s findings were similar. As discussed in section 5, How Ontario students are performing, the accommodations provided mean that the EQAO reading data, which is already concerning, likely significantly under-represents the magnitude of reading difficulties among Ontario students. The inquiry also found that very few students with an LD exceptionality in the eight inquiry school boards met the provincial standard without accommodation.

The IDA report identifies concerns with EQAO data reporting. It recommends greater transparency in EQAO reporting and calls on the EQAO to publish the following information annually in addition to current measures:

- The percentage of all students who met the provincial standard independently – without the use of AT/scribing
- The percentage of students who met provincial standard while using AT/scribing
- The percentage of participants who used AT/scribing
- The percentage of participants who used AT/scribing and were successful
- OSSLT results for all students rather than focusing attention on the results of the highest performing subset of students, the “First Time Eligible participants”
- The percentage of Grade 10 students not considered eligible for writing the OSSLT
- A breakdown of all provincial, and board-level results by demographic groupings including gender, race, English language learner status and socioeconomic status, to provide a greater understanding of issues of equity in education.¹³³⁹

Without this information, the EQAO data does not serve its purpose of promoting accountability and continuous improvement in Ontario’s public education system.¹³⁴⁰

Accessibility for Ontarians with Disabilities Act Kindergarten to Grade 12 Education Standards Development Committee

The ESD Committee identified “the lack of data collection regarding accessibility and students with disabilities,” as well as the “challenges of comparing data from across the province” as a “major barrier” impeding delivering services to students with disabilities. The committee also noted the need to track data about all students with disabilities, rather than only on students who have been identified as “exceptional.”¹³⁴¹

The ESD Committee made many recommendations for boards and the Ministry to improve and standardize data collection, analysis and reporting. Some of the recommendations most relevant to the inquiry include that school boards:

- Collect consistent, comparable and disaggregated data on students with all types of disability as defined in the *Code* and *AODA*, and not just on students with an “exceptionality” as defined under current Ontario special education laws¹³⁴²
- Collect data on the accommodations, programs and services that are to be provided to the student¹³⁴³
- Collect data on students with disabilities who need accessible instructional materials¹³⁴⁴
- Collect data on the number of students who are on a modified day, including the reason for modified day, duration and appeals, if any, as well as about the alternative education program provided¹³⁴⁵
- Collect, analyze and publicize annual data on the number of students who access professional services and assessments provided by regulated health professionals and other specialists, including the number of days students wait for the assessments¹³⁴⁶
- On an annual basis, publicly report data about disabilities, exclusions, modifications, wait times for professional assessments, and data about the number and types of staff who instruct students with disabilities.¹³⁴⁷

According to the ESD Committee, the Ministry should roll up the school board data into centralized provincial data, publicly report on it, identify areas for improvement, and develop a plan for the province to respond to unmet student needs. The committee said the Ministry should:

- Collect the data from each school board and:
 - a. publicly report on the data, as an aggregate and by board
 - b. identify changes over previous year(s) and any areas for improvement
 - c. develop a provincial action plan to resolve gaps or unmet needs¹³⁴⁸
- Redesign the mandatory contents of IEPs to support data collection about students with disabilities and the accommodations, or programs and services, that are required to support their needs¹³⁴⁹
- Provide a standardized provincial rubric for documenting the number of professional and specialist assessments that each school board provides annually, including information on the criteria used to prioritize student assessment referrals, and the length of time from identifying the need for the assessment to assessment completion.¹³⁵⁰

The committee also addressed the need to collect, analyze and report on intersectional student census data including information about disability, such as the type of disability, or disabilities, and the intersection of disability with other key factors such as race, Indigenous identity, sexual identity and socioeconomic factors.¹³⁵¹ Importantly, the committee stated that data collection should be based on processes and questions that are consistent for all school boards.¹³⁵² The committee recommended the data be linked to student outcome and achievement data including graduation rates, credit accumulation, course selection and other measures.¹³⁵³ The data should be analyzed to identify gaps and develop plans to improve outcomes and achievement of students with disabilities.¹³⁵⁴

Inquiry findings on data collection

There was significant overlap between inquiry findings and previous report findings about deficiencies in data collection and needed improvements, particularly about students with disabilities.

Student information management systems

It was apparent that boards are either not using centralized information management systems, are using different student information management systems, or have varying abilities to generate information from their student information management systems. In several cases, boards could not provide us with the requested data. Some boards reported that it was not collected at all, only kept by individual teachers, or stored only at the school level. For example:

- Most boards said that information about students' progress in reading is only kept at a teacher or school level
- Few boards had data on the progress of students who took part in reading interventions. One board said "the District monitors individual student data at the school level and is investigating ways to manage collective data centrally." Other boards provided some data kept by individual reading intervention teachers
- One board could not provide the number or percentage of students identified with a learning disability at their board, as this information is kept at a school level
- One board said that data about students who have self-identified as First Nations, Métis or Inuit and who also have special education needs is school-level data that is "not easily acquired."¹³⁵⁵

In other cases, boards said they manually compiled the data we requested (for example, data on whether students with learning disabilities are taking mostly applied or academic courses and their wait lists for psychoeducational assessments). Some boards did not appear to collect or analyze this data, or similar data, for their own purposes (for example, to monitor student outcomes or the effectiveness of the programs delivered).¹³⁵⁶

It therefore appears that little has been done to address the Auditor General's 2018 recommendation that boards move to a common, centralized student information management system.

The Ontario School Information System

Once boards collect information in their different student information management systems, they submit some of that information to the Ministry's data repository, OnSIS. OnSIS collects data on school boards, schools, students and teachers and courses three times per year. Student information collected includes biographical information, incidents and infractions, and special education information, including data on student exceptionalities. Students' unique Ontario Education Number (OEN) allows OnSIS data to be linked to other datasets and indicators which allows better tracking of student achievement and other outcomes for a given cohort or group of students.

The purpose of OnSIS is to gather accurate and reliable data for analysis, policy development and evidence-based decision-making across policy and program areas, and ultimately to improve student achievement.¹³⁵⁷ Data collected through OnSIS is transferred to the Ministry's data warehousing environment and used to support public reporting and analysis by Ministry staff and school boards. However, from the information gathered in the inquiry, it was unclear how much of the OnSIS data is being analyzed for equity purposes, or if the information collected would be adequate to do so. The Ministry reported that it analyzes EQAO data but what was less clear is whether the Ministry currently uses OnSIS data to monitor and publicly report identified indicators to promote equity, achievement, well-being and public confidence in the education system, recommended in reports such as *Unlocking Student Potential Through Data, Final Report*.

EQAO data

The EQAO administers and reports on provincial assessments (as described in section 5, How Ontario students are performing). While the EQAO reports to the Ministry of Education (Ministry) and school boards on achievement results for self-identified First Nations, Métis and Inuit students, it does not report on sub-groups of students according to race, ethnicity and socioeconomic status as recommended in the 1995 Royal Commission report that led to the EQAO being established. The EQAO also does not provide regular, detailed public analysis on the achievement of students with special education needs. However, in 2019, the EQAO provincial report stated:

The persistent discrepancy in achievement between students with special education needs and those without requires attention. EQAO data show that students with learning disabilities are the largest group in the cohort of students identified as having special education needs. Historically, students with learning disabilities have had a low level of achievement despite having average to above average intelligence. It would be beneficial to review supports available and strategies for success.¹³⁵⁸

Other than this statement, the EQAO has done little to identify equity issues or disparities in student achievement according to demographics in its public reporting. Boards have access to EQAO data about their students with special education needs broadly and by exceptionality. However, it was unclear if boards analyze this data for potential disparities or use it to respond to inequities. The Ministry told the inquiry that it annually analyzes EQAO board and school-level data, including data about students with special education needs. However, it was not clear how the Ministry acts on this data or responds to the consistently low provincial reading scores of students with special education needs generally, students with learning disability (LD) exceptionalities, or the large number of students failing to learn to read who do not have any identified special education need, exceptionality or diagnosis.

As discussed in section 5 How Ontario students are performing, and consistent with the IDA's report *Lifting the Curtain on EQAO Scores*, because of exemptions and accommodations, EQAO results are not a true reflection of the reading skills of Ontario students, and do not shed light on the reading skills of students with reading disabilities. The overall provincial success rates on EQAO reading assessments fail to account for the many students who cannot read words unassisted.

Data about students with reading disabilities or special education needs

The OHRC asked boards for information about students with special education needs. The responses revealed that boards have different ways of defining special education needs. Some equate special education needs with having an IEP. One board appears to only consider students to have special education needs if they have an exceptionality identified through the IPRC process. Some include students who have been diagnosed with a disability through a psychoeducational assessment even if they have not gone through an IPRC process. Other boards provided information about students with special education needs without explaining how they defined having these needs.

A major limitation in assessing the situation of students with reading difficulties and reading disabilities was that most boards only had data on students with a formally designated learning disability exceptionality (meaning students who had gone through the IPRC process and been designated under the learning disability exceptionality category). Many students with reading difficulties are never formally identified. Even where students have been formally identified, they may have more than one exceptionality. These students are categorized under a catch-all "multiple exceptionalities," which obscures the nature of the exceptionalities and may not allow meaningful data collection on students with learning disabilities who have co-existing disabilities, which can be common.

One board appears to recognize the limitation of only counting students identified with an exceptionality by an IPRC. This board also keeps data on students diagnosed with a learning disability through a psychoeducational assessment (30% of whom did not go through the IPRC process). Although this may capture more students with learning

disabilities than using only the IPRC designation, many students with learning difficulties do not have a psychoeducational assessment. Therefore, many students with reading disabilities/dyslexia will still not be captured in data collection.

Concerningly, one board could not provide any data on the number of students with a learning disability because the data is kept at the school level.

Also, as discussed in section 12, Professional assessments, learning disability exceptionalities are not categorized, so it was not possible to confirm whether the students identified have a learning disability in reading or another area such as math. However, given that reading disabilities are the most prevalent learning disability, it is likely that many or most of these students do have a learning disability in reading.

Demographic data and data about students with reading disabilities

At the time of our data request, in the 2019–2020 school year, only two of the eight inquiry school boards, Peel and Ottawa-Carleton, were conducting a student census to collect demographic data about equity indicators such as race, ethnicity, creed (religion), disability, gender identity, sexual orientation and socioeconomic status. Since then, Thames Valley, Simcoe Muskoka Catholic and Hamilton-Wentworth have started collecting demographic data. Lakehead piloted a student census at two schools in 2020.

We reviewed four boards' censuses, for the youngest age range.¹³⁵⁹ Boards' approach to collecting demographic data is not consistent, making comparing data across boards or at a provincial level challenging.¹³⁶⁰ *Unlocking Student Potential Through Data, Final Report* warned:

Allowing school boards to collect data on their own, with no provincial standards to ensure consistency, will result in gaps within the provincial picture of whether, and to what extent, education equity is achieved for students from diverse communities, backgrounds, and identities.¹³⁶¹

First, the censuses we reviewed did not appear to have consistent age groupings. Peel does not appear to survey students before Grade 4. Hamilton-Wentworth's survey for the youngest age range ends at Grade 4, while Ottawa-Carleton and Thames Valley surveys for the youngest age range go up to Grade 6.

All surveys reviewed gathered demographic data relating to:

- Language
- Ethnicity/cultural origin
- Indigenous identity
- Racial background/race
- Gender identity
- Sexual orientation
- Religion/creed
- Disabilities.

There are variations in the questions related to certain identity data. For example, some boards asked what language the student first learned to speak. Other boards asked about what language the student first learned to speak and still understands. Some but not all boards also ask what language the student speaks most often at home or can communicate in fluently.

All boards asked for the student's ethnic or cultural background, but some also asked if the student considers themselves "a Canadian." Similarly, while all boards asked about the student's "racial background" or "racial group(s)," only one also asked if the student identifies as a "racialized person or as a member of a racialized community."

There are also differences in questions about disabilities. One board asked if the student has an IEP and what primary exceptionality is listed on the IEP. However, other boards said they have other ways to link IEP and IPRC data with census responses. All boards asked if the student identified as having a learning disability, but only one board included dyslexia as an example of a learning disability. None of the boards asked what specific type of learning disability the student has.

Socioeconomic status is an important type of identity data, and many reports have recommended collecting it. There are variations in how this data is collected. Among the boards that asked about socioeconomic status, some asked how many people live in the student's home; one asked about total household income; and one asked about the parent or guardian's highest level of education, employment status, and job or occupation. Some boards collect data on socioeconomic status using student postal codes.

In all the above areas, the options for potential answers to choose from varied from board to board, although all boards offered the option to provide an answer that was not listed.

At the time of the inquiry, boards did not appear to be analyzing data to identify intersections between having a learning disability and other *Code* grounds. For example, the inquiry boards had little or no data about gender identity, race, co-existing disabilities, Indigenous ancestry or socioeconomic status of students identified with a learning disability exceptionality. As more boards start to collect student census data (as required by January 1, 2023), it will be important that they conduct intersectional analyses and link the demographic data to other available data in their student information systems (for example, student achievement data).

Data about early screening, reading interventions and accommodations

The inquiry asked for data on early screening, reading interventions, accommodations and professional assessments. With few exceptions, the boards had little centralized data on student achievement or outcomes or to measure the effectiveness of their reading instruction, early screening, intervention programs and accommodation approaches.

As discussed in section 9, Early screening, boards have little or no data on early screening, including on who is screened, when they are screened, the screening instrument used, and the results of the screener. One major obstacle to collecting this data is PPM 155, which limits boards' ability to collect and analyze screening data centrally. Only one board reported collecting data on the results of early screening as board SLPs conduct the screening instead of teachers. PPM 155 does not apply to screening done by speech-language pathologists (SLPs).

In contrast, the U.K. collects and publishes national data on the percentage of students who achieved the expected phonics standard broken down by demographic data including gender, income,¹³⁶² ethnicity, special education needs and first language other than English.¹³⁶³ The data is published on the Internet and the public can provide feedback on improvements to this data collection.¹³⁶⁴

Boards also have little data measuring the effectiveness of their reading intervention programs. They each measure the effectiveness of these programs differently. Some boards compile board-level reports on programs such as Reading Recovery® and Empower.TM In some boards, data is kept manually by reading intervention teachers. Other boards keep some data manually, at a school level.

Several boards acknowledged they need to find better ways to gather and centrally manage data on reading intervention participation rates and success. For example, one board said:

System level data to measure the overall effectiveness of our reading interventions is difficult to come by and cannot easily be accessed. Schools maintain the individual results...and while they submit copies to central staff, the information is presented on paper and we do not have a digital means to collect it....We are reviewing the way in which we collect intervention data and are exploring ways to collect it centrally in an electronic format so that it is easier to analyze.

Another difficulty is that the measures used pre- and post-test are often specific to the intervention program. This impedes knowing if core foundational skills, such as word-reading accuracy and fluency, have been effectively addressed. This also impedes comparing the effectiveness of different programs; a question boards should be investigating.

School boards and schools also do not have a standard system where every educator who works with a student is made aware of their accommodation needs. The inquiry also heard that when a student transfers from one board to another, their OSR is not always immediately available to the new board. Boards do not appear to have a consistent data management system where a student's accommodation needs are predictably written up in IEPs, and sharable among staff who support the student.

In some cases, schools provide students with technology as an accommodation. However, data is not collected about whether technological supports are available to all students who need them and if the accommodations are implemented and effective when provided. In 2020, the Auditor General found that some boards do not know exactly what technology their students currently use, what more technology they need, or if students across their board have equal access to technology. The Auditor General recommended that boards perform an assessment to evaluate students' needs for classroom technology.¹³⁶⁵

Data on student success indicators

The OHRC asked boards for data on several indicators of student success and outcomes such as academic pathways (whether students are taking mostly academic or applied courses in Grade 9), graduation rates and post-secondary attendance. The OHRC wanted to assess any disparities between these measures for students identified as having a learning disability compared to all students in the board. With few exceptions, boards were not able to provide meaningful data.

Seven of eight boards shared whether students with a learning disability took mostly applied or academic courses. However, only a few boards could further disaggregate this data by gender, First Nations, Métis and Inuit self-identification, and co-existing disabilities.

All boards were able to provide their graduation rates. Boards only have access to information about students who started Grade 9 in their board and stayed with the board for four or five years. They cannot track student outcomes when the student leaves the board. Only the Ministry has a methodology for calculating graduation rates that tracks students across four and five years of secondary school and accounts for student mobility between boards. Although several boards were able to provide graduation rates for students with a learning disability exceptionality, others were not. Only a few boards could further disaggregate or break down graduation rates (for example, by First Nations, Métis or Inuit self-identification, gender, or co-existing disabilities). One board had data on the dropout rate for students who identify as Indigenous and/or who live in "a low-income neighbourhood," but they could not cross-tabulate it against whether the student identified as having a learning disability. Boards advised that they can only disaggregate graduation data for subsets of students who graduate from the same school district they started their secondary schooling in.

The boards were also not able to provide the OHRC with a picture of their students' pathways after graduation. For example, they could not provide data on acceptance to college or university for graduating students with and without an LD exceptionality. Despite the Auditor General's 2011 recommendation and the Ministry's 2013 commitment to monitor students beyond secondary school, it appears that neither the Ministry nor boards keep good data about what happens to high school graduates, including where they apply, and if they get accepted or rejected where they apply.

Boards that did provide information got it from the Ontario Colleges Application Centre (OCAS) and Ontario Universities Application Centre (OUAC). However, those sources do not appear to provide a clear picture of where each high school graduate applied, was accepted, was rejected, and ultimately enrolled for post-secondary studies.

One inquiry board, Ottawa-Carleton, has identified the importance of linking its census data with other data to support equity in student access and outcomes. In a report on its 2019–2020 student census, it says it will link survey data to other data sets to quantify:

- Disparities in student outcomes (for example, achievement, suspension rates, graduation rates) and experiences in school (including sense of belonging and safety)
- Disproportionate representation of different groups across programs and services (for example, academic/applied/locally developed level courses; English with core French/French Immersion programs).¹³⁶⁶

Ottawa-Carleton recognizes the need to work with community organizations and stakeholders to better understand any underlying systemic issues that may contribute to these outcomes.¹³⁶⁷

There have been some positive developments and more improvements are planned, but overall, more progress is needed to address deficiencies and implement recommendations from many reports on improving data collection for decision-making, program planning and instruction, resource allocation and public reporting. There is an urgent need for clear provincial standards on data collection, use, analysis and reporting.

Lack of communication and transparency

Schools and school boards need to be transparent by providing information on their policies, practices and procedures that is visible and accessible to students, parents, educators and the community. They also need to be transparent in their dealings with students and parents. This helps make schools and school boards accountable, and enables them to continually work towards improving their services.¹³⁶⁸

A key measure of transparency in education is the level of communication between schools and parents. In its 2010 publication, *Parents in Partnership: A Parent Engagement Policy for Ontario Schools*, the Ministry stated:

Respectful, ongoing communication and transparency are essential if we are to fulfil our vision of parent engagement. Effective, ongoing communication results in positive and respectful relationships and an appreciation of the roles played by all partners in education. Multiple channels of communication about student progress that connect boards, schools, parents and families, students, and communities need to be in place, and all partners should be encouraged to use them. An effective network includes clear two-way channels for communications from home to school and school to home.¹³⁶⁹

The Ministry has acknowledged that parents' involvement in their children's education can help schools "become even better places to teach and learn, and student achievement often improves."¹³⁷⁰ The Ministry said that more parental involvement leads to students having "more positive attitudes about school, more success with homework, higher rates of high school graduation, more consistent school attendance, fewer behavioural problems," and more success later in life.¹³⁷¹

Outreach to parents also fosters equitable, inclusive schools. In its 2017 *Education Equity Action Plan*, the Ministry committed to "working with school boards to establish formal structures to promote and enforce human rights and equity" and prioritized, among other things, "increasing parent engagement in equity and inclusive education, particularly by identifying strategies to reach out to parents who may be disengaged from the education system."¹³⁷²

Schools will be more transparent and more effective if they share information on student performance with parents (and with students, where appropriate) in an accessible, plain-language way that invites their involvement and feedback; provide context so information is useful and clear to students and parents; and foster a positive education environment that makes parents feel welcome.

Schools still have work to do for students who struggle with reading. The OHRC identified situations where schools failed to share important details with parents about screening, interventions, accommodations, modifications and professional assessments. Existing information-sharing tools like report cards, IPRC recommendations and IEPs are generally not detailed, accessible, frequent or dynamic enough to provide students and parents with the information they need to understand how the student is progressing and what extra supports they may need. Some parents told the inquiry they are ignored, or even face reprisals, if they raise concerns about the school's approach to their child's reading difficulties.

Reports and studies recommending communication and transparency

Ministry reports and plans

A positive school environment is equitable and inclusive and paves the way for effective communication and transparency. In its 2014 *Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation*, the Ministry noted that boards should create a procedure to "enable students and staff to report incidents of bullying, harassment, and discrimination safely and have confidence that they will receive a timely response," and they should make sure information about the procedure "is communicated to all students, staff, and others in the school board."¹³⁷³

In *Shared Solutions: A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students with Special Education Needs* (2007), the Ministry shared the “hallmarks of a positive school climate.” These include:

- Everyone is treated with respect
- The school is a caring and responsive environment
- Educators encourage and maintain regular interaction between schools and families
- The school culture develops a sense of community and caring relationships to provide all students with greater opportunities to achieve success
- Parents are involved in school activities
- Everyone feels safe and secure
- There is a strong focus on prevention and early intervention in conflicts
- Everyone is invited to contribute ideas and offer feedback
- Cross-cultural communication is valued
- Educators have received training on anti-racism and ethno-cultural equity and on avoiding ableism, sexism, and homophobia.¹³⁷⁴

Where a positive school climate does not exist, communication can break down leading to a lack of transparency and a rise in conflict between parents and educators. In *Shared Solutions*, the Ministry provided these examples:

- Planning conflicts happen when parents and educators do not have access to the same information about the student and/or have a different understanding about the student’s strengths and needs and the special education programs and services that would be most appropriate
- Implementation conflicts happen when parents perceive that plans for special education programs and services have not been adequately implemented
- Relationship conflicts may arise because of cultural differences, styles of interaction, breakdowns in communication, and/or a loss of trust between parents and educators.¹³⁷⁵

In *Shared Solutions*, the Ministry noted that boards and schools can promote positive school environments and effective communication between parents and schools by:

- Making sure parents and school staff receive common messaging about special education programs and services
- Providing training and professional development to help educators strengthen their communication skills – including both their ability to present information clearly, tactfully and with empathy, and their ability to interpret others’ messages and behaviours accurately and with insight and to understand how the other party is feeling
- Providing a school board communication guide, developed in consultation with the board’s Special Education Advisory Committee (SEAC), to help parents know who to talk to and when they should do so.¹³⁷⁶

All educational leaders have a role to play in creating positive, transparent school environments. In *Shared Solutions*, the Ministry provided an overview of the existing roles and responsibilities of various education leaders, many of which relate to transparency. For example:

- The school principal must: communicate the ministry and board's special education policies and procedures to staff, students and parents; make sure parents are consulted when their child's IEP is developed and make sure they are provided with a copy of it; and obtain appropriate consents for assessments
- The school board must: report on special education expenses; develop and amend a special education plan to meet the current strengths and needs of students in the board; and prepare a parent guide about special education programs and processes
- The Ministry must: require school boards to report on their special education expenses; establish the Ontario Special Education (English and French) Tribunals to hear disputes between parents and school boards about identification and placement decisions; and establish a "Provincial Parent Association Advisory Committee on Special Education Advisory Committees."¹³⁷⁷

Information for Accountability: Transparency and Citizen Engagement for Improved Service Delivery in Education Systems

In January 2017, the Brookings Institution issued a Global Economy & Development Working Paper entitled *Information for Accountability: Transparency and Citizen Engagement for Improved Service Delivery in Education Systems*. In this paper, it discussed many elements of effective transparency in education including clear, active and accessible communication.

The paper discussed how communication falls on a spectrum, ranging from passive statements to those that invite action.¹³⁷⁸ For example, posting a finalized school policy on a website is passive, while distributing a draft school policy with opportunities for discussion and feedback invites action. In the same way, a report card in and of itself is a passive communication, but a reporting process that invites questions and feedback, offers an interview and provides students and parents with a process to resolve any outstanding concerns, invites action. Communication is most likely to trigger positive change if it invites action.¹³⁷⁹

Even if communication invites action, parents cannot act unless they have the time, resources and confidence to do so. If, for example, education providers insist on inconvenient meeting times, fail to allow necessary support persons or translation support, fail to engage during meetings or offer insufficient time for discussion or offer no recourse to people who feel they have not been heard, then meaningful communication will not occur. Advocacy can be particularly challenging for students, parents who are First Nations, Métis or Inuit, racialized or English language learners,

who have a low income, and/or who identify with other marginalized communities. They may have limited time and resources to expend, and may be more vulnerable to or afraid of being ostracized for raising concerns. The paper explains:

Even when interventions succeed in reaching the most marginalized, they generate additional concerns. Poor communities have the least amount of time and resources to, for example, attend school-based management meetings, monitor activities of teachers, give feedback through redress mechanisms, or track school budget allocations – a form of “time poverty” as illustrated in widely cited research by Mullainathan and Shafir (2013). In addition, such marginalized populations often face the highest social cost to action, such as facing repercussions from those in positions of power.¹³⁸⁰

Accessibility for Ontarians with Disabilities Act Kindergarten to Grade 12 Education Standards Development Committee

If a school plans to implement a policy, accommodation plan or other procedure that will affect a particular student, then it must invite feedback from that student and their parents during every step of the planning process and rollout. The school should also invite feedback from other affected parties, such as the classroom teacher and other support staff.

In its initial report, the ESD Committee recommends that schools, with Ministry and Board support:

- Provide students and parents with a clear overview of what supports are available to them
- Help students communicate their own observations and reflections on education supports provided to them, so teachers can use that feedback to refine their instruction plans
- Facilitate open communication with students, parents and other stakeholders by actively seeking input on planning and implementing the student’s education plan/program, and also through surveys, policy reviews and other measures
- Provide dispute resolution services to students and parents who feel they have received insufficient education supports.¹³⁸¹

Parents need to know who exactly to turn to, to get help. The ESD Committee emphasizes the importance of schools and boards assigning responsibility for oversight and dispute resolution to particular individuals or offices, and widely distributing their contact information.¹³⁸²

Students and parents will be most comfortable engaging with schools and providing feedback, if schools make an effort to make them feel welcome. The committee noted that the following additional factors (among others) can make parents more comfortable in interacting with their child’s school:

- Giving parents notice of who will attend school meetings
- Encouraging parents to bring support people to school meetings

- Encouraging parents to take part in meetings in their preferred format (by phone, online or in person).¹³⁸³

Transparency is important not only between education providers and parents, but also among education providers. Education providers will expand their skills if they can build on the best practices of their peers.

The ESD Committee discussed the value of educators sharing their best practices with one another. For example, it recommended making the following tools publicly available:

- An accessibility hub with continually updated resources and research-based initiatives
- A list of best practices for enhancing student/parent engagement.¹³⁸⁴

The United Nations Committee on the Rights of Persons with Disabilities

Even if a school communicates extensively with students and parents, disputes may arise over how the school implements screening, interventions and/or approaches to accommodation. To be truly transparent and accountable, schools and boards must offer a straightforward and timely dispute resolution process.

The UN Committee has called for such a process, explaining:

States parties must ensure that independent systems are in place to monitor the appropriateness and effectiveness of accommodations and provide safe, timely and accessible mechanisms for redress when students with disabilities and, if relevant, their families, consider that they have not been adequately provided or have experienced discrimination.¹³⁸⁵

Existing tools for communication and transparency

Schools and boards share information with students and parents through websites, printed guides, report cards, formal and informal meetings with students and parents, the IEP process and the IPRC process. Parents (and students, where appropriate), can challenge school and board decisions through IPRC appeals and human rights complaints.

Schools and school boards also receive non-binding recommendations on their special education programs and services from SEACs.

Special Education Plans

Under Regulation 306 of the *Education Act*, school boards must create and share a special education plan.¹³⁸⁶ These plans foster transparency by clarifying opportunities for students and parents to become more informed about:

- The [role of the] Ministry, board, SEAC, principals and teachers
- Early identification and intervention strategies
- The IPRC process and appeals
- Educational and other assessments
- IEP development and application
- Equipment requests
- Transitions.

Special Education Advisory Committees (SEACs)

Ontario Regulation 464/97 under the *Education Act* requires every district school board to establish a Special Education Advisory Committee which includes up to 12 representatives drawn from certain local associations that “further the interests and well-being of one or more groups of exceptional children or adults” and one or two people to represent the interests of First Nations pupils, and members of the board. Ontario Regulation 464/97 says the SEAC may:

- Recommend establishing, developing and delivering special education programs to exceptional students
- Take part in the board’s annual review of its special education plan
- Take part in the board’s annual budget process related to special education matters
- Review the financial statements of the board on special education matters.

Ontario Regulation 464/97 requires that before they make a decision about any SEAC recommendation, school boards must “provide an opportunity for the committee to be heard before the board and before any other committee of the board to which the recommendation is referred.”¹³⁸⁷ According to *Shared Solutions*, the SEAC also “provides information to parents, as requested.”¹³⁸⁸

School boards are not required to follow SEAC recommendations.

Report cards

In Ontario, elementary teachers are required to provide a Fall progress report, a Winter provincial report card, and a year-end provincial report card. Secondary school teachers provide two report cards per semester, or three report cards in a non-semestered program. In the quadmester model used during the COVID-19 pandemic, secondary teachers provide a progress report midway through the quadmester, and a provincial report card at the end. Each report card follows a template created by the Ministry.¹³⁸⁹

IEPs

An IEP lays out the special education program and/or services that a student requires. Teachers create an IEP by assessing the student's strengths and needs, and the effect of those strengths and needs on the student's ability to learn and demonstrate learning. The IEP "must typically have a direct progress reporting link to the Provincial Report Card."¹³⁹⁰

In *Special Education in Ontario: Kindergarten to Grade 12, Policy and Resource Guide* (2017), the Ministry explained that an IEP is in part a transparency tool, in that it is:

an accountability tool for the student, the student's parents, and everyone who has responsibilities under the plan for helping the student meet the stated goals and learning expectations as the student progresses through the Ontario curriculum.¹³⁹¹

Schools sometimes create IEPs through an informal process initiated when a teacher reaches out to a parent or a parent reaches out to a teacher to discuss ways to address the student's learning challenges and needs.

IPRCs

IEPs sometimes arise out of a more formal IPRC process. Principals must request an IPRC meeting for the student, upon receiving a written request from the parent; and may, with written notice to the parent, refer the student to an IPRC when the principal and the student's teacher or teachers believe that the student may benefit from a special education program.¹³⁹² An IPRC is composed of at least three people, one of whom must be a principal or supervisory officer of the board.¹³⁹³ At least 10 days before the IPRC meeting, the chair invites parents (and students, where appropriate) to attend and provides them with documents the committee has relating to the student. If the IPRC meeting time does not work for the parent (or the student where appropriate) the parent (or student) may contact the school principal to arrange an alternative date and time.¹³⁹⁴

The IPRC decides "whether the student is an exceptional pupil and, if so, what type of educational placement is appropriate." The IPRC can also "recommend the special education programs and/or services that it considers to be appropriate for the student."¹³⁹⁵ Students and parents can provide input to the IPRC, but do not have ultimate control over what the committee decides.

In its 2017 *Special Education in Ontario: Kindergarten to Grade 12, Policy and Resource Guide*, the Ministry explained how the IPRC process can improve accountability:

There is no requirement in O. Reg. 181/98 for a transcript or any other record of an IPRC meeting to be prepared. However, it is effective practice to document discussions at meetings where important decisions are made. Such records,

including reports submitted to and relied on by the IPRC, support accountability for decisions, enable processes to be reviewed and improved, and assist future committees in understanding past decisions...¹³⁹⁶

Special Education Appeal Board (SEAB) and Special Education Tribunal (SET)

Some formal avenues for appeal do exist, including the Special Education Appeal Board (SEAB) and Special Education Tribunal (SET). The SEAB and SET are open to parents (and students, where appropriate) who have concerns about the school board's identification or placement of a student with exceptional learning needs.

If an IPRC has issued a decision, and the parent or student disagrees with the committee's finding regarding identification or placement, they can ask the committee to reconsider its decision at a second meeting.

If they are not satisfied with the reconsideration decision on identification or placement, or if they want to bypass a second IPRC meeting, they can file a notice of appeal with the secretary of the school board. The school board will then establish a SEAB to hear the appeal.¹³⁹⁷ The SEAB is comprised of one person nominated by the parent (or student, where appropriate), one person nominated by the board, and a chair chosen by the two nominees. The SEAB will hear submissions from the parent (or student, where appropriate), and the board will make recommendations that the board must consider. However, the board is "not limited to the actions recommended by the appeal board."¹³⁹⁸

If the student or parent is not satisfied with the outcome of the SEAB process, they can apply to the SET. The SET is an "independent adjudicative agenc[y] of the Government of Ontario,"¹³⁹⁹ and is "mandated to provide final and binding decisions to resolve disputes between a parent and a school board concerning the identification and/or placement of an exceptional student."¹⁴⁰⁰

The SET may consider issues relating to services and programs, which technically fall outside of its jurisdiction, if they are closely related to issues related to identifications or placements, which are in its jurisdiction. As the SET stated in *C v Simcoe County District School Board*, "it may be appropriate to consider services and programs that can be provided in a placement. These are undoubtedly closely interrelated and therefore difficult to separate and deal with individually."¹⁴⁰¹

School boards will implement IPRC placement decisions either after parents consent to it, or after the time limit for appeal has expired. The Ministry explains:

Many school boards have a policy of asking the parents to sign their names to the statement of decision to indicate agreement with the committee's identification and placement decision. The statement of decision may be signed

at the IPRC meeting or taken home and returned. Parents should be encouraged to give serious consideration to their child's identification and placement prior to signing the IPRC form.

If the student's parents did not attend the IPRC meeting, the statement of decision and a consent form should be mailed to the student's home to be signed and then returned to the school principal. If the parents do not sign the consent form and do not appeal the decision within the time limit, the school board will implement the IPRC decision, with written notice to the parents.¹⁴⁰²

Annual IPRC reviews are held after the initial committee decision – unless parents dispense with them in writing.¹⁴⁰³ Parents (or students, where appropriate) "may request a review IPRC meeting any time after their child has been in a special education program for 3 months."¹⁴⁰⁴

The Human Rights Tribunal of Ontario (HRTO)

Regardless of whether an IPRC process has been initiated, students and parents can file an application with the Human Rights Tribunal of Ontario (HRTO) if they believe the student has experienced discrimination, or if they feel the school has failed to accommodate the student.¹⁴⁰⁵ For example, they may file if they believe the special education programs or services provided by the school and board discriminate against the student based on their disability and/or another *Code* ground, or the school's failure to provide particular programs or services is discriminatory, or the school's programs or services (or lack thereof) fail to accommodate the student's disability and/or other *Code*-protected needs.

Board human rights offices

In its 2017 *Education Equity Action Plan*, the Ministry acknowledged it needs to "ensure accountability at all levels of school boards for equity, inclusion and human rights" and said it would work "to establish formal structures to promote and ensure compliance with principles of human rights and equity in every school board, to enable the building of a culture of respect for those principles."¹⁴⁰⁶ The Ministry further aimed to "work with school boards to review their policies and ensure procedurally fair and locally sensitive complaints processes to address human rights matters." The Ministry laid out the following goals:

- **Years 1 and 2 (2017–18 to 2018–19)**

Stakeholders are engaged in reviewing and strengthening school board structures and identified policies, programs and practices that promote and enforce equity and human rights across the public education system.

- **Year 3 and beyond (2019–20+)**

Progress is made towards building a culture of respect for human rights, evidenced in part by a significant reduction in the number of human rights matters that are resolved at the HRTO.¹⁴⁰⁷

In a 2019 memorandum to directors of education on the 2019–20 Priorities and Partnerships Fund, the Ministry described the “Human Rights and Equity Advisors” project to provide “support for school boards to employ the services of Human Rights and Equity Advisors (HREAs).” It explained:

HREAs work with the Director of the board and with the board’s senior team to foster a culture of respect for human rights and equity, help identify and address systemic human rights and equity issues, and increase the board’s human rights compliance.¹⁴⁰⁸

HREAs’ responsibilities include developing human rights complaint procedures. Some school boards have created human rights and equity advisor positions, or offices, to assist staff, parents (and students, where appropriate) to understand and enforce the human rights they have under the *Code* and the *Charter*.

Accessibility for Ontarians with Disabilities Act (AODA) processes

The AODA Integrated Accessibility Regulation requires that obligated organizations (including education institutions),¹⁴⁰⁹ establish a customer service feedback process for receiving and responding to feedback specifically about the way they provide accessible goods or services to people with disabilities. Obligated organizations must also make the information about their feedback processes available to the public. The processes must allow for feedback in a variety of ways including in person, by telephone, in writing or via email. The processes must also specify the actions organizations are required to take when complaints are received.¹⁴¹⁰

Inquiry findings on communication and transparency

The inquiry found several issues with communication, transparency and accountability that adversely affect students with reading difficulties and their parents.

Lack of effective communication with parents

Ontario schools need to do a better job of communicating with parents about their children’s reading development and difficulties. The OHRC heard that schools do not always tell parents when a reading difficulty has been observed or suggested by the child’s teacher. We also heard that schools do not consistently tell parents how long their child will have to wait for intervention when a reading difficulty has been identified. Parents said they often remain confused about what interventions their child is receiving, and how well they are progressing. Some parents are unaware of what if any accommodations their child is receiving, and some schools appear to modify students’

curriculum expectations without explaining the long-term consequences to parents. We heard that many schools and boards do not provide clear information to parents about what professional assessments are, how and when students can access them, and how schools will apply any recommendations that arise.

One parent said there is no “system for parent support” or “method to help parents with frequently asked questions to help them figure out the system and how to help their children”, and there “are not enough parent information nights.” Another parent said: “Parents need to be provided with better information relating to services or lack of services.” Yet another described the school system as “not transparent, and I would even suggest willfully opaque when it comes [to] dealing with students and parents with special needs.” One parent and physician said:

...There is [a] fundamental lack of transparency and fairness in our school system that leaves students and families adrift without proper guidance to support kids with learning differences...to access the curriculum. This is deeply unjust and infringes on the fundamental right of these little people to have equal opportunity for education.

One parent of a child with a reading difficulty even felt cut off during a bullying situation, explaining that her son experienced “bullying all through school” and that she and her son were “frustrate[ed]...with the lack of transparency by the schools and teachers as to what is really happening in the [classroom].”

Another parent explained how the school’s lack of transparency had caused the family to feel “stress[ed], sa[d], angry, tens[e], overwhelmed [and] lost:”

[I experienced the] stress of advocating, researching and trying to figure out what to do/ask for at school, constant battle with school to get needs addressed, constant runaround from school, minimal communication, not forthcoming about anything, being told not to come back in to discuss support for our child...all the lip service from the school, the passing the buck, the “talk to this person” saga, months go by with no effective support or willingness to change anything instruction related. Wasted, precious time...lost to the bureaucracy of the educational institution...Stress of not getting the right support for our child despite trying, stress of the system failing him, the indifference, the constant push back, the “secrecy” of the schools.

A speech-language pathologist highlighted that communication with parents should be prioritized early on, when the child is identified as “at risk,” instead of the current system where “we wait for children to fail.”

Current reporting methods such as report cards appear to sometimes be part of the problem rather than the solution. In its 2008 report on Special Education, the Auditor General commented on the limited ability of report cards to provide transparent communication to parents of children with special education needs. The Auditor General noted:

We found examples, particularly at the elementary school level, where report cards discussed the student's positive attributes but did not provide 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.¹⁴¹¹

As discussed in section 11, Accommodations, some teachers may not want to have a "difficult conversation" about a child's performance with parents at reporting time. Some parents reported being caught unaware after long periods of positive feedback. For example, the inquiry heard that a student, who had been on a modified program, was "bringing home report cards with passing grades and glowing reviews, [and her parents] had no idea she was in line to never get a high school diploma." In the inquiry surveys, a parent told us that "[n]one of the years of IEPs prepared us for the conclusion that [our son] would enter high school in locally developed – a level he was probably not appropriate for in truth." Many parents told the inquiry they would have rather been told their child was not meeting grade-level expectations, or even "failing" a course. Parents have a right to know when their child is struggling with foundational reading skills, and schools have a responsibility to tell them.

The current IPRC process appears to have mixed success in terms of transparency. Some parents said that IPRC meetings and documentation did keep the school "accountable." However, other parents said they did not add value. One parent noted that IPRC reports included no milestones or objectives tied to definitive timelines, and no particular educator was assigned to be accountable for items in the IPRC.

One parent shared that the IEP and IPRC processes need to be significantly changed to be transparent:

Parents are not properly informed of what is involved in the IEP and IPRC process and what the terminology means for their children. [There is a] huge learning curve. We showed up to a meeting and six [school board] specialists were present and we did not know beforehand [to expect them], and we were overwhelmed and felt like our opinion did not matter.

Some parents reported being ignored, labelled or even penalized for raising concerns with the school. One parent said that until a psychoeducational assessment was done, the school treated her like she "was complaining and imagining everything." Another parent said that school board personnel try to "prove the parent wrong" rather than "looking for any evidence-based interventions that actually help the child," and the only recourse for parents is to "try and access private intervention to support their child's learning."

One parent said the "onus is always on the parents to be the watch dogs and then [when] we go in to push for the proper accommodations, we are the problem parents." Another parent stated:

Accountability at our school board is non-existent. All these years, starting from [Grade] 2, we have been submitting complain[t]s, writing to [the] Director of Education, [the Ministry], only to be returned back to the source of the issues. We feel we have been bullied by the school administrators with misinformation, and [they have been] ignoring our concerns and requests.

School boards are taking some positive steps to improve communication with parents. The inquiry boards provide guides for parents either on special education in general or on specific topics within special education. Certain boards have made additional resources publicly available, in various formats and sometimes in different languages, on topics such as:

- The board's special education services including assessments, IEPs, SEACs, placement options and the referral process for specialized classes, AT and SEA claims, the identification process and IPRCs
- Student/parent rights and responsibilities in the context of special education
- Communication, and complaint resolution policies and procedures.

Some boards also make sample copies of IEP forms and special education equipment request forms publicly available online.

One board provides information sessions and a workshop series for parents of pre-school children with special needs, to help with the transition into Kindergarten. Another board provides monthly training for parents and caregivers on how to use SEA equipment. However, the OHRC is not aware of boards providing interactive education sessions specifically for parents of children with reading difficulties (who may or may not have been formally identified or diagnosed).

Some boards host information sessions, consultations and workshop series on special education topics. One board described how once every two years, its SEAC conducts a "Special Education Parent/Guardian consultation," which it uses to "set future direction for special education programs and services with[in]" the board. This is good practice for encouraging and facilitating dialogue between students, parents and schools.

According to the consultation results for 2019–2020, some parents were content with the existing special education system. In response to survey questions, the majority of responses suggested that the board's special education procedures were transparent.

For example, one parent suggested that the board maintain the current "information sessions about how to navigate the system." However, a significant number of respondents – over 30% – indicated that: they were not "consulted regularly on the progress of [their child] regarding their language and literacy development," they had not been "provided learning opportunities to support [their child's] learning at home and school," and they had not been "provided tools to support [their child's] learning at home

and school.” One parent said they felt “there is very little communication from the classroom teacher outside of the requirements such as report cards/parent/teacher interviews.” Another said “[p]lease consider what a parent has to say. I know that educators know their stuff, but please don’t doubt the parent of that child.”

During this board’s consultation, parents offered suggestions for change. For example, one parent said “[f]eedback each month would be great to make sure [my child] is on the right path and staying on.” A major recommendation arising from the consultation was that the board “create better forms of communication between school and home to assist with supporting student educational goals as well as accessibility to SEAC website, PIC [Parent Information Centre] website and Special Education Plan processes including IEP and IPRC information which will be easily understandable.”

In its 2019 report *We Have Something to Say*, the Provincial Advocate for Children and Youth¹⁴¹² said it “rarely heard of situations in which a student with special needs received all the support and assistance they needed to succeed,” and instead found situations where the “parent struggled to stitch together all the pieces [they] could find to make their lives and the situation of their child tolerable within a confusing and unhelpful education system.” One family told the Advocate:

At one point the conflict got so ugly the Superintendent of Special Education was yelling at us and our advocate in an IPRC meeting because we had pointed out our son’s principal was making statements that our son was falling behind academically – but the report cards she was signing indicated steady academic progress since Grade 1 and that he was meeting his goals.”¹⁴¹³

The Advocate called for ongoing dialogue between students and school staff, where teachers “routinely ask students if their learning program is working and, if not, what could help change the situation.” The Advocate found that students should “have more say” in developing their IEPs given that they “generally know themselves best; yet most are never asked for their input or opinions.”

Schools and boards should regularly consult with students and parents to learn about challenges they are facing with their learning plan, how well their current accommodation plan is working, and what accommodations they would find helpful moving forward. Using this information and their own knowledge of reading development, effective interventions and measures of reading progress, schools and boards can develop an effective learning program for the student.

Lack of information-sharing among educators

Many educators advocated for more effective information-sharing between teachers and other school staff.

For example, one teacher suggested that screening results:

should be kept on a data base rather than a paper copy in an OSR and shared with the student[']s teachers, administrators, support staff, and any other relevant individuals (people or professionals that support the student). Transparency is key.

A school child and youth worker explained that simply sharing a student's accommodation plan with the student's educational support team may not be enough to ensure transparency. Schools must also clearly state who is responsible for implementing the plan:

It may be that everyone on the team agrees that accommodations are needed – but the how, when, by who and why is not clearly understood/defined. This may lead to conflict among team members, communication breakdowns and a failure of students getting what they need... Then...once a plan is in place, the question comes up as to who is responsible [and] how are they held ACCOUNTABLE for ensuring accommodation is in place. What is the complaint mechanism and what power do students have in asking for what they are entitled to?

Some parents reported an apparent lack of communication between educators about how to implement accommodations amidst transitions. For example, some parents found that their children experienced different accommodations from class to class (and in some cases they received no accommodations at all).

Schools and boards should use reporting and recording tools for screening, intervention and accommodation approaches, results, and strategies that enable a student's educators from one class to the next and from one year to the next to share information with each other and develop a coherent multi-year education plan. In turn, educators should provide regular updates on this plan with parents, and explain the rationale for any amendments or developments.

Onus on parents to get supports

Parents reported that the education system is complex and hard to navigate. Parental advocacy often determines what services and supports are provided.

In their 2018 report *If Inclusion Means Everyone, Why Not Me?*, Community Living Ontario and other organizations noted there are many "complex processes in the education system geared towards identifying children who have disabilities and supporting their educational needs," these processes are often "bureaucratic and confusing," and parents "often did not feel well informed about the process." Parents reported "it was often up to them to initiate communication and information sharing" with the school, and often "the onus was on them to request meetings regarding academic accommodations and the development of IEPs." Many parents reported "a pattern of poor communication and lack of follow-through on the part of the school," which often led to "a more confrontational style of communication than a collaborative one."¹⁴¹⁴

The inquiry heard that some parents felt that they had to deal with “red tape at the school level.” One parent explained that “interventions on [her] daughter’s IEP are/were not actioned or assessed,” and after a first intervention failed, the school did not provide her with options for an alternative intervention. She instead “was required to research and provide a request for another intervention.”

Schools and boards cannot wait for parents to complain before they initiate needed change. They must proactively follow students’ progress, determine possible solutions, and raise those solutions in a discussion with parents (and students, where appropriate). No student should fall through the cracks because they or their parents do not have the time, ability or power to vigorously advocate for them.

Problems with current complaints processes

In their 2018 report *If Inclusion Means Everyone, Why Not Me?*, Community Living Ontario and other organizations noted that parents often “expressed frustration that there was not an appropriate conflict resolution mechanism available to them when dealing with schools.”¹⁴¹⁵ The report also said:

Almost half of parents reported that they did not have access to a proper conflict resolution mechanism to deal with an accommodation issue. When parents did have access to a conflict resolution mechanism, it often appeared to fall short in many ways. For instance, 69% of parents involved in a conflict reported that they were not given access to necessary information during the process and 64% of parents reported that their knowledge of their own child was not recognized by decision-makers.¹⁴¹⁶

The lack of effective dispute resolution processes in schools and boards has caused significant stress for students, parents and educators.¹⁴¹⁷ The OHRC concluded in its *Accessible education policy*:

The purpose of a dispute resolution mechanism should be to identify problems and determine ways to solve them that would permit the student access to educational services with a minimum of delay. Educational institutions should facilitate this process and provide reasonable assistance to students, and where applicable, their parents/guardians. Dispute resolution procedures that are not timely or effective could amount to a failure of the duty to accommodate.¹⁴¹⁸

Many parents find the complaints system confusing and inaccessible. For example, the February 2020 *Review of the Peel District School Board* found “widespread confusion” arising from the board’s processes for “parent complaints, workplace grievances, and human rights issues.” Many people reported they “felt that they were not being listened to or their issues were not being dealt with in a fair, respectful, transparent, timely, and equitable manner.” Complainants “shared stories of repeated frustration of not being notified of progress or the outcome of a complaint they had made about a teacher or principal at their children’s school.”¹⁴¹⁹

In its initial report on the Kindergarten to Grade 12 Education Accessibility Standards, the ESD Committee said parents often report that it is “very difficult” to learn how to, among other things, “raise concerns about whether the school board is effectively meeting the student’s disability-related education needs.” The committee explained that in the current patchwork system, “when it is left to each principal, without clear requirements and pre-prepared materials for parents, guardians and students,” some families resort to filing a human rights complaint with the HRTO.

Parents reported similarly frustrating experiences to the inquiry. In one striking situation, a parent described the intense advocacy she had to undertake over 21 months to get a reading intervention program for her child. She raised her concerns with the learning support teacher, principal, superintendents, the director of the school board, her trustee, the chair of the board’s SEAC, the learning disabilities association of her city, her MPP, the Ministry, and the Ombudsman’s office. She explained how it took this extensive type of advocacy just for her child to access a reading intervention program.

A classroom and special education teacher highlighted that existing complaints processes are used unevenly, and tend to benefit more well-connected parents:

Administration always chooses student behaviour and parent outcry as the deciding factors in who gets a psychoeducational assessment. The school board wishes to avoid SEAC, so well educated parents make noise and move up the ladder in the board in their complaints and concerns. This heavily disadvantages our less well educated/newcomer to Canada/ELL parents whose children tend to wait longer on the lists.

A child and youth worker explained that students and parents are often not aware of the school’s duty to accommodate, and how the school can be held to account if it does not meet that responsibility.

Even if parents are aware of complaints processes, such processes are not always effective. A classroom and special education teacher cautioned that the “current system” recognizes that some students need accommodations, but “it has been done in a “top/down tick-the-box way rather than actually changing the overall culture or ensuring that each kid gets the support that they need.” The teacher concluded that schools had “avoided lawsuits and human rights complaints without doing the really hard work.”

The current patchwork of complaints procedures is far too confusing. Processes are duplicative and difficult to access – and so they alienate many parents seeking recourse.

Recommendations

The OHRC makes the following recommendations:

Set standards and monitor

131. Many previous reports have recommended measures to set standards and improve consistency, monitoring and accountability in the education system generally, and for students with disabilities and other *Code*-protected identities. The Ministry of Education (Ministry) and school boards should implement all existing recommendations to set standards, improve consistency, and increase monitoring and accountability in the education system including recommendations in reports by the Auditor General of Ontario and the AODA's Kindergarten to Grade 12 Education Standards Development Committee's recommendations for a Kindergarten to Grade 12 education accessibility standard.
132. To create standardization and consistency related to the issues in the inquiry, the Ministry of Education, school boards and others should implement all recommendations in this report.
133. The Ministry should implement measures to monitor and assess whether students at risk for reading disabilities/dyslexia and students identified or diagnosed with reading disabilities/dyslexia receive the same level and high quality of special education programming and support no matter which school board they attend. The Ministry should ensure consistency across the province. If any inconsistencies are found, the Ministry should take steps to address them and align all services with standards based on the scientific evidence.
134. The Ministry should provide additional funding and support, where needed to make sure students in northern, remote, rural and small boards have equal access to special education programming, professional services and in-school supports.
135. School boards should implement measures to assess whether students at risk for reading disabilities/dyslexia and students identified or diagnosed with reading disabilities/dyslexia receive the same level and high quality of special education programming and support no matter which school they attend and which teacher(s) they have. If any inconsistencies are found, boards should take steps to address them and align all services with standards based on the scientific evidence.
136. All Board Improvement and Equity Plans should include data on reading/literacy achievement and the actions the board will take to respond to areas of concern. Data on reading/literacy achievement should be based on standardized measures of reading described in this report. These actions the boards will take to respond to areas of concern should be consistent with the findings and recommendations in this report. Boards should take steps to monitor implementation of these plans at the school and teacher levels. The Ministry should review all Board Improvement and Equity Plans annually to make sure these requirements are met, and should

require boards to take corrective action if their plans do not appropriately address reading/literacy achievement and identify actions that are consistent with the findings and recommendations in this report.

137. All board Special Education Plans should include detailed information about the elements identified in this report, including how classroom instruction incorporates evidence-based, explicit and systematic tier 1 instruction in foundational word reading and fluency skills; universal early screening (including when students will be screened, what screening tool will be used, how the results will be used to provide tiered interventions and how data from screening will inform board planning and decision-making); early and later reading interventions (including what interventions are available, the criteria for accessing them, how the their efficacy will be monitored); the process for accommodations and modifications and available accommodations (including available assistive technology and how it use will be supported); and professional assessments (including the criteria and process for referring students for assessments, evidence-based psychoeducational assessments for potential reading disabilities; how wait lists will be managed and current average wait times for assessments).

Special Education Plans should also lay out the board's Response to Intervention (RTI)/Multi-tier Systems of Supports (MTSS) tiered approach to instruction, screening and intervention, and should break down service delivery models by type of disability (including information about interventions, supports and programs for students with reading disabilities/dyslexia). The Ministry should review all board Special Education Plans annually to make sure these requirements are met, and should require boards to take corrective action if their plans do not appropriately address these issues in a way that is consistent with this report's findings and recommendations. The Ministry should monitor implementation of these plans.

138. The Ministry should take steps to make sure funding provided to school boards for specific special education purposes, including money specifically ear-marked to support students with or at risk for reading disabilities/dyslexia, is spent for those purposes. The Ministry should make sure boards do not spend money on programs or supports that are not validated and proven to be effective for students with reading disabilities/dyslexia. Boards and the Ministry should explore opportunities for bulk purchasing evidence-based screening tools, interventions and the associated professional training and coaching, and other resources.

Improve data collection

139. Many reports have recommended improving data collection, analysis and reporting and using data to increase equity, improve student achievement and outcomes and for better decision-making. The Ministry of Education (Ministry), school boards and EQAO should implement all existing recommendations to related to data including:
 - a. The OHRC's previous recommendations to improve education outcomes for students with disabilities
 - b. Recommendations in reports by the Auditor General of Ontario
 - c. The AODA's Kindergarten to Grade 12 Education Standards Development Committee's recommendations for a Kindergarten to Grade 12 education accessibility standard
 - d. The International Dyslexia Association's report, *Lifting the Curtain on EQAO Scores*¹⁴²⁰
 - e. Recommendations in documents and reports such as *Achieving Excellence: A Renewed Vision for Education in Ontario*; Ontario's *Education Equity Action Plan*; *Unlocking Student Potential Through Data, Final Report*; and *Ontario: A Learning Province*.
140. The Ministry and school boards should implement all data collection recommendations in this report, including data collection about screening, intervention, accommodation and modification, and professional assessment.
141. To the extent possible, boards should use common, centralized, student information management systems. Where this is not possible, boards should be able to generate the same consistent data from their student information management systems.
142. All boards should collect data on all students with disabilities (and not just exceptionalities as defined by the Ministry and identified through an Identification, Placement and Review Committee). Data about reading disabilities/dyslexia specifically should be collected (including about students identified/diagnosed with a reading disability/dyslexia and all students who did not meet expectations in foundational reading skills by the end of Grade 1 and Grade 2, and who therefore may be at risk for a reading disability/dyslexia). When a student has multiple disabilities, data should be collected about each disability (instead of the current approach to categorize students as "multiple exceptionality"). Data should be reported centrally to the Ministry for further analysis.
143. Information boards collect about students identified/diagnosed with a reading disability/dyslexia and all students who did not meet expectations in foundational reading skills by end of Grade 1 and Grade 2 should include the services and supports they are receiving, their response to services and supports (for example,

response to intervention), intersections with other identity characteristics and success indicators. Boards should analyze the data each year to identify any disparities or equity gaps, and develop action plans to close those gaps.

144. All boards should collect demographic data about equity indicators including race, ethnicity, creed (religion), disability, gender identity, sexual orientation and socioeconomic status. The Ministry should work with boards to explore ways to make sure all boards collect the same data to allow for analysis across the province, including by standardizing the age groupings for censuses, census questions and response options.
145. Boards' census questions about disability should ask about all disabilities. Boards should break down learning disabilities by subtype and include an option to identify that the student has a reading disability/dyslexia, or may be at risk for or have a suspected reading disability/dyslexia.
146. Boards should consider asking demographic questions on school climate surveys to assess if students' school experiences differ based on disability and/or other identity characteristics. For example, boards could assess whether students with disabilities, including specific disabilities, are more likely to report bullying, feeling unwelcome or other negative school experiences.
147. Boards and the Ministry should work together to develop a consistent method for measuring student success indicators including standardized reading measures, EQAO assessment results, academic pathways (whether the student has taken academic, applied or locally developed courses; and whether they have modified curriculum expectations), credit accumulation, graduation rates, and post-secondary application, acceptance and attendance. They should explore ways boards can disaggregate this data by subsets of students to identify and act on equity gaps.
148. Boards should cross-tabulate and analyze data on students with disabilities (including with suspected reading disabilities/dyslexia or who are at risk for reading disabilities/dyslexia), along with other demographic data (including race, ethnicity, creed (religion), disability, gender identity, sexual orientation and socioeconomic status against student success indicators. Intersectionality between all identity characteristics and student success indicators should be analyzed. The Ministry should provide a standard provincial methodology for cross-tabulating and analyzing this data. The Ministry should centrally collect and analyze this data, and should publicly report on any disparities or equity gaps identified.
149. Any disparities or equity gaps identified in the analysis of cross-tabulated data must be addressed at a board level and a provincial level. The board and the Ministry should develop and publicize plans to improve the disparities or equity gaps.

150. Boards should ensure that data is always collected, analyzed and presented in a way that is consistent with the *Human Rights Code*, and does not reinforce stigma or stereotyping.¹⁴²¹

Improve communication and transparency

151. School boards, schools and educators should communicate effectively with students and parents (in a plain-language, accessible format that invites action, and that is translated into languages that reflect the school community) through regular mail and/or electronic mail, on board and school websites, and through information sessions, about:

- a. Screening, interventions, accommodations and professional assessments for students with reading difficulties
- b. When, how and why boards and schools will provide these services
- c. How students and parents can request these services
- d. How the school will update parents (and students, where appropriate) on how the services are progressing (for example, how and when it will issue progress reports on interventions and accommodations)
- e. Community advocacy organizations that offer support to students with reading difficulties, and their parents
- f. Resolution options with the teacher, school and board (including the board human rights office, if applicable), and at the Special Education Appeal Board, Special Education Tribunal and Human Rights Tribunal of Ontario, for disputes about screening, interventions, accommodations or professional assessments.¹⁴²²

152. Schools and boards should use reporting and recording tools for screening, intervention and accommodation approaches, results and strategies that enable a student's educators to share information with each other from one class to the next and one year to the next, to develop a coherent multi-year education plan. In turn, educators should provide regular updates on this plan to parents, and explain the rationale for any amendments or developments.

153. School boards or schools should provide parents (and students, where appropriate) with a plain-language summary of the student's IEP.¹⁴²³

154. School boards and schools should establish and broadly publicize a policy to encourage parent involvement in all meetings with the school, where:

- a. The school board and/or school brings all key professionals who will be involved in the decision-making process
- b. Before the meeting, the school board and/or school tells the parents who will be attending the meeting on its behalf
- c. Before the meeting, the school board and/or school connects parents with community advocacy organizations that offer support to students with reading difficulties, and allows parents to bring a representative from a community

- advocacy organization and/or another professional support, and/or a personal support, to the meeting
- d. Parents are welcome to bring personal and professional supports they deem necessary
 - e. Parents have a range of participation options (including during the day or in the evening, and by telephone, online or in person).¹⁴²⁴
155. Schools and educators should consult parents when developing IEPs, and provide them with a copy of the IEP. Where appropriate, schools should instruct students in self-assessment methods so their observations on their own learning progress and the suitability of their accommodations can be considered by teachers as they refine their instructional plans.¹⁴²⁵
156. School boards should, in partnership with the Special Education Advisory Committee, conduct a survey of parents with students in a special education program to determine how well developments and program updates are communicated to parents. They should publicize the results along with timelines for responding to the results, and confirm they have acted within those timelines.
157. Boards should develop, offer and broadly publicize a non-adversarial dispute resolution program. Boards should assign a staff member to be responsible for the program, and to operate at arm's length from the board. Boards should assign a dedicated email address and phone number to the program. The program should issue timely decisions in writing. Boards should offer the opportunity for a designated senior board official to review the decision if requested. The Ministry should develop a program to offer further resolution opportunities (including mediation) for matters not resolved through the board process, and should assign a staff member to be responsible for it.¹⁴²⁶

Appendices

Appendix 1: List of recommendations

First Nations, Métis and Inuit experiences

Recognize distinctions

1. The Ministry of Education (Ministry), school boards and others should use “First Nations, Métis and Inuit” when possible and appropriate. Recognizing and distinguishing between First Nations, Métis and Inuit makes sure that all First Nations, Métis and Inuit children and youth see themselves in the school system, feel represented, and have trust that their unique needs are understood and being met.
2. The recommendations in this report should also be interpreted and implemented in a way that addresses the unique needs of distinct Indigenous peoples. First Nations, Métis and Inuit self-identification in terms of community and Nation as well as geographic or region-specific distinctions should be taken into account. Local decision-makers such as school boards should learn about and consult local Indigenous communities.

Follow existing recommendations for supporting First Nations, Métis and Inuit students

3. Many reports have made recommendations to improve First Nations, Métis and Inuit students’ learning, experiences and well-being in school. Recommendations have included improving access to First Nations, Michif and Inuktut language instruction, First Nations, Métis and Inuit culture, knowledge and perspectives for all students; providing professional development for educators and board professional staff; easing transitions for students; and taking steps to address racism and systemic discrimination. The Ontario Ministry of Education and every Ontario school board should implement all existing recommendations for supporting First Nations, Métis and Inuit students including:
 - a. The May 2017 First Nations Special Education Review Report and the 2017 Chiefs of Ontario Position Paper recommendations that relate to Ontario’s role in First Nations special education
 - b. The Ontario Federation of Indigenous Friendship Centres’ recommendations on how to address the accessibility needs of urban Indigenous students, in its July 2017 Response to the Development of an Accessibility Standard for Education
 - c. The recommendations to Ontario from the Seven Youth inquest
 - d. The Truth and Reconciliation Calls to Action, particularly those related to education and updating all provincial curriculum to include Indigenous perspectives and content
 - e. The National Inquiry into Missing and Murdered Indigenous Women and Girls’ Calls for Justice, particularly those related to education.
 - f. The Council of Ontario Directors of Education Listening Stone Project Reports

- g. The OHRC's recommendations in *To Dream Together: Indigenous peoples and human rights dialogue report*.

When implementing recommendations in these reports related to Indigenous content in curriculum and culturally appropriate resources for First Nations, Métis and Inuit learners, the Ministry and school boards should make sure First Nations, Métis and Inuit are each reflected and children from these communities see their own identities positively reflected in the materials. This will give them a sense of belonging and pride.

4. The Ontario Ministry of Education and all Ontario school boards should review and, where necessary, revise the First Nations, Métis and Inuit Policy Framework and Indigenous Education Strategy, to make sure it reflects these recommendations.
5. The Ontario Ministry of Education, and all Ontario school boards, should make sure boards have an Indigenous Education Advisory Council as required under the *Ontario First Nation, Métis, and Inuit Education Policy Framework Implementation Plan*. School boards should make sure the Councils, and any other places where First Nations, Métis and Inuit students are discussed, are representative of each of the Indigenous communities that are represented in the school board, to ensure that distinct needs and perspectives of students and families are addressed.
6. The Ontario Ministry of Education and all Ontario school boards should use the *UN Declaration* as a framework for implementing these recommendations. The *UN Declaration* should be interpreted in conjunction with the *Convention on the Rights of Persons with Disabilities* (Articles 7 and 24) and the *Convention on the Rights of the Child* (Article 28).

Treat First Nations schools equitably

7. The federal government should implement the recommendations for federally funded First Nations schools in reports referenced in Recommendation 3.
8. First Nations schools should receive funding that is equitable compared to provincially funded schools, and any additional funding needed to ensure substantive equality, considering the unique circumstances of students attending First Nations schools.
9. The recommendations in this report should be implemented in First Nations schools, as applicable.

Use trauma-informed and culturally sensitive approaches

10. The Ministry of Education should encourage all school boards and schools to adopt trauma-informed and culturally safe approaches including by providing guidance, resources and supports.

11. All school boards and schools should create trauma-informed and culturally safe school environments and provide comprehensive, sustained and job-embedded training to educators on trauma-informed and culturally safe practices.

Identify Indigenous students and provide access to supports

12. School boards should not delay or fail to identify Indigenous students with learning difficulties based on culturally biased practices/assessments or assumptions related to their Indigenous identity.
13. Ontario should publicize, adopt and implement a broad approach to Jordan's Principle and Inuit Child First Initiative funding, consistent with the purpose of ensuring substantive equality, that recognizes that federal funding is available for any government service that is provided to children including health, social and education services such as professional assessments, tutoring and assistive technology.
14. Ontario school boards and community service providers should know the criteria and process for applying for federal Jordan's Principle or Inuit Child First Initiative funding, and promote the use of this funding to access supports to address any needs of First Nations and Inuit students.
15. School boards and schools should recognize the role of Friendship Centres and urban Inuit organizations in coordinating holistic, culture-based supports for urban First Nations and Inuit students and their families.
16. Ontario school boards and community service providers should understand the role of the MNO in representing and providing wrap-around services to its Métis citizens. The Ministry and school boards should work as partners with the MNO and Métis communities in the school board's area. School boards should foster the relationship between schools and the MNO's Education Support Advocacy program. Financial contributions from the province to the MNO's Education Support Advocacy program would allow for enhanced supports to be provided to Métis learners in a predictable way every year.
17. Provincial and federal funding for supports for First Nations, Métis and Inuit students should provide for additional costs associated with northern, remote or isolated circumstances, and should include the cost of travel to receive services, where necessary.
18. School boards and schools should recognize First Nations, Métis and Inuit Elders as knowledge keepers and educators, and recognize their role in transmitting cultural knowledge to the younger generation and building stronger, healthier and more resilient young people, families and communities. School boards and schools should

increase access to Elders and guest speakers in schools and make sure Elders/guest speakers are representative of all First Nations, Métis and Inuit students represented in the board.

19. School boards' acknowledgements of Indigenous peoples and territories should recognize each of First Nations, Inuit and Métis peoples and territories as appropriate. They should also recognize significant events and days, such as Treaties Recognition Week, National Indigenous Peoples Day, Powley Day and Louis Riel Day.

Use instruction and intervention approaches that are effective and inclusive

20. The Ontario Ministry of Education and all school boards should provide evidence-based curriculum and classroom instruction in foundational reading skills in a way that is inclusive to all students, including First Nations, Métis and Inuit students. They should find ways to also incorporate Indigenous experiences, culture and values throughout classroom content.
21. Educators should not promote the English or French languages of instruction at the expense of Indigenous languages. They should encourage proficiency in Indigenous languages, recognize the benefits for children when they have proficiency in their own Indigenous language and the language of instruction (English or French), and never discourage students from using or learning their language.
22. For First Nations, Métis and Inuit students with or at risk for word reading disabilities, school boards should provide immediate intervention with evidence-based programs. Delays in providing interventions or using interventions that are not rooted in strong evidence with a focus on foundational reading skills will further disadvantage these students.

Improve approaches to self-Identification and data

23. School boards should work with First Nations, Métis and Inuit governments (local First Nations governments and the MNO) and local organizations (such as Friendship Centres, Tungasuvvingat Inuit) to understand and respond to any concerns with self-identification. They should clearly communicate how self-identification benefits First Nations, Métis and Inuit students and how self-identification data will be kept confidential and used. They should never use self-identification data to portray First Nations, Métis or Inuit students in a negative or disrespectful way.
24. School boards should make sure they have data on the percentage of students who self-identify as First Nations, Métis and Inuit overall, and broken down by First Nation, Métis and Inuit.

25. School boards should collect and analyze data on achievement and outcomes (such as EQAO results, course completion and graduation rates) for students who have self-identified as First Nations, Métis and Inuit. They should track whether First Nations, Métis and Inuit students have IEPs or have been identified with an LD exceptionality (see also recommendations related to data collection in section 13, Systemic issues). They should respond to any equity gaps identified in the data.
26. School boards should share this data with First Nations, Métis and Inuit governments (local First Nations governments and the MNO) and local organizations (such as Friendship Centres, Tungasuvvingat Inuit) on a regular basis. They should work as partners with these governments and organizations to make sure culturally appropriate supports can be provided to improve First Nations, Métis and Inuit students' outcomes.

Curriculum and instruction

Revise the Kindergarten Program and Grades 1-8 Language curriculum

27. The Ministry of Education (Ministry) should work with external expert(s) to revise Ontario's Kindergarten Program and Grades 1–8 Language curriculum to:
 - a. Remove all references to cueing, cueing systems and guessing strategies for word reading
 - b. Remove all references to any other instructional approaches to teaching foundational reading skills that have not been scientifically validated
 - c. Require mandatory explicit, systematic and direct instruction in foundational reading skills, including phonemic awareness, phonics and decoding, and word reading proficiency
 - d. Beginning in the Kindergarten Program and continuing in the Grades 1–8 Language curriculum, explicitly state expectations for teaching phonemic awareness, letter-sound associations, word-level decoding (including blending sounds to read words and segmenting words into sounds to write words), word-reading proficiency or fluency (number of words read per minute) and knowledge of simple morphemes. The Grades 1–8 Language curriculum should include more advanced word study in and beyond Grade 2/3, and outline more advanced expectations with morphology, knowledge and analysis of words, through the middle grades and beyond
 - e. Incorporate other aspects of a comprehensive approach to literacy which are addressed in the research science such as evidence-based instruction in oral language, reading comprehension, vocabulary knowledge and spelling and writing.
28. The Ministry should specify that all critical elements of explicit, systematic and direct instruction in foundational word-reading skills in the revised Kindergarten Program and Grades 1–8 Language curriculum are mandatory and not optional. The Ministry should provide specific and scaffolded grade-level expectations for each

foundational word-reading skill. The Ministry should clarify that early literacy skills, such as phonemic awareness, knowledge of letter names and sounds and how to print letters, and decoding simple words are all expected in Kindergarten.

29. The Ministry should develop the revised Kindergarten Program and Grades 1–8 Language curriculum on an expedited basis, but should include all the necessary steps in the curriculum review process.

Revise early literacy resources

30. The Ministry should work with external expert(s) to revise Ontario's *Guide to Effective Instruction in Reading (Kindergarten to Grade 3)* and *Guide to Effective Literacy Instruction (Grades 4 to 6)* and other supplementary resources and materials to:
 - a. Remove all references to cueing, cueing systems and guessing strategies for word reading
 - b. Remove all references to balanced literacy and associated concepts such as teaching word reading with the use of cueing systems or through reading books within the current gradual release of responsibility model (instruction through modelling book reading with word problem-solving using cueing systems, shared reading with word problem-solving using cueing systems, guided and independent text reading focused on word problem-solving using cueing systems, and mini lessons)
 - c. Remove all references to any other instructional approaches in teaching foundational word-reading skills that have not been scientifically validated
 - d. Remove all references to running records, miscue analyses and other assessment approaches that have not been scientifically validated
 - e. Remove all references to levelled readers and incorporate references to decodable texts in Kindergarten to Grades 1 or 2 (or in later reading interventions) and/or to practicing word reading in less controlled books that are nonetheless selected to provide practice for word-reading skills for young readers, and with appropriate reading materials, other than levelled readers, in later elementary grades. Reading materials should be selected based on other criteria appropriate for developing reading competence, language and knowledge
 - f. Replace cueing and balanced literacy for word reading with mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics and decoding skills, and word-reading proficiency (accurate and quick word reading)
 - g. Beginning in the Kindergarten Program and continuing in the Grades 1–8 Language Arts curriculum, state the approaches (and Ministry-recommended programs) that will support the explicitly stated expectations in phonemic awareness, letter-sound associations, word-level decoding (including blending sounds and segmenting words into sounds to read and write words), word-reading proficiency or fluency (number of words read per minute). This will

- continue through to more advanced word study beyond Grade 2, including how to teach advanced morphological knowledge and analysis
- h. Incorporate other aspects of a comprehensive approach to literacy which are addressed in the research science such as evidence-based instruction in oral language, reading comprehension, vocabulary knowledge and spelling and writing.
31. The Ministry should release revised guides and supplementary resources before or at the same time as the revised Kindergarten Program and Grades 1–8 Language curriculum.
32. The Ministry should revoke any early literacy resources, including supplementary classroom materials published on the Ministry's Curriculum and Resources website or e-Community Ontario, that promote cueing systems, balanced literacy, running records and miscue analyses or any other instructional and assessment approaches to word reading that are not scientifically validated.
33. School boards should update their early literacy policies, procedures, directives, documents, guides, training and professional development materials, and any other early literacy resources, to align with the findings in this report and, when available, the revised Kindergarten Program, Ontario Language curriculum, *Guide to Effective Instruction in Reading (Kindergarten to Grade 3)* and *Guide to Effective Literacy Instruction (Grades 4 to 6)* and other revised Ministry supplementary resources and materials.

Review textbooks and supplementary classroom materials

34. The Ministry should work with external expert(s) to revise the Trillium list of approved textbooks related to reading, if any, to align with the scientific evidence by removing all textbooks that promote instruction and assessment approaches that have not been scientifically validated, and adding only textbooks that reflect effective instructional principles associated with mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics and decoding skills, and word-reading proficiency (accurate and quick word reading).
35. The Ministry should work with external expert(s) to develop a list of approved classroom materials (including programs, kits, books, readers, assessment tools and intervention programs) that are consistent with the revised curriculum and scientific evidence outlined in this report.
36. The Ministry should make clear that school boards must stop using and may no longer purchase textbooks or classroom materials that are inconsistent with the scientific evidence, and can only purchase or use materials related to teaching foundational word reading skills on the Trillium list and Ministry list of approved of classroom materials.

37. School boards should stop using textbooks and classroom materials that are inconsistent with the scientific evidence, as outlined in this report. School boards should only purchase textbooks and classroom materials on the revised Ministry approved lists. School boards should replace levelled readers in Kindergarten to Grade 1 or 2, with decodable texts.
38. The Ministry should provide school boards with the funds to purchase textbooks and classroom materials on the revised Trillium list and list of approved classroom materials.

Develop and deliver interim curriculum and measures

39. The Ministry of Education should work with external expert(s) to develop or identify an interim early reading curriculum (or addenda to the current Kindergarten Program and Grades 1–8 Language curriculum) and resources/guides/training to support school boards and teachers to immediately start delivering instruction in foundational reading skills that aligns with the science of reading while the Kindergarten Program, Grades 1–8 Language curriculum and instructional guides and other resources go through a full revision. The interim early reading curriculum and resources/guides/training should provide guidance to and require boards and teachers to immediately begin to implement mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics and decoding, and word reading proficiency including morphological knowledge. This interim curriculum and resources/guides/training could be selected from evidence-based pre-existing materials that have been vetted by the Ministry's external expert(s) to make sure they conform with the reading science. The Ministry should make sure any interim resources/guides/training will be consistent with the future revised Kindergarten Program and Grades 1–8 Language curriculum, so they can continue to be used once these are released.
40. School boards should immediately begin implementing measures/resources/programs/guides/training to provide mandatory explicit, systematic and direct instruction in foundational word-reading skills including phonemic awareness, phonics, decoding and word study, while awaiting a revised Kindergarten Program and Grades 1–8 Language curriculum. These measures/resources/guides/training can continue to be used to support delivery of a revised Kindergarten Program and Grades 1–8 Language curriculum once they are released.
41. The Ministry should adopt a systematic approach to releasing an interim early reading curriculum and/or addenda to the current Kindergarten program and Grades 1–8 Language curriculum that is supported by professional learning, guides and supplementary resources and a supportive professional development plan for educators that is clearly communicated with school boards.
42. The Ministry should provide adequate funding to boards to implement and continue to use these measures/resources/programs/guides/training.

43. The Ministry should enhance funding support for summer learning programs offered by school boards for students in Kindergarten to Grade 5, as part of a strategy to help all students catch up on reading proficiency and respond to COVID-19 learning loss related to reading. The Ministry should require that summer learning programs to support reading provide mandatory explicit, systematic and direct instruction in foundational reading skills including phonemic awareness, phonics and decoding, and fluency.
44. The Ministry should develop an education recovery plan that includes intensive and accelerated reading programs for all students, but with an emphasis on targeting groups most disadvantaged by school closures related to COVID-19 (students with disabilities, students from low-income families, Black and other racialized students, Indigenous students and newcomers).

Build expertise within boards and ensure non-reprisal

45. The Ministry should provide stable, enveloped yearly funding to all school boards in the province to hire literacy-learning leads to coordinate and support board-level improvement efforts related to reading and literacy. The Ministry should require that literacy-learning leads be trained in the science of reading, including systematic and direct instruction in foundational reading skills/structured literacy approaches.
46. School boards should draw on internal expertise, educators, administrators, speech-language pathologists and psychology staff who are knowledgeable about the science of reading, for systematic and direct instruction in foundational reading skills/structured literacy approaches.
47. Board staff who advocate for the science of reading or other measures to improve outcomes for students with disabilities should never be subject to adverse consequences/reprisals.

Ensure pre-service teacher preparation addresses critical concepts

48. Ontario's faculties of education should embrace the science of early reading, and make sure future teachers understand critical concepts, including:
 - a. The importance of word-reading accuracy and efficiency for reading comprehension; models of reading development
 - b. How accurate and efficient early word reading develops
 - c. How to teach foundational word-reading and spelling skills in the classroom
 - d. The importance of teaching foundational skills in reading to address inequality for historically disadvantaged student populations and the needs of students with different difficulties and disabilities

- e. Other aspects of a comprehensive approach to literacy which are addressed in the research science but were beyond the scope of the inquiry, such as evidence-based instruction in oral language, reading comprehension, vocabulary knowledge and spelling and writing.
49. The *Ontario College of Teachers Act* regulations should be amended to require that all Primary and Junior teacher applicants take a half-course (three credits) that focuses on critical components of word-reading instruction to support all students in becoming proficient readers. Faculties of education should make sure this course spends considerable time on and includes instruction to develop pre-service teachers' knowledge of the content in Recommendation 48 above and:
- a. The structure of spoken and written words
 - b. What systematic and direct instruction in word reading and spelling consists of at different grade levels
 - c. The skills and knowledge necessary to implement best practices for teaching students phonemic awareness, phonics, accurate and efficient or quick word reading, spelling, fluency, and more advanced word study, including syllable and morphological knowledge and analysis
 - d. How to gauge students' progress in these foundational word-reading and spelling skills; identify students who need immediate follow-up; and provide immediate, focused instruction to students who need it.

Faculties should explore practicum components and mentoring opportunities that reinforce and enhance learning in these areas.

50. Every Ontario faculty of education should make sure that further Language Arts methods courses, assessment courses, and courses on inclusive and special education/teaching students with exceptionalities further reinforce and deepen pre-service teachers' knowledge and understanding of these concepts and approaches.
51. Every Ontario faculty of education should build on the foundational knowledge described in Recommendations 48 and 49, to prepare pre-service teachers to identify, instruct and support struggling readers and writers, including students with dyslexia, with other disorders, and students with no known exceptionality, with further instruction on:
- a. The core features of reading disabilities and dyslexia. Dyslexia should be named and explained
 - b. Early warning signs of risk for reading difficulties
 - c. Understanding and practicing using scientifically validated early screening tools and scientifically supported methods of classroom reading assessment to guide reading and writing instruction
 - d. Understanding differentiated reading instruction to build foundational reading skills and support writing development for students with reading difficulties
 - e. Effective accommodations and how to successfully implement them in the classroom

- f. Understanding early and later interventions that are evidence-based, with a focus on evidence-based approaches used in Ontario school boards, and how to support students in the classroom when they are receiving these interventions.
52. Every Ontario faculty of education should re-evaluate teaching running records or miscue analyses. Teachers should be taught how to use more valid and helpful ways to evaluate students' reading progress and how to use assessment tools that measure skills related to word-reading accuracy and proficiency separately from a student's reading comprehension or oral language comprehension. Pre-service teachers should be taught how to administer short, reliable assessment tools to gauge students' progress in these foundational skills.
53. Recommendations 48 to 52 should be implemented regardless of whether and before the Ministry revises the Kindergarten Program and Ontario Grades 1–8 Language curriculum.

Ensure additional qualification courses and continuing professional development address critical concepts

54. The Ontario College of Teachers should require that any additional qualification courses on reading offered by any AQ provider in Ontario (Reading Part 1 and Part 2, Reading Specialist) provide advanced knowledge on:
- a. The foundations of word-reading and spelling
 - b. The central role of word-reading in reading comprehension
 - c. Models for understanding how proficient word reading develops
 - d. Best practices for teaching students on phonemic awareness, phonics and word-reading proficiency, and more advanced word study, including syllable and morphological knowledge and analysis
 - e. The core features of reading disabilities/dyslexia. Dyslexia should be named and explained
 - f. Early warning signs of risk for reading difficulties
 - g. Understanding and practicing using scientifically validated early screening tools and scientifically supported methods of classroom reading assessment to guide reading instruction
 - h. Understanding differentiated reading, spelling and writing instruction
 - i. Effective accommodations for reading difficulties and how to successfully implement them in the classroom
 - j. Understanding evidence-based early and later interventions that are used in Ontario school boards, and how to support students in the classroom when they are receiving these interventions.

55. The Ontario College of Teachers should require that any additional qualification courses on special education/inclusive educations/students with exceptionalities offered by any AQ provider in Ontario (Special Education Part 1 and Part 2, Special Education Specialist) provide advanced knowledge in:
- a. The core features of reading disabilities and dyslexia. Dyslexia should be named and explained
 - b. Early warning signs of risk for reading difficulties
 - c. Effective reading instruction and interventions, and Response to Intervention (RTI)/Multi-tiered System of Supports (MTSS) models
 - d. The critical place of evidence-based instruction as a key component of a Universal Design for Learning approach
 - e. Effective accommodations for reading difficulties and how to successfully implement them in the classroom
 - f. The difference between accommodations and modifications to curriculum expectations, and the limited role of modifications (see also section 11, Accommodations)
 - g. Understanding evidence-based early and later interventions that are used in Ontario school boards, and how to support students when they are receiving these interventions
 - h. How to support their school or board in using data collection and monitoring to inform RTI/MTSS.
56. The Ministry of Education (Ministry) should work with external expert(s) to develop a comprehensive, sustained and job-embedded in-service teacher professional learning program and resources that address early reading instruction and reading disabilities/dyslexia that includes:
- a. The foundations of word reading and spelling
 - b. The central role of word reading in reading comprehension
 - c. Models for understanding how proficient word reading develops
 - d. Best practices for teaching students phonemic awareness, phonics, and more advanced word study, including syllable and morphological knowledge and analysis
 - e. The core features of reading disabilities/dyslexia. Dyslexia should be named and explained
 - f. Early warning signs of risk for reading difficulties
 - g. Understanding and practicing using scientifically validated early screening tools and scientifically supported methods of classroom reading assessment to guide reading instruction
 - h. Understanding differentiated reading, spelling and writing instruction
 - i. Effective accommodations for reading difficulties and how to successfully implement them in the classroom
 - j. Using evidence-based materials and programs in classroom and small-group applications
 - k. Understanding evidence-based early and later interventions that are used in Ontario school boards, and how to support students in the classroom when they are receiving these interventions.

57. The Ministry should require and provide stable, enveloped yearly funding for every school board in Ontario to deliver this comprehensive, sustained and job-embedded professional learning.
58. While this professional learning is being developed, school boards, with funding from the Ministry, should provide educators the opportunity to take accredited structured literacy courses.

Early screening

Mandate early, evidence-based universal screening

59. The Ministry of Education (Ministry) should provide stable, enveloped yearly funding for evidence-based screening of all students in Kindergarten Year 1 to Grade 2 in word-reading accuracy and fluency.
60. The Ministry should work with external expert(s) to mandate and standardize evidence-based screening on foundational skills focused on word-reading accuracy and fluency. The Ministry should:
 - a. Require school boards to screen all students twice a year (beginning and mid-year) from Kindergarten Year 1 to Grade 2
 - b. Determine the appropriate screening measures to be used based on the specific grade and time in the year with reference to the recommendations in the IES report that have moderate to strong evidentiary support. At minimum, measures should include:
 - i. Kindergarten: letter knowledge and phonemic awareness
 - ii. Grade 1 (beginning): phonemic awareness, decoding, word identification and text reading
 - iii. Grade 1 (second semester): decoding, word identification and text reading, and should include speed as well as accuracy as an outcome
 - iv. Grade 2: timed word reading and passage reading
 - c. Select or develop valid and reliable screening tools that correspond to each specific grade and time in the year for administration by school boards
 - d. Set out the standardized procedures for administering, scoring and recording data from the screening instruments
 - e. Make sure screening tools have clear, reliable and valid interpretation and decision rules. Screening tools should be used to identify students at risk of failing to learn to read words adequately, and to get these children into immediate, effective evidence-based interventions.
61. The Ministry and school boards should make sure that early scientifically validated screening and evidence-based interventions are equally implemented within French-language instruction. Students with reading difficulties should have an equal opportunity to learn in French.

Revise Policy/Program Memoranda (PPMs)

62. The Ministry of Education (Ministry) should work with external expert(s) to revise PPM 8, 11 and 155 so they provide clear directives to teachers, principals and school boards about their respective responsibilities. The PPMs should be updated to reflect the current scientific research consensus on early identification of students at risk for reading disabilities. The PPMs should:
- a. Mandate a tiered/(Response to Intervention (RTI)/Multi-tiered System of Supports (MTSS) approach for all students
 - b. State that screening tools should be used to immediately provide tiered intervention to students who require support
 - c. Require school boards to provide small-group interventions (tier 2) for students who struggle with evidence-based classroom instruction (tier 1). School boards should provide more intensive and often individualized interventions (tier 3) to students who struggle with tier 1 instruction and 2 interventions, based on progress monitoring. At tier 3, a psychoeducational assessment **could** be used, but should not be required, to fully assess the learning challenges, and should not delay tier 3 intervention
 - d. Remove the statement in PPM 11 that school boards should consider a reasonable delay in the language-based aspect of assessment for students whose language is not English or French. All students, including multilingual students (who are learning English at the same time as they are learning the curriculum), should be screened for word-reading difficulties
 - e. Update the resources presently listed in the PPMs to include the most current science-based research
 - f. Revise the PPMs to reflect the OHRC's recommendation to mandate early, evidence-based screening. If PPM 155 is not revised, then the Ministry should provide a directive to school boards that makes clear that early screening is a special education assessment or province-wide assessment and exempt from the scope of PPM 155.

Mandate accountability measures

63. The Ministry of Education (Ministry) should work with external expert(s) to mandate data collection on the selected screening tools to improve accountability. Specifically, the Ministry should:
- a. Mandate school boards collect data to further validate and, if necessary, refine screening tools and decision-making processes
 - b. Develop measures to monitor progress in word-reading accuracy and fluency skills that are being targeted in specific interventions.
64. School boards should make sure clear standards are in place to communicate with students and parents about the screening tool, the timing, and how to interpret the results. The communication should also indicate when and what intervention will be provided if the student is identified as at risk for reading difficulties.

65. School boards should not use the results of screening to performance manage teachers. No teacher should face discipline or discharge because of screening results.

Ensure educators receive adequate professional learning on screening tools

66. School boards should make sure staff (for example, teachers) administering the screening tools receive comprehensive, sustained and job-embedded professional learning on the specific screening tool or tools that they will be administering, and on how to interpret the results.

67. School boards should make sure educators are supported with time to complete these screening assessments and related data handling.

Reading interventions

Standardize evidence-based reading interventions

68. The Ministry should provide stable, enveloped yearly funding for evidence-based reading interventions in word-reading accuracy and fluency.

69. The Ministry should work with external expert(s) to mandate and standardize evidence-based interventions in word-reading accuracy and fluency. The Ministry and its external expert(s) should:

- a. Select appropriate early interventions (Kindergarten to Grade 1) and later interventions (Grade 2 and onwards) that are evidence-based and that school boards must choose from to implement
- b. Make sure the interventions are systematic, explicit programs in phonics instruction and building decoding and word-reading accuracy and fluency. Early intervention should target the foundational skills of phonemic awareness, sound-letter knowledge, decoding and word-reading accuracy and fluency. Later interventions should include more advanced orthographic patterns, syllables and morphemes
- c. Make sure there are sufficient tier 1 class programs in these foundational reading skills that prevent later reading difficulties and that are used for whole-class instruction
- d. Set out the steps necessary to effectively implement these programs within individual schools and boards. This should include the necessary resources, funds, comprehensive, sustained and job-embedded training and ongoing support
- e. Set up a process to make sure the list of approved reading interventions undergoes a periodic review to ensure it reflects the latest scientific research, and the interventions being used are shown to be effective in the data collected by the boards.

70. School boards should immediately stop using reading interventions that do not have a strong evidence base or are based on the three-cueing approach for students who struggle with word reading. These programs should not be used for students who struggle with word reading, and students at risk for or identified or diagnosed with reading disabilities or dyslexia.

Develop eligibility criteria

71. The Ministry should work with external expert(s) to mandate and standardize evidence-based eligibility criteria to receive reading interventions. The Ministry should:
- a. Set out the recommended grade levels to receive the specific interventions
 - b. Outline clear and appropriate decision-making rules for selecting evidence-based programs, and for matching students to intervention programs. Standardized scores or percentiles on reading measures (e.g. a score that is one standard deviation or more below the mean on a standardized test of word recognition or decoding) should replace vague language about being “significantly” below grade level. These decision rules should be universally applied.
72. The Ministry and school boards should make sure that any student who struggles with reading should receive an intervention. Access to interventions should never be based on a formally identified disability, diagnosis or requirement to have at least average intelligence or a discrepancy (or inconsistency) between intellectual abilities and achievement. Students with other disabilities should never be disqualified from receiving an intervention.

Make evidence-based reading interventions available

73. School boards should make sure every school has at least one evidence-based reading intervention that can be implemented with students in each grade level and for each tier, and interventions are available to all students who require them. Students should not have to change schools to receive evidence-based interventions.
74. School boards should make sure resources for effective classroom instruction and interventions are distributed in a way that meets the needs of schools that may be deemed higher priority in terms of high numbers of students at risk for or with reading difficulties.

Remove inappropriate eligibility requirements

75. School boards should never require a psychoeducational assessment as a precondition for receiving an evidence-based reading intervention.

76. School boards should provide small-group early and later interventions (tier 2) for students when evidence-based classroom instruction (tier 1) is not adequate for them to develop average-level foundational word-reading skills. School boards should provide more intensive and individualized interventions (tier 3) to students who do not respond adequately to tier 1 instruction and 2 interventions, based on progress monitoring with standardized measures of reading. At tier 3, a professional (psychoeducational or speech-language pathology) assessment **could** be used to fully assess the learning challenges, but should not be required or delay tier 3 intervention (see recommendations in section 12, Professional assessments).
77. School boards should not use grade- or age-equivalent scores for entry into intervention programs. Instead, boards should:
- a. Use standardized scores or percentiles at each grade level and provide interventions to students below a pre-determined criteria
 - b. Include fluency scores, as students who score adequately on accuracy but low on fluency may still struggle with reading comprehension and will benefit from intervention
 - c. Collect information on whether and to what degree foundational reading skills are impairing the student's classroom achievement
 - d. Consider measurement errors when a student just misses a cut-off score for a program. These students should be considered for interventions if they are also experiencing classroom difficulties.
78. School boards should not use results from intelligence tests and/or the absence of another disability (for example, ADHD, ASD) as prerequisites to receive a reading intervention.

Develop a mechanism for centralized support

79. The Ministry should determine how boards must support and monitor their interventions for program fidelity (how and when the intervention is delivered).
80. The Ministry should set up a mechanism to support boards in implementing and monitoring intervention programs. This will help resolve inconsistencies and could serve to consolidate best practices among school boards, so that boards do not need to reinvent the wheel and can share successes and failures.

Mandate data collection

81. The Ministry should work with external expert(s) to mandate data collection on the selected reading interventions, to improve accountability and decision-making procedures. The Ministry should:
- a. Mandate that school boards track the effectiveness of interventions for individual students through standardized individual assessments/progress monitoring (including analysis of student errors to determine the nature of difficulties)
 - b. Develop valid and reliable progress monitoring and outcome measures to inform programming decisions for individual students, and to inform boards' efforts to evaluate program effectiveness. Progress monitoring measures should include word-reading accuracy, non-word-reading accuracy, reading comprehension, word-reading efficiency (fluency) and text-reading fluency measures. For early reading interventions, standardized measures should include phonemic awareness, sound-letter fluency, and reading and decoding accuracy and fluency
 - c. Require school boards to input this data into a centralized system and break down the information by demographics to identify and address any equity gaps
 - d. Publish provincial data, without any identifying information, on the progress of students and trends
 - e. Mandate that school boards track the overall effectiveness of interventions to assess and compare what is showing the best outcome for students. Students' book-reading levels should not be used to examine the effectiveness of an intervention program
 - f. Require school boards to track the length of time it takes for individual students who are identified as at risk according to screening tools, to receive an intervention and the type of intervention received.

Mandate accountability measures

82. School boards should make sure clear standards are in place to communicate with students and parents about available interventions. If a student is receiving a reading intervention, the school should communicate details about the intervention such as information about the program, the timing, expected length of the intervention, results from progress monitoring and what steps the school will take if the student does not respond well to the intervention.

Ensure staff receive adequate training on reading intervention

83. The Ministry of Education should provide increased funding to hire and train additional teachers to provide tier 2 and tier 3 interventions, without increasing class sizes.
84. School boards should make sure all intervention providers have access to thorough and effective training in program delivery, with initial and ongoing coaching.

85. School boards should build collaborative teams from personnel with knowledge and experience in the science of reading. Interdisciplinary teams may bring together special education and elementary teachers, psychologists and SLPs who have advanced their knowledge and experience in this area. These teams can develop and provide comprehensive, sustained and job-embedded professional learning on the fundamental processes related to reading, early reading skills and the needs of learners with reading difficulties.

Accommodations

Develop standards for educator professional learning on accommodations and modifications

86. The Ministry of Education (Ministry) should work with external expert(s) to revise its program planning and professional development policy documents to address:

- a. Key steps for accommodating a reading difficulty, including:
 - Provide accommodations at the same time as reading interventions, where appropriate
 - Consider students' individual needs (including intersectional needs), develop a range of possible accommodation options, and provide the accommodations that best serve students' needs without causing undue hardship
 - Seek out accommodations that have a strong track record of boosting student performance and experience
 - Support accommodations with comprehensive, sustained and job-embedded professional development
 - Provide accommodations as quickly as possible, provide interim accommodations where it will take time to develop permanent ones, and make sure accommodation supports are maintained during transition periods
 - Work with students and their families to establish students' accommodation needs, and monitor accommodations for any necessary changes.
 - Communicate openly and regularly with students, parents and other education staff throughout the accommodation process
 - Regularly evaluate the impact of accommodations to make sure they are helping to improve the students' learning experience and performance
 - Take a proactive approach to prevent bullying and eliminate the stigma that is attached to some accommodations, by educating students and teachers about learning differences and explaining that supports and accommodations simply provide equitable access to learning and the curriculum for all students.
- b. Examples of assistive technology (AT) and non-AT accommodations that support students with reading difficulties and situations where each may be appropriate
- c. The limited role of modifications as a "last resort" including that:
 - Students with reading difficulties should first receive evidence-based classroom reading instruction, reading interventions and accommodations to allow them to meet grade-level expectations. If the student is not responding

- to initial interventions and accommodations, then more intensive interventions and further accommodations should be offered
- Only when these have been exhausted and the student is still unable to meet grade-level expectations with accommodations (as assessed using evidence-based assessments), modification to a lower grade-level expectation for the specific expectation(s) the student cannot meet may be considered
 - Before modifying to a lower grade-level expectation, parents – and students, where appropriate – must be informed that a modification to a lower grade-level expectation has the potential to affect the student’s ability to “catch up” to their grade-level peers, access future course options, and access post-secondary school options
 - Once a student’s curriculum expectations have been modified, school boards should continue to consider whether further interventions or accommodations may allow the student to be brought up to grade level.

87. The Ministry should develop customizable materials to support school boards in delivering professional learning on the revisions to the program planning and professional development policy.
88. On a yearly basis, school boards should provide teachers with comprehensive, sustained and job-embedded professional development on the revisions to the program planning and professional development policy, and include this professional development in their new teacher induction program.
89. The Ontario College of Teachers should require pre-service education to address revisions to the program planning and professional development policy, and make sure relevant Additional Qualifications courses [including Inclusive Classrooms, Language, Principal’s Development Course and Principal’s Qualification, Reading, Special Education, Teaching Students with Communication Needs (Learning Disabilities), and Use and Knowledge of Assistive Technology], address this training need.

Improve access to accommodations

90. The Ministry should evaluate existing funding structures and levels to make sure adequate resources are provided to boards to provide timely and appropriate accommodations to all students who need them. The Ministry should provide teachers and other educators with comprehensive, sustained and job-embedded training on accommodation. Boards should support the Ministry’s evaluation by tracking and reporting on what necessary accommodations or accommodation supports, including training, cannot be provided due to resource constraints.
91. The Ministry should develop a broad, province-wide information technology (IT) strategy for curriculum delivery, with a focus on equitable access to AT for students with reading difficulties.

92. The Ministry should create and make public examples of AT products that are available in Ontario, along with a description of how and when each product can be used. The Ministry should publish guidelines and protocols for comprehensive, sustained and job-embedded AT training, including who should provide the training, how often, what topics the training should cover, and who should attend the training.
93. The Ministry should make sure that every resource on the Trillium List is available in digital form and is compatible with AT.
94. The Ministry should eliminate the current requirement that Special Equipment Amount (SEA) claims-based funds require a professional assessment.
95. School boards should simplify the process for AT accommodations by removing any requirements for psychoeducational assessments and/or an Identification, Placement and Review committee (IPRC), and by minimizing the number of required staff approvals.
96. School boards should mandate that all classroom assignments, handouts and tests must be available electronically (in a format compatible with AT) at or before the time they are distributed to the class.
97. School boards should have sufficient knowledgeable and trained staff to provide comprehensive, sustained and job-embedded AT training and support for teachers and other educators, and also to provide training for students, and where requested, parents.
98. School boards should make sure the student's Ontario Student Record (OSR) is immediately transferred when a student moves from one school board to another.
99. School boards should communicate effectively to students and parents, through multiple platforms and forums, about the right to receive accommodation including:
 - a. That students with disabilities are entitled to accommodation (including at any grade level and in both French and English-language programs)
 - b. That accommodations for students with reading difficulties should be provided alongside evidence-based interventions
 - c. How students and parents can be involved in the accommodation process.
100. Teachers and educational assistants should proactively identify students who need accommodation, not just when parents or students advocate for it. Students should not be expected to self-advocate to receive accommodations.
101. Where the best accommodation option short of undue hardship is unknown or unavailable because of a lack of information or resources, teachers, educational assistants and schools should provide interim accommodation immediately.

Improve accountability around accommodations and modifications

102. The Ministry of Education (Ministry) should include examples of appropriate accommodation timelines in an Education Accessibility Standard, its Individual Education Plan (IEP) guide and/or an update to *Special Education in Ontario, Kindergarten to Grade 12, 2017, Draft*. These timelines should include maximum times between:
 - a. The request for accommodation and follow-up meeting with the parent (and student, where appropriate)
 - b. The request for accommodation and its start
 - c. The start of accommodation and a progress update to the parent (and student, where appropriate)
 - d. All future progress updates.
103. School boards should provide students and parents with a straightforward and meaningful complaint process for accommodations, and should refer to it in their Special Education Plans and in all special education guides for parents.
104. The Ministry should mandate that an IEP be developed for every student who regularly needs accommodation (including specialized equipment) for instruction or assessment.
105. Boards should create a checklist of key accommodation-related items teachers and administrators should consider when developing IEPs, including “information obtained from consultations with parents and psychologists and other professionals, strategies and accommodations tried by previous teachers, the results of educational diagnostic tests, and minutes of in-school support team meetings.”
106. Boards should develop and mandate use of a board-wide electronic management system for IEPs. Schools should make sure that every educator (including every supply teacher) who works with the student has access to their IEP.
107. Boards should mandate that schools examine, at least every reporting period, whether accommodations are helping the student meet the learning goals and expectations laid out in the IEP.
108. Teachers, educational assistants and schools should make a plan, including a timetable, for gathering student and parent input on accommodations, and for evaluating, monitoring and communicating the effectiveness of the accommodations in helping the student reach their learning expectations. This plan should be shared with the student and parents.
109. Boards should make sure that parents provide informed consent to modifying a student’s curriculum expectations (including making sure they understand the effects on the student’s academic progress, future course options and job opportunities).

110. Boards should publicly report every year on what percentage of students have had their curriculum expectations modified and how.

Professional assessments

Update criteria for identifying a word-reading disability/dyslexia and make sure all students who need supports have them

111. The Ministry of Education (Ministry) should work with external expert(s) to immediately revise PPM 8 to align with the research and DSM-5 criteria, and to address any potential biases. This includes:
- Removing the statement that students must have assessed intellectual abilities that are at least in the average range and any reference to a discrepancy (or inconsistency) between their intellectual abilities and achievement to be identified with a learning disability, and making it clear that at least average intelligence is not a requirement for receiving reading interventions or other supports
 - Removing the statement that the student's learning difficulties should not be "the result of...socioeconomic factors; cultural differences; lack of proficiency in the language of instruction..."
 - Keeping the focus on academic functioning throughout.

The Ministry should also work with external expert(s) to re-examine all exceptionality definitions, such as the definition for intellectual disabilities, based on the changes to PPM 8, and should ensure that the criteria for other exceptionalities do not exclude these students from receiving instruction and supports.

112. PPM 8 should reflect the current DSM-5 criteria that require showing:
- The student experiences difficulties in reading, writing or math skills, which have persisted for at least six months even though the student has received interventions that target the difficulties
 - The difficulties result in the affected academic skill(s) being substantially and quantifiably below those expected for the student's age. This is determined through standardized achievement tests and clinical assessment
 - The learning difficulty started during school-age years (or even in preschool), although it may not become fully evident until young adulthood in some people
 - The problems are not solely due to intellectual disabilities, hearing or vision problems, other mental or neurological "disorders," adverse conditions or inadequate instruction (however, reading disabilities/dyslexia can co-exist with other disabilities including mental and neurological "disorders").
113. The Ministry should amend PPM 8 to explicitly state that students do not need to be a certain age or grade level to be considered for assessment. It should direct school boards not to delay identifying learning difficulties and should state that students who are not benefiting from early evidence-based structured literacy interventions should be considered for assessment by end of Grade 1.

114. The Ministry should amend PPM 8 to encourage identifying the subtypes of learning disability/academic areas that are impaired, and explicitly recognizing the term “dyslexia” for learning disabilities that affect word reading and spelling.
115. School boards should change their definitions of learning disabilities and align their practices for recognizing learning disabilities to be consistent with the revised PPM 8.
116. The Ontario Psychological Association’s *Guidelines for Diagnosis and Assessment of Learning Disabilities* and the Association of Psychology Leaders in Ontario Schools *Recommended Guidelines for the Diagnosis of Children with Learning Disabilities* should also be updated to make the assessment guidelines for dyslexia/learning disabilities in word reading consistent with current DSM-5 requirements, including by removing the requirement for at least average intelligence (or at least average abilities for thinking and reasoning) or a discrepancy/inconsistency between intellectual abilities and achievement. They should recommend limiting or eliminating the routine use of routine intelligence and cognitive processing tests for assessing students for word-reading disabilities/dyslexia.
117. The criteria for identifying students with a learning disability in word reading should apply to students learning in French, and these students should have equitable access to professional assessments.
118. The Ministry should revise Policy/Program Memorandum 59: Psychological Testing and Assessment of Pupils, to remove the statement that school boards should consider delaying assessment if the pupil's first language is other than English or French and/or the pupil lacks facility in either of these languages. Instead, the Ministry should work with external expert(s) to set out factors for determining whether to refer a student whose first language is not English or French for psychoeducational assessment.

Establish criteria for referring students with suspected reading disabilities for assessment

119. School boards should create clear, transparent, written criteria and formalize their processes for referring students with suspected reading disabilities for psychoeducational assessment based on the young student's response to intervention (RTI). The criteria should recognize that any young student who has not responded appropriately (based on measures of word and/or non-word-reading accuracy and/or fluency and text-reading fluency and comprehension), after a period of classroom instruction and early evidence-based intervention should be referred for a psychoeducational assessment. Older students (beyond Grade 2) who have word-reading accuracy and fluency difficulties should be referred for assessment immediately. Young and older students should receive more intensive

evidence-based interventions while they are waiting to be assessed. Speech-language pathologists can be a resource for assessments for all students with reading difficulties, particularly when there are concerns about language development and to help determine if a student has a language disorder.

120. The criteria should account for the risk of bias in the selection process, particularly for students who are culturally and linguistically diverse, racialized, who identify as First Nations, Métis or Inuit, or who come from less economically privileged backgrounds. School boards should regularly assess whether students from Code-protected groups are receiving equal access to professional assessments.
121. School boards should remove barriers to students receiving professional assessments, such as by providing transportation and virtual assessments, where appropriate, valid and reliable.
122. School boards should eliminate any limits on how many students can be referred for assessment. Any student who meets the criteria should be referred for assessment.
123. School boards should stop requiring students be a certain age or grade level before being considered for assessment.
124. School boards should stop requiring multilingual students to have a minimum number of years of learning English or French before referring them for assessment. Instead, school boards should regularly monitor the progress of these students, and if a student is having difficulty, consider the relevant factors, based on the guidance in this report and any revisions to PPM 59, in deciding whether to refer for assessment. If the student is still struggling after one year of exposure to English/French, a detailed assessment of reading, spelling, writing and mathematics is appropriate. Special attention should be paid to analyses of successes and errors.
125. School boards should immediately stop requiring a psychoeducational assessment for interventions or accommodations.

Track students based on learning disability subtype and recognize dyslexia

126. School boards should track students by the learning disability/academic area that is impaired, and should explicitly recognize the term dyslexia for learning disabilities that affect word reading and spelling.

Manage wait times for professional assessments

127. The Ministry of Education (Ministry) should require school boards to implement the recommendations identified in the 2017 Office of the Auditor General of Ontario's report on School Boards' Management of Fiscal and Human Resources. To make sure assessments are completed in an equitable and timely manner, school boards should:
 - a. Establish reasonable timelines for completing psychological and speech language assessments
 - b. Maintain centralized, electronic wait lists at the board level
 - c. Use the centralized, electronic wait lists to monitor and manage wait times, and where necessary, reassign assessments to specialists who have smaller workloads
 - d. Implement a plan to clear backlogs.
128. The Ministry should monitor school boards' compliance with these requirements.
129. The Ministry should adopt the *Accessibility for Ontarians with Disabilities Act, 2005* Kindergarten to Grade 12 Education Standards Development Committee's recommendations related to professional assessments. For example, the Ministry should implement the recommendation to create a standardized provincial rubric for documenting the number of professional and specialist assessments provided by each school board annually that includes information on the prioritization criteria used in referring students for assessments and the length of time from when the need for assessment is identified to when the assessment is completed. Boards should implement the recommendation to publicly report on an annual basis data related to professional assessments.

Provide funding for professional services

130. The Ministry should provide stable, enveloped yearly funding for professional services that boards can use to develop infrastructure, such as electronic case management information systems; create wait lists where they do not yet exist; manage wait lists and track professional assessments; respond to professional staff shortages; and complete assessments in a timely way.

Systemic issues

Set standards and monitor

131. Many previous reports have recommended measures to set standards and improve consistency, monitoring and accountability in the education system generally, and for students with disabilities and other *Code*-protected identities. The Ministry of Education (Ministry) and school boards should implement all existing recommendations to set standards, improve consistency, and increase

monitoring and accountability in the education system including recommendations in reports by the Auditor General of Ontario and the AODA's Kindergarten to Grade 12 Education Standards Development Committee's recommendations for a Kindergarten to Grade 12 education accessibility standard.

132. To create standardization and consistency related to the issues in the inquiry, the Ministry of Education, school boards and others should implement all recommendations in this report.
133. The Ministry should implement measures to monitor and assess whether students at risk for reading disabilities/dyslexia and students identified or diagnosed with reading disabilities/dyslexia receive the same level and high quality of special education programming and support no matter which school board they attend. The Ministry should ensure consistency across the province. If any inconsistencies are found, the Ministry should take steps to address them and align all services with standards based on the scientific evidence.
134. The Ministry should provide additional funding and support, where needed to make sure students in northern, remote, rural and small boards have equal access to special education programming, professional services and in-school supports.
135. School boards should implement measures to assess whether students at risk for reading disabilities/dyslexia and students identified or diagnosed with reading disabilities/dyslexia receive the same level and high quality of special education programming and support no matter which school they attend and which teacher(s) they have. If any inconsistencies are found, boards should take steps to address them and align all services with standards based on the scientific evidence.
136. All Board Improvement and Equity Plans should include data on reading/literacy achievement and the actions the board will take to respond to areas of concern. Data on reading/literacy achievement should be based on standardized measures of reading described in this report. These actions the boards will take to respond to areas of concern should be consistent with the findings and recommendations in this report. Boards should take steps to monitor implementation of these plans at the school and teacher levels. The Ministry should review all Board Improvement and Equity Plans annually to make sure these requirements are met, and should require boards to take corrective action if their plans do not appropriately address reading/literacy achievement and identify actions that are consistent with the findings and recommendations in this report.
137. All board Special Education Plans should include detailed information about the elements identified in this report, including how classroom instruction incorporates evidence-based, explicit and systematic tier 1 instruction in foundational word reading and fluency skills; universal early screening (including when students will be screened, what screening tool will be used, how the results will be used to provide tiered interventions and how data from screening will inform board

planning and decision-making); early and later reading interventions (including what interventions are available, the criteria for accessing them, how their efficacy will be monitored); the process for accommodations and modifications and available accommodations (including available assistive technology and how it will be supported); and professional assessments (including the criteria and process for referring students for assessments, evidence-based psychoeducational assessments for potential reading disabilities; how wait lists will be managed and current average wait times for assessments).

Special Education Plans should also lay out the board's Response to Intervention (RTI)/Multi-tier Systems of Supports (MTSS) tiered approach to instruction, screening and intervention, and should break down service delivery models by type of disability (including information about interventions, supports and programs for students with reading disabilities/dyslexia). The Ministry should review all board Special Education Plans annually to make sure these requirements are met, and should require boards to take corrective action if their plans do not appropriately address these issues in a way that is consistent with this report's findings and recommendations. The Ministry should monitor implementation of these plans.

138. The Ministry should take steps to make sure funding provided to school boards for specific special education purposes, including money specifically ear-marked to support students with or at risk for reading disabilities/dyslexia, is spent for those purposes. The Ministry should make sure boards do not spend money on programs or supports that are not validated and proven to be effective for students with reading disabilities/dyslexia. Boards and the Ministry should explore opportunities for bulk purchasing evidence-based screening tools, interventions and the associated professional training and coaching, and other resources.

Improve data collection

139. Many reports have recommended improving data collection, analysis and reporting and using data to increase equity, improve student achievement and outcomes and for better decision-making. The Ministry of Education (Ministry), school boards and EQAO should implement all existing recommendations to related to data including:
 - a. The OHRC's previous recommendations to improve education outcomes for students with disabilities
 - b. Recommendations in reports by the Auditor General of Ontario
 - c. The AODA's Kindergarten to Grade 12 Education Standards Development Committee's recommendations for a Kindergarten to Grade 12 education accessibility standard
 - d. The International Dyslexia Association's report, *Lifting the Curtain on EQAO Scores*

- e. Recommendations in documents and reports such as *Achieving Excellence: A Renewed Vision for Education in Ontario*; Ontario's *Education Equity Action Plan*; *Unlocking Student Potential Through Data, Final Report*; and *Ontario: A Learning Province*.
140. The Ministry and school boards should implement all data collection recommendations in this report, including data collection about screening, intervention, accommodation and modification, and professional assessment.
141. To the extent possible, boards should use common, centralized, student information management systems. Where this is not possible, boards should be able to generate the same consistent data from their student information management systems.
142. All boards should collect data on all students with disabilities (and not just exceptionalities as defined by the Ministry and identified through an Identification, Placement and Review Committee). Data about reading disabilities/dyslexia specifically should be collected (including about students identified/diagnosed with a reading disability/dyslexia and all students who did not meet expectations in foundational reading skills by the end of Grade 1 and Grade 2, and who therefore may be at risk for a reading disability/dyslexia). When a student has multiple disabilities, data should be collected about each disability (instead of the current approach to categorize students as "multiple exceptionality"). Data should be reported centrally to the Ministry for further analysis.
143. Information boards collect about students identified/diagnosed with a reading disability/dyslexia and all students who did not meet expectations in foundational reading skills by end of Grade 1 and Grade 2 should include the services and supports they are receiving, their response to services and supports (for example, response to intervention), intersections with other identity characteristics and success indicators. Boards should analyze the data each year to identify any disparities or equity gaps, and develop action plans to close those gaps.
144. All boards should collect demographic data about equity indicators including race, ethnicity, creed (religion), disability, gender identity, sexual orientation and socioeconomic status. The Ministry should work with boards to explore ways to make sure all boards collect the same data to allow for analysis across the province, including by standardizing the age groupings for censuses, census questions and response options.
145. Boards' census questions about disability should ask about all disabilities. Boards should break down learning disabilities by subtype and include an option to identify that the student has a reading disability/dyslexia, or may be at risk for or have a suspected reading disability/dyslexia.

146. Boards should consider asking demographic questions on school climate surveys to assess if students' school experiences differ based on disability and/or other identity characteristics. For example, boards could assess whether students with disabilities, including specific disabilities, are more likely to report bullying, feeling unwelcome or other negative school experiences.
147. Boards and the Ministry should work together to develop a consistent method for measuring student success indicators including standardized reading measures, EQAO assessment results, academic pathways (whether the student has taken academic, applied or locally developed courses; and whether they have modified curriculum expectations), credit accumulation, graduation rates, and post-secondary application, acceptance and attendance. They should explore ways boards can disaggregate this data by subsets of students to identify and act on equity gaps.
148. Boards should cross-tabulate and analyze data on students with disabilities (including with suspected reading disabilities/dyslexia or who are at risk for reading disabilities/dyslexia), along with other demographic data (including race, ethnicity, creed (religion), disability, gender identity, sexual orientation and socioeconomic status) against student success indicators. Intersectionality between all identity characteristics and student success indicators should be analyzed. The Ministry should provide a standard provincial methodology for cross-tabulating and analyzing this data. The Ministry should centrally collect and analyze this data, and should publicly report on any disparities or equity gaps identified.
149. Any disparities or equity gaps identified in the analysis of cross-tabulated data must be addressed at a board level and a provincial level. The board and the Ministry should develop and publicize plans to improve the disparities or equity gaps.
150. Boards should ensure that data is always collected, analyzed and presented in a way that is consistent with the *Human Rights Code*, and does not reinforce stigma or stereotyping.

Improve communication and transparency

151. School boards, schools and educators should communicate effectively with students and parents (in a plain-language, accessible format that invites action, and that is translated into languages that reflect the school community) through regular mail and/or electronic mail, on board and school websites, and through information sessions, about:
 - a. Screening, interventions, accommodations and professional assessments for students with reading difficulties
 - b. When, how and why boards and schools will provide these services
 - c. How students and parents can request these services

- d. How the school will update parents (and students, where appropriate) on how the services are progressing (for example, how and when it will issue progress reports on interventions and accommodations)
 - e. Community advocacy organizations that offer support to students with reading difficulties, and their parents
 - f. Resolution options with the teacher, school and board (including the board human rights office, if applicable), and at the Special Education Appeal Board, Special Education Tribunal and Human Rights Tribunal of Ontario, for disputes about screening, interventions, accommodations or professional assessments.
152. Schools and boards should use reporting and recording tools for screening, intervention and accommodation approaches, results and strategies that enable a student's educators to share information with each other from one class to the next and one year to the next, to develop a coherent multi-year education plan. In turn, educators should provide regular updates on this plan to parents, and explain the rationale for any amendments or developments.
153. School boards or schools should provide parents (and students, where appropriate) with a plain-language summary of the student's IEP.
154. School boards and schools should establish and broadly publicize a policy to encourage parent involvement in all meetings with the school, where:
- a. The school board and/or school brings all key professionals who will be involved in the decision-making process
 - b. Before the meeting, the school board and/or school tells the parents who will be attending the meeting on its behalf
 - c. Before the meeting, the school board and/or school connects parents with community advocacy organizations that offer support to students with reading difficulties, and allows parents to bring a representative from a community advocacy organization and/or another professional support, and/or a personal support, to the meeting
 - d. Parents are welcome to bring personal and professional supports they deem necessary
 - e. Parents have a range of participation options (including during the day or in the evening, and by telephone, online or in person).
155. Schools and educators should consult parents when developing IEPs, and provide them with a copy of the IEP. Where appropriate, schools should instruct students in self-assessment methods so their observations on their own learning progress and the suitability of their accommodations can be considered by teachers as they refine their instructional plans.

156. School boards should, in partnership with the Special Education Advisory Committee, conduct a survey of parents with students in a special education program to determine how well developments and program updates are communicated to parents. They should publicize the results along with timelines for responding to the results, and confirm they have acted within those timelines.
157. Boards should develop, offer and broadly publicize a non-adversarial dispute resolution program. Boards should assign a staff member to be responsible for the program, and to operate at arm's length from the board. Boards should assign a dedicated email address and phone number to the program. The program should issue timely decisions in writing. Boards should offer the opportunity for a designated senior board official to review the decision if requested. The Ministry should develop a program to offer further resolution opportunities (including mediation) for matters not resolved through the board process, and should assign a staff member to be responsible for it.

Appendix 2: Inquiry terms of reference (available [online](#) only)

Appendix 3: Glossary of terms

Academic courses: the most academically challenging course options in Grades 9 and 10. They are required for university preparation courses taken in Grades 11 and 12, which are needed if a student intends to apply to university.

Alphabetic knowledge: knowledge of letter names, shapes and letter-sound associations. The **alphabetic principle** refers to the idea there is a systematic relationship between letters (or groups of letters) and the spoken sounds of words.

Applied-level courses: course options in Grades 9 and 10 that prepare students for college preparation courses in Grades 11 and 12 and to enter college after high school.

Assistive technology (AT): any device, piece of equipment or system that helps students with disabilities access grade-level curriculum. Access to the curriculum means that students can take in and understand the material being taught in school, understand and complete assignments, and show what they have learned.

Automaticity: in reading, the ability to read words accurately and rapidly; that is, fast, effortless word recognition characteristic of skilled reading.

Balanced literacy or comprehensive balanced literacy: approaches that are aligned with a whole language approach to teaching reading. They propose that immersing students in spoken and written language will build foundational reading skills. These approaches do not systematically develop phonological awareness and phonics skills. In these approaches, teachers “gradually release responsibility” from modelling reading texts or books, to shared reading with students, to guiding students’ text reading, to students’ independent text reading. These approaches are not consistent with effective instruction for foundational word-reading skills, as outlined in the scientific research on reading instruction.

Board Improvement and Equity Plan (BIEP): a new planning tool that school boards will submit annually starting in May 2022. It will outline the board’s plan for the coming year (replaces the former Board Improvement Plan and Board Improvement Plan for Student Achievement). The Ministry of Education says the BIEP establishes provincial education priorities, goals and performance indicators to support continuous quality improvement, and will provide a standardized tool for boards to identify local actions that will lead to improved achievement (including in literacy), human rights and equity, well-being and transitions for all students.

Cueing system(s): a type of discovery and inquiry-based learning that promotes using clues or cues to read unfamiliar words (also known as **three cueing system**). Students are encouraged to predict words using semantic cues (what would make sense based on context and prior knowledge); syntactic cues (what kind of word could this be, such as a verb or a noun); and graphophonic cues (what do the letters suggest the word might be).

Decodable text: text where a high proportion of words comprise letter-sound relationships that have already been taught. It is used to provide practice with specific decoding skills and is a bridge between learning phonics and applying phonics in independent reading.

Discovery or inquiry-based learning: an approach to learning where students are left to discover, rather than being directly taught, a concept.

DSM-5: a manual published by the American Psychiatric Association that health professionals use to diagnose, communicate about, study, and treat people with specific “disorders.”

Dyscalculia: a specific learning disability that is characterized by difficulty learning and understanding math.

Dysgraphia: a specific learning disability that affects writing such as difficulties with spelling, poor handwriting and trouble putting thoughts on paper.

Dyslexia: a specific learning disability characterized by difficulties with accurate and/or fluent word reading, and/or poor decoding and spelling abilities. These word-reading difficulties are assumed to be neurobiological in origin. They may also result in problems with reading comprehension and can limit acquiring vocabulary and background knowledge from reading. According to the **DSM-5**, “Dyslexia is an alternative term used to refer to a pattern of learning difficulties characterized by problems with accurate or fluent word recognition, poor decoding, and poor spelling abilities.” Dyslexia is the most common learning disability. It may also be referred to as reading disability, a learning disability in reading, reading difference, or reading “disorder.”

English Language Learners (ELL): a term currently used in Ontario to refer to multilingual learners. The MOE defines it as “students in provincially funded English language schools whose first language is a language other than English, or is a variety of English that is significantly different from the variety used for instruction in Ontario’s schools, and who may require focused educational supports to assist them in attaining proficiency in English. These students may be Canadian born or recently arrived from other countries.”

Exceptionality, exceptionality group: section 1 of the *Education Act* defines an “exceptional pupil” as one “whose behavioural, communication, intellectual, physical or multiple exceptionalities are such that he or she is considered to need placement in a special education program.” Categories of exceptionality (or condition that may affect a student’s ability to learn) are: behaviour, communication, intellectual, physical and multiple exceptionalities. Learning disabilities are listed as an example of a communication exceptionality.

Exclusions: where a school board refuses to admit a student to a school or classroom. This is different from suspension or expulsion.

Fluency: reading texts accurately and at a good rate compared to same-age peers, as well as with appropriate expression when reading aloud. Because fluent readers do not have to concentrate on decoding words, they can focus their attention on what the text means.

Gifted: A type of intellectual exceptionality under the *Education Act* defined as an unusually advanced degree of general intellectual ability that requires differentiated learning experiences of a depth and breadth beyond those normally provided in the regular school program to satisfy the level of educational potential indicated. Students who are gifted are often excluded from Education Quality and Accountability Office (EQAO) data about students with special education needs.

Grapheme: printed letter(s) that represent a sound or **phoneme**.

Grapheme to phoneme correspondence, grapheme-phoneme relationship: the correspondence between printed letters and the sound these represent.

Identification, Placement, and Review Committee (IPRC): A committee that decides if a child should be identified as exceptional, identifies the areas of a student’s exceptionality according to the categories and definitions of exceptionalities provided by the Ministry of Education, decides an appropriate placement for a student, and reviews the identification and placement at least once in each school year.

Indigenous: a term used to collectively describe First Nations, Métis and Inuit.

Individual Education Plan (IEP): a written plan describing the special education program and/or services a particular student needs, including a record of the accommodations needed to help the student achieve their learning expectations. An IEP must be developed for a student who has been identified as exceptional by an **Identification, Placement, and Review Committee (IPRC)**, and may also be developed for a student who has special education needs but has not been identified as exceptional. An IEP is a working document that identifies learning expectations that may be modified from or alternative to the expectations given in the curriculum policy document for the appropriate grade, subject or course. It outlines the specific knowledge and skills to be assessed and evaluated for reporting student achievement.

Intersecting, intersectional, intersectionality: a framework or approach that considers how someone's identification with more than one *Code*-protected ground or characteristic can result in unique or compounded barriers or discrimination (for example, how a student's First Nations, Métis or Inuit identity, race, gender, socioeconomic status, being a newcomer, refugee, **English-language learner** or being in the child welfare system, can combine with a reading disability to create unique and overlapping experiences of disadvantage and discrimination).

LGBTQI2S+: Lesbian, gay, bisexual, transgender, queer, intersex and Two-Spirited.

Locally developed course: a Ministry of Education authorized credit course developed by school boards, school authorities, provincial schools or inspected private schools. A locally developed course can count as a compulsory or optional credit towards the Ontario Secondary School Diploma. These courses help students meet their education needs if they are not working at grade level.

Matthew Effect: A term first used in reading acquisition by Canadian psychologist Dr. Keith E. Stanovich, to explain the tendency for early differences in students' foundational word-reading abilities to become significant gaps over time. Also called accumulated advantage.

Miscue analysis: observational tool where the teacher listens to a student read a passage (or book) of unfamiliar text. The teacher observes the student's mistakes, or miscues, to assess how the student approaches the process of reading, which cueing strategies they need to work on, and their overall comprehension of the passage.

Modifications, modified learning expectations: changes made to the grade-level expectations for a subject or course to meet a student's learning needs. They place students below the standard grade level of their peers and can interfere with students' access to future learning at the same level as their peers.

Morphemes, morphemic: the smallest meaningful units within words. A morpheme can be a whole word or a part of a word such as a prefix or suffix. **Morphology** refers to the study of these structures in words.

Non-word: A group of letters that looks like an actual word but is not (for example, pib). Non-word reading helps to measure students' phonics knowledge.

Onset: the initial sound(s) of a word or syllable that come before the vowel sound (for example, the k sound in cat).

Ontario Student Record (OSR): an ongoing record for each student enrolled in a school operated by a school board or the Ministry of Education. The OSR is established on school entry and accompanies the student if they move to another school within Ontario.

Orthography: the code of a written language.

Phoneme(s): individual sounds in spoken words. There are about 44 phonemes in the English language and 36 phonemes in French.

Phonemic awareness: the ability to identify and manipulate individual sounds (phonemes) in spoken words. This ability is a foundation that supports and develops with students learning to read and spell.

Phonics: the relationship between **phonemes** (sounds) and **graphemes** (printed letter(s) that represent a sound), and how to use these to read and spell words (for example, blending to “sound out” and read words, and segmenting spoken words to spell out each sound in a word).

Phonological: relating to the speech sounds of a language/sound structure of spoken words (the phonology).

Phonological awareness: the ability to focus on and manipulate units of language, including **phonemes** and larger spoken units such as syllables. **Phonemic awareness** is the important aspect of phonological awareness for learning to read words.

Pre-service teacher: a person enrolled in an accredited teacher education program offered by a faculty of education, who must successfully complete degree requirements including course work and field experience and obtain their teaching certification from the Ontario College of Teachers. Also called a teacher candidate.

Reprisal: an action or threat that is intended as retaliation for claiming, enforcing or refusing to infringe a right under the *Code*.

Response to Intervention (RTI) or Multi-tiered Systems of Supports (MTSS): a framework that describes students receiving increasing levels of support (or tiers) according to their needs, but always using high-quality classroom instruction and interventions consistent with the scientific research.

Rime: the part of a syllable that contains the vowel and any consonant sounds that follow it (for example, at in cat).

Running record: an observational tool used to assess a student’s oral reading behaviours, and in particular their correct responses, substitutions, omissions, insertions, attempts, repetitions, requests for help, told words and self-corrections.

Scaffolded instruction, scaffolded practice: instruction that breaks down tasks so students can concentrate on specific, manageable objectives and gradually build on their prior knowledge to increase their competence and skill. Teachers provide

temporary support through modelling or other means, and ample opportunity for practice. Scaffolding provides students with a supportive structure for learning and developing the ability to independently apply newly learned skills and knowledge.

Scribing: writing down verbatim the words dictated by a student.

Students with special education needs: for the purposes of the Education Quality and Accountability Office assessments, this includes all students with an **Individual Education Plan (IEP)** who may or may not have been identified as “exceptional pupils” through an **Identification, Placement and Review Committee (IPRC)**, but excludes students whose only exceptionality is giftedness.

Socioeconomic status: the social and economic standing or class of a person or group. It is often measured as a combination of education, income and occupation. Socioeconomic status is often linked with inequities in access to resources, and issues related to privilege, power and control.

Special Education Plan: a plan based on provincewide standards that describes the special education programs and services a school board provides. Regulation 306 under the *Education Act* requires each board to maintain a special education plan, review it annually, amend it from time to time to meet the current needs of its exceptional students, and submit any amendment(s) to the Minister of Education for review. The plan must also be made available to the public.

Structured literacy: direct and systematic instruction in the structures of spoken and written language to teach foundational reading skills.

Substantive equality: a legal principle that focuses on equal outcomes, not necessarily equal treatment (formal equality). It is achieved through equal opportunity and access, and providing services and benefits in way that meets any unique needs and circumstances, such as cultural, social, economic and historical disadvantage. The goal of substantive equality is to acknowledge and overcome the barriers that have led to the inequality in the first place.

Syllable: a unit of speech or word part that contains only one vowel sound (for example, *e-vent*, *news-pa-per*).

Systemic discrimination, systemic barriers: consists of attitudes, patterns of behaviour, policies or practices that are part of the social or administrative structures of an institution, sector or system, that create or perpetuate a position of relative disadvantage for groups identified under the *Code* such as students with disabilities. The attitudes, behaviour, policies or practices may appear neutral on the surface but nevertheless have an adverse effect or exclusionary impact.

Universal Design for Learning (UDL): an educational approach that emphasizes designing curriculum and instruction to make them effective and accessible for all students.

Vocabulary: knowledge of words and what they mean.

Whole language philosophy: the view that children learn to read naturally, largely through meaningful and authentic literacy experiences and exposure to books and other literacies.

Endnotes

¹ *Policy on ableism and discrimination based on disability* (27 June 2016), at 3, online: Ontario Human Rights Commission ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/9-undue-hardship [OHRC, *Policy on ableism and discrimination based on disability*].

² Ontario Human Rights Commission Strategic Plan 2017–2022 (8 December 2016), online: Ontario Human Rights Commission ohrc.on.ca/en/ontario-human-rights-commission-strategic-plan-2017-%E2%80%93-2022.

³ Policies approved under section 30 of the *Code* reflect the OHRC's interpretation of the *Code*, and set out standards, guidelines and best practice examples for how individuals, service providers, housing providers, employers and others should act to ensure equality for all Ontarians. OHRC policies must be considered by the Human Rights Tribunal of Ontario if a party or intervenor requests it (*Human Rights Code*, RSO 1990 c H19, s. 45.5 [*Human Rights Code*]). For more information see *A Policy Primer: Guide to developing human rights policies and procedures* (revised December 2013), online: Ontario Human Rights Commission ohrc.on.ca/en/policy-primer-guide-developing-human-rights-policies-and-procedures/purpose-ohrc-policies.

⁴ *Davidson v Lambton Kent District School Board*, [2008 HRTO 294](#) at paras 34–36 [*Davidson*].

⁵ *Moore v British Columbia (Education)*, [2012 SCC 61](#) [*Moore*].

⁶ *With Learning in Mind: inquiry report on systemic barriers to academic accommodation for post-secondary students with mental health disabilities* (April 2017), online: Ontario Human Rights Commission www.ohrc.on.ca/en/learning-mind [OHRC, *With Learning in Mind*].

⁷ See *Policy on accessible education for students with disabilities* (revised March 2018) and Appendix A to the *Policy*, online: Ontario Human Rights Commission ohrc.on.ca/en/policy-accessible-education-students-disabilities [OHRC, *Policy on accessible education for students with disabilities*].

⁸ *Convention on the Rights of Persons with Disabilities*, 13 December 2006, 2515 UNTS 3, art 24 (entered into force 3 May 2008, GA Res 61/106, UNGA, 61st Sess, Supp no 49, UN Doc A/RES/61/106, Annex I) [CRPD].

⁹ *Convention on the Rights of the Child*, 20 November 1989, 1577 UNTS 3, art 23 (entered into force 2 September 1990) [CRC].

¹⁰ *Human Rights Code*, *supra*, note 3, s 31.

¹¹ *Right to Read: Ontario Human Rights Commission inquiry into human rights issues that affect students with reading disabilities in Ontario's public education system: Terms of reference* (3 October 2019), online: Ontario Human Rights Commission ohrc.on.ca/en/right-read-terms-reference.

¹² “What is Literacy?” (last visited 9 January 2022), online: Alberta Ministry of Education education.alberta.ca/literacy-and-numeracy/literacy/everyone/what-is-literacy/.

¹³ “Who's responsible for your child's education?” (last modified 31 July 2009), online: Ontario Ministry of Education, edu.gov.on.ca/eng/document/brochure/whosresp.html.

¹⁴ “Full-day kindergarten: Who is working in the classroom?” (last modified 28 February 2019), online: Ontario Ministry of Education, edu.gov.on.ca/kindergarten/whoisworkingintheclassroom.html [Ontario Ministry of Education, “Full-day kindergarten”].

¹⁵ “Education/Teaching/Teaching Assistant” (last visited 9 January 2022), online: Ontario Colleges Application Service ontariocolleges.ca/en/programs/education-community-and-social-services/education-teaching-teaching-assistant.

¹⁶ For example, through overuse of the sensory room.

¹⁷ See *If Inclusion Means Everyone, WHY NOT ME?* (May 2018), online: ARCH Disability Law Centre archdisabilitylaw.ca/resource/paper-if-inclusion-means-everyone-why-not-me/ [ARCH, *If Inclusion Means Everyone, WHY NOT ME?*].

¹⁸ According to the Canadian Association of the Deaf, “deaf” is “a medical/audiological term referring to those people who have little or no functional hearing [and it may] also be used as a collective noun (“the deaf”) to refer to people who are medically deaf but who do not necessarily identify with the Deaf community.” The Association defines “Deaf (with a capital D)” as “a sociological term referring to those individuals who are medically deaf or hard of hearing who identify with and participate in the culture,

society, and language of Deaf people, which is based on Sign language. Their preferred mode of communication is Sign." See: "Terminology" (last visited 9 January 2022), online: *Canadian Association of the Deaf* cad.ca/issues-positions/terminology/ [Canadian Association of the Deaf, "Terminology"].

¹⁹ Robert Hoffmeister & Catherine Caldwell-Harris, "Acquiring English as a second language via print: The task for deaf children" (2014) 132:2 Cognition 229, DOI: <https://doi.org/10.1016/j.cognition.2014.03.014>; Peter V Paul, *Literacy and Deafness: The Development of Reading, Writing, and Literate Thought*, (Boston, MA: Allyn and Bacon, 1998); Peter V Paul, *Language and Deafness*, 4th ed (Sudbury, MA: Jones and Bartlett, 2008).

²⁰ Toronto District School Board, "Right to Read: Closing Achievement Gaps with Adolescent Learners," (2019) [TDSB, "Right to Read: Closing Achievement Gaps"].

²¹ "The Condition of Education 2020" (May 2020), online: *National Centre for Education Statistics* nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2020144 [NCES, "The Condition of Education 2020"]; National Assessment of Educational Progress, "Nation's Report Card: Reading" (2019), online: *National Centre for Education Statistics* nces.ed.gov/nationsreportcard/reading/ [NAEP, "Nation's Report Card: Reading"].

²² Louisa C Moats, *Teaching Reading Is Rocket Science* (2020), online (pdf): *American Federation of Teachers* aft.org/sites/default/files/moats.pdf [Moats, *Teaching Reading Is Rocket Science*].

²³ The Office of the Auditor General of Ontario audits government activities and programs and public sector organizations; See "Welcome" (last modified 1 December 2021), online: *Office of the Auditor General* auditor.on.ca/index.html. When examining issues related to school boards, it audits up to four of Ontario's 72 publicly funded school boards.

²⁴ For more details on the OHRC's initial production request, see the November 8, 2019 letter that was sent to the Chair and Director of Education of each of the eight school boards, online: ohrc.on.ca/en/news_centre/letter-board-chair-and-director-education-eight-selected-school-boards.

Additional information was requested through oral interviews and questions for each Board.

²⁵ For more details on the OHRC's production request, see the December 20, 2019 letter that was sent to the Dean of each of Ontario's English-language public faculties of education, online: ohrc.on.ca/en/right-read-inquiry-letter-deans-13-ontario-faculties-education.

²⁶ Throughout this document, the term parents refers to parents and guardians, as appropriate.

²⁷ *Order Under Subsection 7.0.2 (4) of the Emergency Management and Civil Protection Act – Organized Public Events, Certain Gatherings*, O Reg 52/20.

²⁸ Where the race category selected to describe the student included one of: Black (e.g. African, Afro-Caribbean, African-Canadian descent); Latino (e.g. Latin American, Hispanic descent); Middle Eastern (e.g. Arab, Persian, West Asian descent, e.g. Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish, etc.); East Asian (e.g. Chinese, Korean, Japanese, Taiwanese descent); South Asian (e.g. East Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean, etc.); Southeast Asian (e.g. Filipino, Vietnamese, Cambodian, Thai, Indonesian, other Southeast Asian descent).

²⁹ "Canadian Income Survey, 2018" (24 February 2020), online: *Statistics Canada ("The Daily")* www150.statcan.gc.ca/n1/daily-quotidien/200224/dq200224a-eng.htm.

³⁰ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 10.

³¹ R F Hudson et al, "Relations among reading skills and sub-skills and text-level reading proficiency in developing readers" (2012) 25:2 Reading & Writing 483; J K Torgesen & R F Hudson, "Reading fluency: Critical issues for struggling readers," in S J Samuels & A E Farstrup, eds, *What research has to say about fluency instruction*, (Newark, DE: International Reading Association, 2006) 130 [Torgesen & Hudson, "Reading fluency"].

³² This is the diagnostic label in the current version of the American Psychological Association's *Diagnostic and Statistical Manual of Mental Disorders*, or DSM-5. American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders* (5th ed), Washington, DC: American Psychological Association, 2013) [DSM-5]. Specific learning disorders are defined as "Learning disorders interfering with the acquisition and use of one or more of the following academic skills: oral language, reading, written language, mathematics. These disorders affect individuals who otherwise demonstrate at least average abilities essential for thinking or reasoning. As such, Learning Disorders are distinct from Intellectual Developmental Disorders." This definition goes on to state: "... the diagnostic criteria do not depend upon comparisons with overall IQ and are consistent with the changes in the USA's reauthorized IDEA regulations (2004) which state that, 'the criteria adopted by each State must not require the use of a

severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability.”

³³ For a definition of “learning disabilities”, see “Official Definition of LDs” (last visited 10 January 2022), online: *Learning Disabilities Association of Ontario* ldao.ca/introduction-to-ldsadhd/what-are-lds/official-definition-of-lds/.

³⁴ “What are reading disorders?” (last modified 5 March 2020), online: *National Institute of Child Health and Human Development* nichd.nih.gov/health/topics/reading/conditioninfo/disorders.

³⁵ Adapted from “Definition of Dyslexia” (last visited 10 January 2022), online: *International Dyslexia Association* dyslexiaida.org/definition-of-dyslexia/. The IDA’s definition of dyslexia was adopted by the IDA Board of Directors on November 12, 2002. It is used in US state education codes, including the codes for New Jersey, Ohio and Utah (*ibid*). It is also used by the Ontario Psychological Association: *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities: Consensus Statement and Supporting Documents* (last modified March 2020) at 37—38, online (pdf): *Ontario Psychological Association* psych.on.ca/getmedia/9710b802-aae3-4b6e-a215-789f2bfe59c5/OPA-Guidelines-for-Diagnosis-and-Assessment-of-Learning-Disabilities-03-2020.pdf [OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*].

³⁶ DSM-5, *supra* note 32 at 67. DSM is a standard classification of “mental disorders” used by health professionals. The DSM-5 elaborates on our understanding of the origins of learning disabilities, including dyslexia: “The biological origin includes an interaction of genetic, epigenetic, and environmental factors, which affect the brain’s ability to perceive or process verbal or non-verbal information efficiently and accurately”

³⁷ Linda S Siegel and Stewart Ladyman, “A Review of Special Education in British Columbia” (2002) for the Ministry of Education at 29, online: Research Gate

www.researchgate.net/publication/234589880 *A Review of Special Education in British Columbia* [Siegel & Ladyman, “A Review of Special Education in British Columbia”], cited in Moore, *supra* note 5 at para 586.

³⁸ M J Snowling et al, “Defining and understanding dyslexia: past, present and future” (2020) 46:4 Oxford Rev Education 501.

³⁹ Thuraya Ahmed Al-Shidhani & Vinita Arora, “Understanding Dyslexia in Children through Human Development Theories” (2012) 12:3 Sultan Qaboos Univ Med J 286, online: *National Center for Biotechnology Information* ncbi.nlm.nih.gov/pmc/articles/PMC3529662/.

⁴⁰ P G Mathes & C A Denton, “The prevention and identification of reading disability” (2002) 9:3 Seminars in Pediatric Neurology 185.

⁴¹ F R Vellutino et al, “Response to intervention as a vehicle for distinguishing between children with and without reading disabilities: Evidence for the role of kindergarten and first-grade interventions” (2006) 39:2 J. Learning Disabilities 157 [Vellutino et al, “Response to intervention as a vehicle for distinguishing between children with and without reading disabilities”]; D M Scanlon & F R Vellutino, “Prerequisite skills, early instruction, and success in first-grade reading: Selected results from a longitudinal study” (1996) 2:1 Developmental Disabilities Research Rev 54.

⁴² “What Is Specific Learning Disorder?” (August 2021), online: *American Psychiatric Association* psychiatry.org/patients-families/specific-learning-disorder/what-is-specific-learning-disorder.

⁴³ Society for Neuroscience, “Dyslexia: What Brain Research Reveals About Reading” (2004) reprinted from *Brain Research Success Stories, Society for Neuroscience*, online: *Learning Disabilities Online* ldonline.org/article/10784/; “Frequently Asked Questions” (last visited 12 January 2022), online: *International Dyslexia Association* dyslexiaida.org/frequently-asked-questions-2/.

⁴⁴ In 2013–14, school boards reported that 41.4% (75,543) of exceptional students identified by an IPRC (Identification, Placement, Review Committee) had a learning disability. This is the largest group of the 12 exceptionailities specifically recognized by the Ministry of Education. The Ministry states that it is a reasonable hypothesis that a significant portion of students receiving special education programs and services, but not identified by an IPRC, have learning disabilities (144,987 or 7.1% of total enrollment), Ontario, Ministry of Education, *Special Education Update* (June 2016) at 5 [Ontario Ministry of Education, *Special Education Update*].

⁴⁵ Approximately 80% of people with learning disabilities have dyslexia; American Academy of Pediatrics, “Joint Statement – Learning Disabilities, Dyslexia and Vision” (2009) 124:2 Pediatrics 837 at 838, DOI: <https://doi.org/10.1542/peds.2009-1445> [American Academy of Pediatrics, “Joint Statement”].

⁴⁶ *Ibid.* Other studies have suggested that where a parent has dyslexia, the child has a 40–60% risk of having it and that this risk is increased when other families have it too; see Johannes Schumacher et al, “Genetics of dyslexia: the evolving landscape” (2007) 44:5 J Med Genet 289, DOI: <https://doi.org/10.1136/jmg.2006.046516>.

⁴⁷ OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*, *supra* note 35 at 11.

⁴⁸ APA, “What Is Specific Learning Disorder?” *supra* note 45.

⁴⁹ “Understanding Dysgraphia” (last visited 12 January 2022), online: *International Dyslexia Association dyslexiaida.org/understanding-dysgraphia*.

⁵⁰ Lien Peters et al, “Dyscalculia and dyslexia: Different behavioral, yet similar brain activity profiles during arithmetic” (2018), 18 Neuroimage Clin 663-674, online: *Research Gate* www.researchgate.net/publication/323546175_Dyscalculia_and_dyslexia_Different_behavioral_yet_similar_brain_activity_profiles_during_arithmetic; Erik G. Willcutt, et al, “Comorbidity Between Reading Disability and Math Disability: Concurrent Psychopathology, Functional Impairment, and Neuropsychological Functioning” (2013) 46:6 J Learn Disabil 500, DOI: <https://doi.org/10.1177/0022219413477476>.

⁵¹ International Dyslexia Association, “Attention-Deficit/Hyperactivity Disorder (AD/HD) and Dyslexia” (last visited 12 January 2022), online: dyslexiaida.org/attention-deficit-hyperactivity-disorder-adhd-and-dyslexia/; Nicolas Langer et al, “Comorbidity of reading disabilities and ADHD: Structural and functional brain characteristics” (2019) 40 Hum Brain Mapp 2677, DOI: <https://doi.org/10.1002/hbm.24552>; Javier Gayan et al, “Bivariate linkage scan for reading disability and attention-deficit/hyperactivity disorder localizes pleiotropic loci” (2005) 46:10 Journal of Child Psychology and Psychiatry 1045, DOI: <https://doi.org/10.1111/j.1469-7610.2005.01447.x>.

⁵² “The comorbidities are clinically significant because dyslexia is not diagnosed until after a child has been exposed to formal reading instruction, but ADHD, SSD, and LI are all likely to be apparent earlier and can thus indicate a child’s risk for later reading problems,” from Robin L Peterson & Bruce F Pennington, “Seminar: Developmental Dyslexia” (2012) 379:9830 Lancet 1997, DOI: [www.thelancet.com/journals/lancet/article/PIIS0140-6736\(12\)60198-6/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(12)60198-6/fulltext).

⁵³ Louisa Moats, “Defending the “D” Word...Dyslexia” (5 Oct 2017), online: *Voyager SOPRIS Learning voyagersopris.com/blog/edview360/2017/10/05/defending-the-d-word-dyslexia*. [Moats, “Defending the “D” Word”].

⁵⁴ “Among developmental disorders, dyslexia is one of the most extensively studied and best understood... real progress in our scientific understanding of dyslexia has benefitted from a highly interdisciplinary approach drawing on numerous fields and subfields including developmental psychology, neuroscience, cognitive science, speech science, behavioral and molecular genetics, and clinical psychology. The answers to some basic questions about the disorder, particularly those confined to a single level of analysis, have been reasonably clear for many years.” Robin L Peterson and Bruce F Pennington, “Developmental Dyslexia” (2015) 11 Annu Rev Clin Psychol 283; see also OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities* *supra* note 35 at 38.

⁵⁵ *Ibid.*

⁵⁶ Moats, “Defending the “D” Word”, *supra* note 56.

⁵⁷ Elizabeth M Wadlington & Patrick Wadlington, “What Educators Really Believe About Dyslexia” (2005) 42:1 Reading Improvement (Project Innovation: Alabama), online: researchgate.net/publication/266219687_What_educators_really_believe_about_dyslexia.

⁵⁸ Russell Gersten et al, *Assisting Students Struggling with Reading: Response to Intervention and Multi-Tier Intervention in the Primary Grades: IES Practice Guide* (Washington, DC: National Centre for Education Evaluation and Regional Assistance, Institute of Education Sciences, US Department of Education, 2009) at 4, online: *Institute of Education Sciences* ies.ed.gov/ncee/wwc/docs/practiceguide/rti_reading_pg_021809.pdf [Gersten et al, *Assisting Students Struggling with Reading*].

⁵⁹ *Lifting the Curtain on EQAO Scores* (September 2021) at 2, online (pdf): *International Dyslexia Association idaontario.com/wp-content/uploads/2021/09/LiftingTheCurtainOnEQAO69747.pdf* [IDA, *Lifting the Curtain on EQAO Scores*]. J M Fletcher et al, *Learning disabilities: From identification to intervention*, 2nd ed (New York, NY: Guilford Publications, 2018) [Fletcher et al, *Learning disabilities*];

J K Torgesen, "The prevention of reading difficulties" (2002) 40:1 Journal of school psychology 7 [Torgesen, The prevention of reading difficulties"].

⁶⁰ Moats, *Teaching Reading Is Rocket Science* *supra* note 22 at 4; Vellutino et al, "Response to intervention as a vehicle for distinguishing between children with and without reading disabilities", *supra* note 41; Scott Lingley, "Program dramatically improves reading of at-risk students at an early age" (2 October 2017), online: University of Alberta www.ualberta.ca/folio/2017/10/program-dramatically-improves-reading-of-at-risk-students-at-an-early-age.html [Lingley].

⁶¹ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 5.

⁶² The studies referenced in this section pertain both to dyslexia specifically and learning disabilities more broadly. However, since an estimated 80% of people with learning disabilities have dyslexia (Sally E Shaywitz et al, "Management of dyslexia, its rationale, and underlying neurobiology" (2007) 54:3 Pediatr Clin North Am 609, DOI: <https://doi.org/10.1016/j.pcl.2007.02.013>), we have assumed that statistics on the broader category of learning disability are likely to correlate significantly with the subcategory of dyslexia.

⁶³ Emily M Livingston et al, "Developmental dyslexia: emotional impact and consequences" (2018) 23:2 Australian Journal of Learning Disabilities 107 at 113, DOI: <https://doi.org/10.1080/19404158.2018.1479975> [Livingston et al].

⁶⁴ Barbara Riddick, *Living with dyslexia: The social and emotional consequences of specific learning difficulties/disabilities*, 2nd ed (New York: Routledge, 2010) at 11.

⁶⁵ Marita Partanen & Linda S Siegel, "Long-term outcome of the early identification and intervention of reading disabilities" (2014) 27 Reading & writing 665, DOI: <https://doi.org/10.1007/s11145-013-9472-1> [Partanen & Siegel, "Long-term outcome of the early identification and intervention of reading disabilities"]; see also: C Juel, "Learning to read and write: A longitudinal study of 54 children from first through fourth grades" (1988), 80:4 Journal of educational Psychology 437 [Juel].

⁶⁶ J L Metsala et al, "An examination of reading skills and reading outcomes for youth involved in a crime prevention program" (2017) 33:6 Reading & Writing Quarterly 549 [Metsala et al, "An examination of reading skills and reading outcomes for youth involved in a crime prevention program"]; M J Snowling, J W Adams, C Bowyer-Crane and V Tobin, "Levels of literacy among juvenile offenders: the incidence of specific reading difficulties" (2000), 10:4 Criminal Behaviour and Mental Health, 229–241.

⁶⁷ Vellutino et al, "Response to intervention as a vehicle for distinguishing between children with and without reading disabilities", *supra* note 41; Lingley, *supra* note 60.

⁶⁸ Livingston et al *supra* note 63 at 26; Manuel Barrera Jr et al, "Early Elementary School Intervention to Reduce Conduct Problems: A Randomized Trial with Hispanic and non-Hispanic children" (2002) 3:2 Prevention Science 83 at 91, DOI: <https://doi.org/10.1023/A:1015443932331>.

⁶⁹ Livingston et al *supra* note 63 at 113. For more information on outcomes for other disabilities, see J L Metsala et al, "Emotional knowledge, emotional regulation, and psychosocial adjustment in children with nonverbal learning disabilities" (2017) 23:5 Child Neuropsychology 609; Tanya M Galway & Jamie L Metsala, "Social cognition and its relation to psychosocial adjustment in children with nonverbal learning disabilities" (2011) 44:1 Journal of Learning Disabilities 33.

⁷⁰ U.S. Department of Education, *Learning to Read, Reading to Learn: Helping Children with Learning Disabilities to Succeed – Information Kit*, (Eugene, OR: National Center to Improve the Tools of Educators, 1996) at 1, online (pdf): [Education Resources Information Center files.eric.ed.gov/fulltext/ED398691.pdf](http://files.eric.ed.gov/fulltext/ED398691.pdf) [U.S. Department of Education, *Learning to Read, Reading to Learn*]; see also Moats, *Teaching Reading Is Rocket Science* *supra* note 22 at 4.

⁷¹ *Ibid*, at 1.

⁷² See Moore, *supra* note 5.

⁷³ A E Cunningham & Keith E Stanovich, "Early reading acquisition and its relation to reading experience and ability 10 years later" (1997) 33:6 Developmental Psychology 934 [Cunningham & Stanovich, "Early reading acquisition and its relation to reading experience and ability 10 years later"]; Keith E Stanovich, "Matthew effects in reading: Some consequences of individual differences in the acquisition of literacy" (1986), 21:4 Reading Research Quarterly, online (pdf): *Psychology Today* www.researchgate.net/publication/230853161_Matthew_Effects_in_Reading_Some_Consequences_of_Individual_Differences_in_the_Acquisition_of_Literacy [Stanovich, "Matthew effects in reading"]. For a simple explanation of the Matthew Effect, see Marie Rippel, "Is the 'Matthew Effect' Affecting Your Child's Desire to Read?", online: *All About Learning Press* blog.allaboutlearningpress.com/matthew-effect-in-reading/. [Rippel]

⁷⁴ Enkeleda Sako, "The Emotional and Social Effects of Dyslexia" (2016) 2:2 European Journal of Interdisciplinary Studies, DOI: <https://doi.org/10.26417/ejis.v2i2.p233-241> [Sako].

⁷⁵ *Ibid* at 232.

⁷⁶ Munirah Shaik Kadir & Alexander Seeshing Yeung, "Academic Self Concept" in V Zeigler-Hill & T K Shackelford, eds, *Encyclopedia of Personality and Individual Differences* (Springer International Publishing AG, 2016) DOI: https://doi.org/10.1007/978-3-319-28099-8_1118-1.

⁷⁷ Learning Disabilities Association of Canada, "A Literature Framework to Guide the Research Study: Putting a Canadian Face on Learning Disabilities (PACFOLD)" (2005), online (pdf): *Putting a Canadian Face on Learning Disabilities* www.pacfold.ca/download/Supplementary/Framework.pdf. [Learning Disabilities Association of Canada, "A Literature Framework to Guide the Research Study"]

⁷⁸ Michelle L Patterson et al, "Missed opportunities: childhood learning disabilities as early indicators of risk among homeless adults with mental illness in Vancouver, British Columbia" (2012) 2:6 BMJ Open e001586–, online: *BMJ Open* <https://bmjopen.bmj.com/content/2/6/e001586>. [Patterson et al, "Missed opportunities"]

⁷⁹ *Ibid*.

⁸⁰ Failing to achieve reading proficiency by the end of Grade 1 is associated with an increased risk of drop out. Partanen & Siegel, "Long-term outcome of the early identification and intervention of reading disabilities" *supra* note 65; see also Kali H Trzesniewski et al, "Revisiting the Association Between Reading Achievement and Antisocial Behavior: New Evidence of an Environmental Explanation From a Twin Study" (2006) 77:1 Child Dev 72, DOI: <https://doi.org/10.1111/j.1467-8624.2006.00857.x> [Trzesniewski et al].

⁸¹ Learning Disabilities Association of Canada, "A Literature Framework to Guide the Research Study" *supra* note 77 at 14; Jay W Rojewski, "Occupational and Educational Aspirations and Attainment of Young Adults With and Without LD 2 Years After High School Completion" (1999) 32:6 Journal of Learning Disabilities 533, online: *Sage Journals* <https://journals.sagepub.com/doi/10.1177/002221949903200606> [Rojewski].

⁸² Learning Disabilities Association of Canada, "A Literature Framework to Guide the Research Study" *supra* note 77 at 14; see also Jim Hewitt & Marlene Scardamalia, "Design Principles for Distributed Knowledge Building Processes" (1998) 10:1 Educational psychology review 75.

⁸³ Michael A McNulty, "Dyslexia and the Life Course" (2016) 36:4 J Learn Disabil 363, online: *Sage Journals* <https://journals.sagepub.com/doi/10.1177/00222194030360040701> [McNulty].

⁸⁴ *Ibid*; Kelsey Lisle & T Wade, "Does the Presence of a Learning Disability Elicit a Stigmatization?" (2014) 4:2 British Journal of Education, Society & Behavioural Science, 211, online (pdf): digitalcommons.bucknell.edu/cgi/viewcontent.cgi?article=1729&context=fac_journ.

⁸⁵ Michael Kuhne & Judith Wiener, "Stability of social status of children with and without learning disabilities" (2000) 23:1 Learning Disability Quarterly 64 online: *Sage Journals* <https://journals.sagepub.com/doi/10.2307/1511100>; Faye Mishna, "Learning Disabilities and Bullying Double Jeopardy" (2003) 36:4 J Learn Disabil 336 at 338 online: *Sage Journals* <https://journals.sagepub.com/doi/10.1177/00222194030360040501>; [Mishna]; Adel S Alanazi, "Critical Incident Analysis Technique to Examine the: Views of College Students With and Without Learning Disabilities" (2010) 43:6 J Learn Disabil 483 at 484, online: *Sage Journals* [online: Sage Journals https://journals.sagepub.com/doi/10.1177/0022219409355483](https://journals.sagepub.com/doi/10.1177/0022219409355483).

⁸⁶ Sako, *supra* note 74; Cynthia M. Zettler-Greeley, "Understanding Dyslexia" (2018), online: *KidsHealth kidshealth.org/en/teens/dyslexia.html* [Zettler-Greeley]; Rae Jacobson, "Tips for Recognizing Learning Disorders in the Classroom" (last viewed 13 January 2022), online: *Child Mind Institute childmind.org/article/recognizing-learning-disorders-in-the-classroom/* [Jacobson].

⁸⁷ Suze Leitão et al., "Exploring the impact of living with dyslexia: The perspectives of children and their parents" (2017) 19:3 International J of Speech-Language Pathology 322, online: *Sage Journals* <https://journals.sagepub.com/doi/10.1177/0022219408321151> [Leitão et al]; see also Hazel Denhart, "Deconstructing Barriers: Perceptions of Students Labeled With Learning Disabilities in Higher Education" (2008) 41:6 J of Learn Disabil 483, DOI: <https://doi.org/10.1177/0022219408321151> [Denhart].

⁸⁸ Leitão et al, *supra* note 87; Denhart, *supra* note 87.

⁸⁹ Livingston et al., *supra* note 63 at 114.

⁹⁰ Lisette Hornstra et al, "Teacher Attitudes Toward Dyslexia: Effects on Teacher Expectations and the Academic Achievement of Students With Dyslexia" (2010) 43:6 J of Learn Disabil 515, DOI:

<https://doi.org/10.1177/0022219409355479>; see also Ruth Gwernan-Jones & Robert L Burden, “Are they just lazy? Student teachers’ attitudes about dyslexia” (2010) 16:1 Dyslexia 66, DOI: <https://doi.org/10.1002/dys.393> [Gwernan-Jones & Burden].

⁹¹ Gwernan-Jones & Burden, *supra* note 90.

⁹² Gillian Parkekh et al, “Learning Skills, System Equity, and Implicit Bias Within Ontario, Canada” (2021) 35:3 Educational Policy 395, online: Sage Journals <https://doi.org/10.1177/0895904818813303>

⁹³ The learning skills and work habits “responsibility,” “independent work,” “initiative,” “organization,” “collaboration” and “self-regulation” are rated as “E-excellent,” “G-Good,” “S-Satisfactory,” “N-Needs improvement.”

⁹⁴ Integra, “A Handbook on Learning Disabilities” (2009) at 23, online (pdf): *Child Development Institute childdevelop.ca/sites/default/files/files/WAM%20LD%20handbook.pdf* [Integra, “A Handbook on Learning Disabilities”].

⁹⁵ Małgorzata Gil & Jose da Cosa, “Students with disabilities in mainstream schools: District Level Perspectives on Anti-Bullying Policy and Practice within schools in Alberta” (2010) 25:2 International J of Special Education 148 at 149, online (pdf): <files.eric.ed.gov/fulltext/EJ890594.pdf> [Małgorzata & da Cosa].

⁹⁶ *Ibid.* at 149–150; Learning Disabilities Association of Canada, “A Literature Framework to Guide the Research Study” *supra* note 77 at 16–17, 21.

⁹⁷ Esme Fuller-Thomson & Stephen R Hooper, “The Association Between Childhood Physical Abuse and Dyslexia: Findings From a Population-Based Study” (2015) 30:9 J Interpers Violence 1583, DOI: <https://doi.org/10.1177/0886260514540808> [Fuller-Thomson & Hooper, “The Association Between Childhood Physical Abuse and Dyslexia”].

⁹⁸ *Ibid.*

⁹⁹ Mark Dale & Barbara Taylor, “How Adult Learners Make Sense of Their Dyslexia” (2001) 16:7 Disability & Society 997, DOI: <https://doi.org/10.1080/09687590120097872>.

¹⁰⁰ Audrey L Baumeister et al, “Peer Victimization in Children with Learning Disabilities” (2007) 25:1 Child and Adolescent Social Work J 11, DOI: <https://doi.org/10.1007/s10560-007-0109-6>.

¹⁰¹ Mark Totten & Perpetua Quigley, “Bullying, School Exclusion and Literacy, Discussion Paper” (16 May 2003) at 5, online (pdf): *Canadian Public Health Association cpha.ca/sites/default/files/uploads/resources/antibullying/discussion_paper_e.pdf*.

¹⁰² Michael H Kernis, “Measuring Self-Esteem in Context: the Importance of Self-Esteem in Psychological Functioning” (2005) 73:6 J of Personality 1569 at 1570, DOI: <https://doi.org/10.1111/j.1467-6494.2005.00359.x>; Melody M Terras et al., “Dyslexia and Psycho-social Functioning: An Exploratory Study of the Role of Self-esteem and Understanding” (2009) 15 Dyslexia 304 at 306–7, 316, DOI: <https://doi.org/10.1002/dys.386> [Terras et al].

¹⁰³ McNulty, *supra* note 82; Blace A Nalavany et al, “Psychosocial Experiences Associated With Confirmed and Self-Identified Dyslexia: A Participant-Driven Concept Map of Adult Perspectives” (2011) 44:1 J Learn Disabil 63, DOI: <https://doi.org/10.1177/002221941037423>. [Nalavany et al, “Psychosocial Experiences Associated With Confirmed and Self-Identified Dyslexia”]

¹⁰⁴ Sako, *supra* note 74 at 232.

¹⁰⁵ Learning Disabilities Association of Canada, “A Literature Framework to Guide the Research Study” *supra* note 77 at 25.

¹⁰⁶ Sako, *supra* note 74.

¹⁰⁷ *Ibid.*; Elizabeth Mayfield Arnold et al, “Severity of Emotional and Behavioral Problems Among Poor and Typical Readers” (2005) 33:2 J of Abnormal Child Psych 205, DOI: <https://doi.org/10.1007/s10802-005-1828-9>; J Carroll & J Iles, “An assessment of anxiety levels in dyslexic students in higher education” (2006) 76:3 British Journal of Educational Psychology 651.

¹⁰⁸ Joseph H Beitchman et al, “Substance Use Disorders in Young Adults With and Without LD: Predictive and Concurrent Relationships” (2001) 34:4 J Learn Disabil 317, DOI: <https://doi.org/10.1177/002221940103400407>.

¹⁰⁹ Patterson et al, “Missed opportunities,” *supra* note 78.

¹⁰⁹ Anne M Undheim, “Dyslexia and psychosocial factors. A follow-up study of young Norwegian adults with a history of dyslexia in childhood” (2003) 57:3 Nordic Journal of Psychiatry 221, DOI: <https://doi.org/10.1080/08039480310001391>; Erik G Willcutt & Bruce F Pennington, “Comorbidity of Reading Disability and Attention-Deficit/Hyperactivity Disorder: Differences by Gender and Subtype” (2000), 33:2 J Learn Disabil 179, DOI: <https://doi.org/10.1177/002221940003300206>.

-
- ¹¹⁰ Lucia Margari et al, “Neuropsychopathological comorbidities in learning disorders” (2013) 13:1 BMC Neuro 198 at 3, DOI: <https://doi.org/10.1186/1471-2377-13-198>; see also Robert M Klassen et al, “Internalizing Problems of Adults With Learning Disabilities: A Meta-Analysis” (2013), 46:4 J Learn Disabil 317, DOI: <https://doi.org/10.1177/0022219411422260>.
- ¹¹¹ Trzesniewski et al, *supra* note 80; Sako, *supra* note 74; Terras et al, *supra* note 102.
- ¹¹² See Stephanie S Daniel et al, “Suicidality, School Dropout, and Reading Problems Among Adolescents” (2006) 39:6 J Learn Disabil 507 at 512, DOI: <https://doi.org/10.1177/00222194060390060301>.
- ¹¹³ Hazel E McBride & Linda S Siegel, “Learning disabilities and adolescent suicide,” (1997) 30:6 J Learn Disabil 652, DOI: <https://doi.org/10.1177/002221949703000609>.
- ¹¹⁴ Esme Fuller-Thomson et al, “Suicide Attempts Among Individuals With Specific Learning Disorders: An Underrecognized Issue” (2018) 51:3 J of Learn Disabil 283 at 287, DOI: <https://doi.org/10.1177/0022219417714776> [Fuller-Thomson et al, “Suicide Attempts Among Individuals With Specific Learning Disorders”].
- ¹¹⁵ *Ibid.*
- ¹¹⁶ Irving Rootman & Deborah Gordon-El-Bihbety, “A Vision for a Health Literate Canada Report of the Expert Panel on Health Literacy” (2008) at 20, online (pdf): *Canadian Public Health Association cpha.ca/sites/default/files/uploads/resources/healthlit/report_e.pdf* [Rootman & Gordon-El-Bihbety].
- ¹¹⁷ Rootman & Gordon-El-Bihbety, *supra* note 116.
- ¹¹⁸ Joseph Sanfilippo et al, “Reintroducing Dyslexia: Early Identification and Implications for Pediatric Practice” (2020) 146:1 Pediatrics, DOI: <https://doi.org/10.1542/peds.2019-3046> [Sanfilippo et al].
- ¹¹⁹ “Literacy: Why it Matters” (February 2013), online (pdf): *Community Literacy of Ontario communityliteracyofontario.ca/wp/wp-content/uploads/2013/08/literacy_why_it_matters.pdf* [Community Literacy of Ontario, “Literacy”].
- ¹²⁰ Statistics Canada uses the term “Aboriginal” or “Indigenous” to refer to individuals identifying themselves as “First Nations people, Métis or Inuit.”
- ¹²¹ Andrew Heisz et al (Statistics Canada), *Insights on Canadian Society: the association between skills and low income*, Catalogue No 75-006-X (Ottawa: Statistics Canada, 24 February 2016) at 2, online (pdf): *Statistics Canada www150.statcan.gc.ca/n1/en/pub/75-006-x/2016001/article/14322-eng.pdf?st=pQh8VcQW*. [Heisz et al]
- ¹²² “Five-Year Graduation Rate” (last modified 25 March 2020), online: *Ontario Ministry of Education app.edu.gov.on.ca/eng/bpr/allBoards.asp?chosenIndicator=11*.
- ¹²³ Ontario Ministry of Education, *Strengthening Our Learning Journey: Third Progress Report on the implementation of the Ontario First Nation, Métis, and Inuit Education Policy Framework* (2018) at 70, online: *Ontario, Ministry of Education www.ontario.ca/page/strengthening-our-learning-journey-third-progress-report-implementation-ontario-first-nation* [Ontario Ministry of Education, *Strengthening Our Learning Journey*].
- ¹²⁴ Community Literacy of Ontario, “Literacy,” *supra* note 119.
- ¹²⁵ *The Economic & Social Cost of Illiteracy: A White Paper by the World Literacy Foundation* (2018) at 2, online (pdf): *World Literacy Foundation https://worldliteracyfoundation.org/wp-content/uploads/2021/07/TheEconomicSocialCostofIlliteracy-2.pdf* [World Literacy Foundation].
- ¹²⁶ Heisz et al, *supra* note 121 at 1.
- ¹²⁷ Community Literacy of Ontario, “Literacy,” *supra* note 119; see also Rootman & Gordon-El-Bihbety *supra* note 116 at 20.
- ¹²⁸ Livingston et al *supra* note 63 at 126; see also Joost de Beer et al, “Factors influencing work participation of adults with developmental dyslexia: a systematic review” (2014) 14:77 BMC Public Health, DOI: <https://doi.org/10.1186/1471-2458-14-77>; World Literacy Foundation *supra* note 125 at 2.
- ¹²⁹ Blace A Nalavany et al, “The relationship between emotional experience with dyslexia and work self-efficacy among adults with dyslexia” (2018) 24:1 Dyslexia 17, DOI: <https://doi.org/10.1002/dys.1575>.
- ¹³⁰ Learning Disabilities Association of Canada, “A Literature Framework to Guide the Research Study”, *supra* note 77.
- ¹³¹ David L Dickinson & Roelant L Verbeek, “Wage differentials between college graduates with and without learning disabilities,” (2002) 35:2 J Learn Disabil 175, DOI: <https://doi.org/10.1177/002221940203500208>. See also Simonetta Longhi, *The disability pay gap* (2017),

online (pdf) *Equality and Human Rights Commission* equalityhumanrights.com/sites/default/files/research-report-107-the-disability-pay-gap.pdf.

¹³² Mishna, *supra* note 85 at 338.

¹³³ Patterson et al, *supra* note 78.

¹³⁴ Stephen Gaetz et al, "Without a Home: The National Youth Homelessness Survey – Executive Summary" (2016) at 10, online (pdf): *Canadian Observatory on Homelessness* homelesshub.ca/sites/default/files/attachments/WithoutAHome-execssummary.pdf.

¹³⁵ Melanie A Barwick & Linda S Siegel, "Learning Difficulties in Adolescent Clients of a Shelter for Runaway and Homeless Street Youths" (1996) 6:4 *J of Research on Adolescence* 649 at 657, online: *Research Gate* www.researchgate.net/publication/234633209_Learning_Difficulties_in_Adolescent_Clients_of_a_Shelter_for_Runaway_and_Homeless_Street_Youths.

¹³⁶ May Lindgren et al, "Dyslexia and AD/HD among Swedish Prison Inmates" (2002) 3:1 *J of Scandinavian studies in Criminology and Crime Prevention* 84, DOI: <https://doi.org/10.1080/140438502762467227>.

¹³⁷ Canadian Association of Chiefs of Police, "Literacy and Policing in Canada: Target Crime with Literacy: The Link between Low Literacy and Crime" (last visited 13 January 2022) at c 2, sheet 2, online (pdf): *Copian* en.copian.ca/library/research/police/factsheets/factsheets.pdf [Canadian Association of Chiefs of Police, "Literacy and Policing in Canada"].

¹³⁸ See for example: Mary K Evans et al, "Learning Disabilities and Delinquent Behaviors among Adolescents: A Comparison of Those with and without Comorbidity" (2014) 36:3 *Deviant behavior* 200, DOI: <https://doi.org/10.1080/01639625.2014.924361>; Jimmy Jensen et al, "Dyslexia among Swedish prison inmates in relation to neuropsychology and personality" (1999), 5:5 *J of the International Neuropsychology Society* 452, DOI: <https://doi.org/10.1017/S135561779955070>; K C Moody et al, "Prevalence of dyslexia among Texas prison inmates" (2000) 96:6 *Texas Medicine* 69, online: europepmc.org/article/med/10876375; Sanfilippo et al, *supra* note 118.

¹³⁹ Canadian Association of Chiefs of Police, "Police and Literacy Awareness Resource Manual" (2008) at 20, online: *Literacy and the Police* policeabc.ca/images/stories/CACP_workbook_EN_FINAL.pdf [Canadian Association of Chiefs of Police, "Police and Literacy Awareness Resource Manual"].

¹⁴⁰ *Ibid.*

¹⁴¹ *Ibid.*

¹⁴² Canadian Association of Chiefs of Police, "Police and Literacy Awareness Resource Manual," *supra* note 139 at 8, 12, 13, 26–27, 36.

¹⁴³ Canadian Association of Chiefs of Police, "Literacy and Policing in Canada," *supra* note 137 at c 2, fact sheet 2.

¹⁴⁴ Marco Carotenuto et al, "Maternal Stress and Coping Strategies in Developmental Dyslexia: An Italian Multicenter Study" (2017) 8 *Front Psychiatry* 295, DOI: <https://doi.org/10.3389/fpsyg.2017.00295> [Carotenuto et al]; see also Lamk Al-Lamki, "Dyslexia: Its impact on the Individual, Parents and Society" (2012) 23:3 *Sultan Qaboos Univ Med J* 269, DOI: <https://doi.org/10.12816/0003139> [Al-Lamki].

¹⁴⁵ Kerrie Delany, "The Experience of Parenting a Child with Dyslexia: An Australian Perspective" (2017) 7:1 *The J of Student Engagement at 100*, online (pdf): [University of Wollongong Australia ro.uow.edu.au/jseem/vol7/iss1/6](http://ro.uow.edu.au/jseem/vol7/iss1/6) [Delany].

¹⁴⁶ Nalavany et al, "Psychosocial Experiences Associated With Confirmed and Self-Identified Dyslexia," *supra* note 103 at 64–65; Carotenuto et al, *supra* note 144 at 2; see also Al-Lamki, *supra* note 144 at 270.

¹⁴⁷ Alice V Mangan, *The Influence Of A Child's Learning Disability On A Parent's Psychological Experience: A Comparison Of Parents With And Without Learning Disabilities* (PhD Dissertation, City University of New York, Graduate Faculty in Psychology, 2015) at 78–9, online (pdf): academicworks.cuny.edu/cgi/viewcontent.cgi?article=2050&context=gc_etds.

¹⁴⁸ Lily Dyson, "Unanticipated Effects of Children with Learning Disabilities on their Families" (2010) 33:1 *Learning Disability Quarterly* 43 at 48, DOI: <https://doi.org/10.1177/073194871003300104> [Dyson].

¹⁴⁹ *Ibid.* at 45; Delany, *supra* note 144 at 100; Learning Disabilities Association of Canada, "A Literature Framework to Guide the Research Study," *supra* note 77 at 50.

¹⁵⁰ Livingston et al, *supra* note 63 at 122–124; Learning Disabilities Association of Canada, "A Literature Framework to Guide the Research Study," *supra* note 77 at 50.

¹⁵¹ Livingston et al, *supra* note 63 at 123.

¹⁵² Delany, *supra* note 144 at 100.

¹⁵³ Al-Lamki, *supra* note 144 at 270.

¹⁵⁴ Cameron Crawford (Roeher Institute), “Learning Disabilities in Canada: Economic Costs to Individuals, Families and Society” (last modified 2007), online (pdf): *Learning Disabilities Association of Canada* www.ldac-acta.ca/downloads/pdf/research/5B%20-Economic%20Costs%20of%20LD%20-%20Jan%202002%20RJune_2007.pdf [Crawford].

¹⁵⁵ *Ibid.* at 8.

¹⁵⁶ *Ibid.* at 23. The report estimates that the direct and indirect costs of a learning disability from birth to retirement is \$1.982 million per person with a learning disability. Taking a total Canadian population of 31,081,900 and estimating that 5% of the population, or 1,554,095 Canadians, have a learning disability, the report estimates that the total cost for the 5% of people with a learning disability, from birth to retirement, is approximately \$3,080 billion. It estimates that the present value cost (the current value of a future sum of money) at a 5 per cent discount rate is about \$707 billion in year 2000 dollars.

¹⁵⁷ UK, Select Committee on Education and Skills, *Minutes of Evidence: Memorandum submitted by the Dyslexia Institute* (6 July 2006), at s 3.2, online: *Parliament UK* publications.parliament.uk/pa/cm200506/cmselect/cmeduski/478/6031504.htm.

¹⁵⁸ Olena Hankivsky, *Cost Estimates of Dropping Out of High School in Canada* (December 2008), online (pdf): <http://200.6.99.248/~bru487cl/files/Costofdroppingout.pdf>.

¹⁵⁹ Janet Lane & T Scott Murray, *Literacy Lost: Canada’s Basic Skills Shortfall* (December 2018) at 2, online (pdf): *Canadian West Foundation* cwf.ca/wp-content/uploads/2018/12/2018-12-CWF_LiteracyLost_Report_WEB-1.pdf. [Lane, *Literacy Lost*]

¹⁶⁰ *Ibid.* at 5.

¹⁶¹ *Ibid.* at 14.

¹⁶² *Ibid.* at 2.

¹⁶³ The Expert Panel defines health literacy as “The ability to access, understand, evaluate and communicate information as a way to promote, maintain and improve health in a variety of settings across the life-course” at p. 22 and discusses the relationship between literacy and health literacy throughout the report; see Rootman & Gordon-El-Bihbety, *supra* note 116.

¹⁶⁴ Rootman & Gordon-El-Bihbety, *supra* note 116 at 22.

¹⁶⁵ Moore, *supra* note 5 at para 585.

¹⁶⁶ Siegel & Ladyman, “A Review of Special Education in British Columbia,” *supra* note 37 at 29.

¹⁶⁷ “The Equalizer: How Education creates Fairness for Children in Canada” (30 October 2018), online: *People for Education* peopleforeducation.ca/our-work/the-equalizer-how-education-creates-fairness-for-children-in-canada/.

¹⁶⁸ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 9; see also Joan F Beswick & Elizabeth A Sloat, “Early Literacy Success: A Matter of Social Justice” (2010) 46:2 *Education Canada*, online (pdf): *EdCan Network* www.edcan.ca/wp-content/uploads/EdCan-2006-v46-n2-Beswick.pdf [Beswick & Sloat, “Early Literacy Success”]; “Native Literacy at a Glance” (last visited 13 January 2022), online: *Ontario Native Literacy Coalition* onlc.ca/literacy-facts/; see also Pierre Lefebvre, “Socioeconomic Gradient Literacy and Numeracy Skills of 15-year-olds across Canadian Provinces and Years using the PISA Surveys (2000-2012)” (2016) Research Group on Human Capital and Department of Economics Working Paper No 16-02, online: *Ideas* ideas.repec.org/p/grc/wpaper/16-03.html.

¹⁶⁹ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 9.

¹⁷⁰ Beswick & Sloat, “Early Literacy Success,” *supra* note 168.

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ *Universal Declaration of Human Rights*, 10 December 1948, GA Res 217A (III), UNGAOR, 3rd Sess, Supp No 13, UN Doc A/810 [UDHR].

¹⁷⁴ *Ibid* at art 26.

¹⁷⁵ *International Covenant on Civil and Political Rights*, 19 December 1966, 999 UNTS 171 art 18 (entered into force 23 March 1976, accession by Canada 19 May 1976) [ICCPR].

¹⁷⁶ *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, 993 UNTS 3 arts 2, 13–14 (entered into force 3 January 1976) [ICESCR].

¹⁷⁷ Committee on Economic, Social and Cultural Rights, *General Comment 13 on the right to education*, UNCESCR, 21st Sess, UN Doc E/C.12/1999/10 (1999) at para 1, online: *United Nations Human Rights*

[www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13TheRighttoEducation\(article13\)\(1999\).aspx](http://www.ohchr.org/EN/Issues/Education/Training/Compilation/Pages/dGeneralCommentNo13TheRighttoEducation/article13)(1999).aspx)

¹⁷⁸ See for example *Convention on the Rights of the Child*, 20 November 1989, 1577 UNTS 3 art 23 (entered into force 2 September 1990) [CRC]; *Convention on the Rights of Persons with Disabilities*, 13 December 2006, 2515 UNTS 3, art 24 (entered into force 3 May 2008, GA Res 61/106, UNGA, 61st Sess, Supp no 49, UN Doc A/RES/61/106, Annex I) [CRPD]; *Human Rights Code*, RSO 1990, c H.19 [Code].

¹⁷⁹ See for example *ICSER*, *supra* note 176 art 13 (“they further agree that education shall enable all persons to participate effectively in a free society”); *CRPD*, *supra* note 178 art 23 (“States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community”); *CRPD*, *supra* note 178 art 24 (“States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to... Enabling persons with disabilities to participate effectively in a free society”); *Human Rights Code*, *supra* note 3 at Preamble (“...having as its aim the creation of a climate of understanding and mutual respect for the dignity and worth of each person so that each person feels a part of the community and able to contribute fully to the development and well-being of the community and the Province”).

¹⁸⁰ *Education Act*, RSO 1990, c E.2 [*Education Act*].

¹⁸¹ *Education Act*, s 0.1(1)–(2).

¹⁸² *Education Act*, s. 0.1(3).

¹⁸³ See *Davidson*, *supra* note 4 paras 4, 34: “The Minister fulfills his or her duties through providing a regulatory framework within which individual school boards exercise their responsibilities in the delivery of special education programs and services. This framework is established through such measures as regulations, policy and program memoranda and mandatory standards.” See also list of recommendations to the Ministry of Education and respective follow-up reports to the Office of the Auditor General of Ontario: *2001 Annual Report* (29 November 2001) at s. 3.06 (“Special Education Grants to School Boards”), online (pdf): *Office of the Auditor General auditor.on.ca/en/content/annualreports/arbyyear/ar2001.html*; [Auditor General, *2001 Annual Report*]; *2003 Annual Report* (2 November 2003) at s. 3.05 (“Curriculum Development and Implementation”), online (pdf): *Office of the Auditor General auditor.on.ca/en/content/annualreports/arbyyear/ar2003.html* [Auditor General, *2003 Annual Report*]; *2008 Annual Report* (8 December 2008) at s. 3.14 (“Special Education”), online (pdf): *Office of the Auditor General auditor.on.ca/en/content/annualreports/arbyyear/ar2008.html* [Auditor General, *2008 Annual Report*]; *2017 Annual Report* (6 December 2017) at ss. 3.08 vol 1, (“Ministry Funding and Oversight of School Boards”) & 3.12 (“School Boards’ Management of Financial and Human Resources”), online: *Office of the Auditor General auditor.on.ca/en/content/annualreports/arbyyear/ar2017.html* [Auditor General, *2017 Annual Report*].

¹⁸⁴ *Education Act*, s 8(1)(2).

¹⁸⁵ *Education Act*, s 1(1).

¹⁸⁶ *Education Act*, s 8(1)(1).

¹⁸⁷ RRO 1990, Reg 306.

¹⁸⁸ *Education Act*, s 8(1)(6).

¹⁸⁹ *Education Act*, s 8(1)(24).

¹⁹⁰ *Education Act*, s 13.

¹⁹¹ *Education Act*, s 68. Six of the schools are hospital-based school authorities established to provide programs for students with complex medical needs who cannot attend regular school for medical reasons. These schools operate in hospitals and treatment centres. The other four school authorities manage schools in remote and sparsely populated regions.

¹⁹² *Education Act*, s 8(3)(a); Ontario, Ministry of Education, *Early Identification of Children’s Learning Needs* (Policy Program Memorandum No 11), revised 1982.

¹⁹³ RRO 1990, Reg 306.

¹⁹⁴ *Education Act*, s 268.

¹⁹⁵ RRO 1990, Reg 298, s 11.

¹⁹⁶ RRO 1990, Reg 298, s 20.

¹⁹⁷ RRO 1990, Reg 298, s 19.

¹⁹⁸ *Special Education in Ontario, Kindergarten to Grade 12: Policy and Resource Guide, Draft* (2017), at A12, online (pdf): *Ontario Ministry of Education*

edu.gov.on.ca/eng/document/policy/os/onschools_2017e.pdf [Ontario Ministry of Education, *Special Education in Ontario*].

¹⁹⁹ “The Identification, Placement and Review Committee” (last modified 26 July 2007), online: *Ontario Ministry of Education* edu.gov.on.ca/eng/general/elemsec/speced/identifi.html; RRO, Reg 298, s. 31.

²⁰⁰ Ontario Ministry of Education, “Full-day kindergarten,” *supra* note 14.

²⁰¹ The Ontario Ministry of Education introduced the concept of lead literacy teachers in their 2003 report: *Early Reading Strategy: The Report of the Expert Panel on Early Reading in Ontario* (2003) at 58, online (pdf): *Ontario Ministry of Education* edu.gov.on.ca/eng/document/reports/reading/reading.pdf [Ontario Ministry of Education, *Early Reading Strategy*].

²⁰² Jacqueline Lynch & Steve Alsop, “The effectiveness of literacy coaches” in *What Works? Research into Practice Monograph #6* (The Literacy and Numeracy Secretariat & Ontario Deans of Education, 2007), online (pdf): *Ontario Ministry of Education*

edu.gov.on.ca/eng/literacynumeracy/inspire/research/Coaches.pdf

²⁰³ Written submission from the Ontario Association of Speech-Language Pathologists and Audiologists to the OHRC (March 2020) as part of the Right to Read Inquiry.

²⁰⁴ Written submission from the Association of Chief Psychologists with Ontario School Boards to the OHRC (April 2020) as part of the Right to Read Inquiry.

²⁰⁵ *Ontario College of Teachers Act*, SO 1996, c 12.

²⁰⁶ *Teaching Profession Act*, RSO 1990, c T2.

²⁰⁷ “Bylaw 8.1 Directives” (last visited 25 January 2022), online: *ETFO/FEEO* <https://www.etfo.ca/about-us/governance/bylaws>.

²⁰⁸ “Policy Statements,” (last visited 25 January 2022), online: *ETFO/FEEO* etfo.ca/aboutetfo/governance/pages/policystatements.aspx; Ontario Secondary School Teachers’ Federation, “Policies and Procedures 2021-2022” (last visited 26 January 2022), online: OSSTF/FEESO <https://www.osstf.on.ca/about-us/constitution-bylaws-policies.aspx>.

²⁰⁹ *Policy Program Memorandum 11 on Early Identification of Children’s Learning Needs* (1982), online: *Ontario Ministry of Education* ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-11 [PPM 11]; *Policy Program Memorandum 8 on the Identification of and Program Planning for Students with Learning Disabilities* (26 August 2014), online: *Ontario, Ministry of Education* ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-8 [PPM 8]; Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at C6.

²¹⁰ *Education Act*, s 8(3).

²¹¹ *Education Act*, s 1.

²¹² See for example, Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198.

²¹³ For list of subcategories and definition of “learning disability”, see *Ibid*, at A14.

²¹⁴ Memorandum from Barry Finlay (Director, Special Education Policy and Programs Branch) to Directors of Education et al) regarding “Categories of Exceptionalities” (19 December 2011), online: *Ontario, Ministry of Education* edu.gov.on.ca/eng/general/elemsec/speced/2011CategoryException.pdf.

²¹⁵ *Ibid*.

²¹⁶ PPM8, *supra* note 209 at 4.

²¹⁷ O Reg 181/98, s 10.

²¹⁸ O Reg 181/98. The IPRC may also refer the student to a provincial committee for consideration of eligibility for admission to one of the provincial or demonstration schools.

²¹⁹ O Reg 181/98, s 21(4)(b).

²²⁰ O Reg 181/98, s 26.

²²¹ O Reg 181/98, s 6(2)-(8), 8.

²²² Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E6, online: www.edu.gov.on.ca/eng/document/policy/os/onschools_2017e.pdf.

²²³ O Reg. 181/98 s 6(3).

²²⁴ *Policy/Program Memorandum No 156: Supporting Transitions for Students with Special Education Needs* (1 February 2013), online: *Ontario Ministry of Education* ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-156 [PPM 156]; *Policy/Program Memorandum No 140: Incorporating Methods Of Applied Behaviour Analysis (ABA) Into Programs For Students With*

Autism Spectrum Disorders (ASD) (17 May 2007), online: *Ontario Ministry of Education* www.edu.gov.on.ca/extra/eng/ppm/140.html [PPM 140]; Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198.

²²⁵ The standards specifically state that this requirement is for all students who have an IEP, whether or not they have been identified as exceptional by the IRPC, including those identified as exceptional solely on the basis of giftedness. Note that this adds more requirements than what is set out in legislation under the *Education Act*. See *PPM 156*, *supra* note 224.

²²⁶ O Reg 181/98, s 6(2); Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198. See also Ontario, Ministry of Education, *Individual Education Plans: Standards for Development, Program Planning and Implementation* (2000), online: *Ontario Association for Families of Children with Communication Disorders* oafcccd.com/documents/IEPstandards.pdf [Ontario Ministry of Education, *Individual Education Plans*].

²²⁷ The Ministry of Education reports that due to a variety of factors, including COVID-19, this review has not taken place in recent years.

²²⁸ *Ontario Schools: Kindergarten to Grade 12 Policy and Program Requirements* (2016) at 41, online *Ontario Ministry of Education* edu.gov.on.ca/eng/document/policy/os/onschools_2016e.pdf.

²²⁹ *The Individual Education Plan: A Resource Guide* (2004) at 26, online: *Ontario Ministry of Education* edu.gov.on.ca/eng/general/elemsec/speced/guide/resource/iepresquid.pdf. An IEP must also be developed as supporting documentation, if an Intensive Support Amount (ISA) funding claim is submitted by a school board on behalf of a student who has not been identified as exceptional by an IRPC, but who is receiving a special education program and services (Ontario Ministry of Education, *Individual Education Plans*, *supra* note 226).

²³⁰ Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E11.

²³¹ *Human Rights Code*.

²³² *Canadian Charter of Rights and Freedoms*, Part 1 of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), c 11 [*Charter*].

²³³ Moore, *supra* note 5 at paras 28, 48.

²³⁴ *Eaton v Brant County Board of Education*, [1997] 1 SCR 241 at para 69, 142 DLR 4th 385 [*Eaton*].

However, the SCC found that segregated accommodation was in the child's best interests in this case, noting that this was one of those unusual cases where segregation was a more appropriate accommodation.

²³⁵ *Human Rights Code*, s 10(1)(c).

²³⁶ *Human Rights Code*, s 1.

²³⁷ *Human Rights Code*, s 12.

²³⁸ *Human Rights Code*, s 8.

²³⁹ *Human Rights Code*, s 47(2).

²⁴⁰ For example, while the Ministry of Education has devised its own framework for identifying "exceptional pupils," it is the Ontario *Human Rights Code* and human rights case law (see for example *DS v London District Catholic School Board*, 2012 HRTO 786 [*DS v London Catholic*] at para 62) that establish that education providers have a legal duty to accommodate the disability-related needs of students to the point of undue hardship. This legal duty exists whether or not a student with a disability falls within the Ministry's definition of "exceptional pupil," has gone through a formal IRPC process, or has an IEP.

²⁴¹ See for example *DS v London Catholic*, *supra* note 240 at para 62.

²⁴² *Charter*, s 15.

²⁴³ *Charter*, s 1.

²⁴⁴ *Human Rights Code*, s 9.

²⁴⁵ *Human Rights Code*, s 17.

²⁴⁶ For detailed information on how to identify systemic discrimination, see section 4.1 of the Ontario Human Rights Commission's *Policy and guidelines on racism and racial discrimination* (2005), online: *Ontario Human Rights Commission*

ohrc.on.ca/sites/default/files/attachments/Policy_and_guidelines_on_racism_and_racial_discrimination.pdf [OHRC, *Policy and guidelines on racism and racial discrimination*].

²⁴⁷ One author noted, "...the philosophical and ideological foundations upon which discrimination against disabled people is justified are well entrenched within the core institutions of society." See: Colin Barnes,

"A Brief History of Discrimination and Disabled People," in *The Disability Studies Reader*, 3rd ed., Lennerd J. Davis, ed. (New York: Routledge, 2010) at 31. While the author's observations relate to discrimination against people with disabilities in the United Kingdom, it can be argued that much of what he describes pertains to the situation for people with disabilities in Canada.

²⁴⁸ In *Moore, supra* note 5 at para 59, the SCC reaffirmed its earlier definition of systemic discrimination set out in its seminal 1987 decision *Canadian National Railway Co v Canada (Human Rights Commission)*, [1987] 1 SCR 1114 [CNR] as "practices or attitudes that have, whether by design or impact, the effect of limiting an individual's or a group's right to the opportunities generally available because of attributed rather than actual characteristics" at 1138–1139. The OHRC uses "systemic discrimination" when referring to individual institutions, or a system of institutions, that fall under the jurisdiction of the Code (e.g. the education system).

²⁴⁹ CNR, *supra* note 248 at 1138–1139.

²⁵⁰ The Universal Design for Learning framework was first developed by David Rose, Ed.D. of the Harvard Graduate School of Education and the Centre for Applied Special Technology (CAST) in the 1990s. For more information, see Tracey E Hall et al, eds, *Universal Design for Learning in the Classroom: Practical Applications* (New York: Guilford Press, 2012); CRPD, *supra* note 178 states at Article 2, "'Universal design' means the design of products, environments, programmes and services to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. 'Universal design' shall not exclude assistive devices for particular groups of persons with disabilities where this is needed."

²⁵¹ *Eaton, supra* note 234 at para 67.

²⁵² See *Council of Canadians with Disabilities v VIA Rail Canada Inc*, 2007 SCC 15 at para 186: "...while human rights principles include an acknowledgment that not every barrier can be eliminated, they also include a duty to prevent new ones, or at least, not knowingly to perpetuate old ones where preventable."

²⁵³ *Moore, supra* note 5 at para 52. See, for example, *LB v Toronto District School Board*, 2015 HRTO 1622; *LB v Toronto District School Board*, 2016 HRTO 336 (Reconsideration decision); *LB v Toronto District School Board*, 2017 ONSC 2301 (Judicial review on the issue of remedy); *Tang v McMaster University*, 2015 HRTO 551 (Reconsideration decision); *RB v Keewatin-Patricia District School Board*, 2013 HRTO 1436 (Reconsideration denied); *JF v Waterloo Catholic District School Board*, 2017 HRTO 1121 (note that the Tribunal found that the respondent had not failed in its procedural duty to accommodate in this case).

²⁵⁴ *Providence Health Care v Dunkley*, 2016 BCSC 1383 at para 132: The Tribunal found that the cost estimates put forward were likely severely inflated and other less costly options as well as funding arrangements (including outside sources of funding) were not considered.

²⁵⁵ *Human Rights Code*, ss 11(2), 17(2). In *British Columbia (Public Service Employee Relations Commission) v BCGSEU*, [1999] 3 SCR 3, 176 DLR (4th) 1 [Meiorin], the SCC stated at para 63 that "The various factors [in assessing undue hardship] are not entrenched, **except to the extent that they are expressly included or excluded by statute**" [emphasis added].

²⁵⁶ *British Columbia (Superintendent of Motor Vehicles) v British Columbia (Council of Human Rights)*, [1999] 3 SCR 868 at para 41, "One must be wary of putting too low a value on accommodating the disabled. It is all too easy to cite increased cost as a reason for refusing to accord the disabled equal treatment".

²⁵⁷ Ontario has acknowledged this in its own policies: "Because the Ontario Public Service is such a large organization with access to so many resources, it would be extremely difficult to meet this threshold. In other words, accommodations should almost never be denied because of cost." Ontario, Ministry of Community Safety and Correctional Services, *Undue Hardship: Providing Accommodation Short of Undue Hardship* (2015), cited in Independent Review of Ontario Corrections, Independent Advisor on Corrections, Segregation in Ontario, Independent Review of Ontario Corrections (Toronto: Queen's Printer for Ontario, 2017) at Appendix B.

²⁵⁸ *Moore, supra* note 5 at para 65; see *Gamache v York University*, 2013 HRTO 693 at para 17 that the responsibility to provide accommodation for students with disabilities rests with the institution as a whole, not just a particular department: "It is no answer to point to limited resources that were allocated by the University to a particular service it provided." The United Nations' Committee on the Rights of Persons with Disabilities has also stated: "The availability of accommodations should be considered with respect to a larger pool of educational resources available in the education system and not limited to resources

available at the academic institution in question; transfer of resources within the system should be possible": see Committee on the Rights of Persons with Disabilities, *General Comment No 4 (2016) on the right to inclusive education* UN Doc CRPD/C/GC/4 (2016) at para 30, online: [UNCHR tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4&Lang=en](http://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4&Lang=en) [CRPD, General Comment No 4].

²⁵⁹ "Business inconvenience" is not a defence to the duty to accommodate. In amending the *Code* in 1988, the Ontario Legislature considered and rejected "business inconvenience" as a possible enumerated factor in assessing undue hardship. If there are costs attributable to decreased productivity, efficiency or effectiveness, they can be taken into account in assessing undue hardship under the cost standard, providing they are quantifiable and related to the proposed accommodation.

²⁶⁰ *Meiorin*, *supra* note 255. In [McDonald v Mid-Huron Roofing](#), 2009 HRTO 1306, in the context of a workplace, the HRTO stated at para. 43: "If a respondent wishes to cite morale in the workplace as an element of undue hardship, it should also be able to cite its own efforts to quell inaccurate rumours that accommodation is being requested unreasonably." It is the OHRC's position that this principle also applies in education. See also [Backs v Ottawa \(City\)](#), 2011 HRTO 959 at para 58, where the HRTO disregarded morale issues as a factor in the undue hardship analysis.

²⁶¹ See [Qureshi v G4S Security Services](#), 2009 HRTO 409 at para 35. The issue of customer, third-party and employee preference is also discussed in Judith Keene, *Human Rights in Ontario*, 2nd ed. (Toronto: Carswell, 1992) at 204–5.

²⁶² The *Code* prevails over collective agreements. Collective agreements or other contractual arrangements cannot act as a bar to providing accommodation. To allow otherwise would be to permit the parties to contract out of the provisions of the *Code* under the umbrella of a private agreement, and would run counter to the purposes of the *Code*. For more detailed information, see OHRC *Policy on ableism and discrimination based on disability*, *supra* note 1 at s. 9.1, online: *Ontario Human Rights Commission* www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability/9-undue-hardship.

²⁶³ Note that in rare cases the HRTO has indirectly considered other factors as part of costs or health and safety. See, for example, [Munroe v Padulo Integrated Inc](#), 2011 HRTO 1410; [Wozniak v City of Guelph](#), 2010 HRTO 1652; [Espey v London \(City\)](#), 2009 HRTO 271.

²⁶⁴ See OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at s 8.7 and Appendix A: Recommendations to improve education outcomes for students with disabilities, recommendations 17, 26, online (pdf): *Ontario Human Rights Commission* www.ohrc.on.ca/sites/default/files/Policy%20on%20accessible%20education%20for%20students%20with%20disabilities_FINAL_EN.pdf.

²⁶⁵ In [RB v Keewatin-Patricia District School Board](#), 2013 HRTO 1436 [RB] at para 257, the HRTO recognized the importance of communication throughout the accommodation process: "...communication is an integral part of education, especially for a student with high needs."

²⁶⁶ [Central Okanagan School District No. 23 v Renaud](#), [1992] 2 SCR 970 at para 43, 95 DLR (4th) 577 [Renaud].

²⁶⁷ For example, in *RB*, (*supra* note 265), the HRTO stated: "a school board has a high burden to prove it cannot educate a student because of the conduct of a parent" (at paras 254, 259). In its reconsideration decision, the HRTO clarified that for the parent's conduct to be relevant, "it must relate to the respondent's ability to accommodate [the student];" see [RB v Keewatin-Patricia District School Board](#), 2013 HRTO at para 31. See also [LB v Toronto District School Board](#), 2015 HRTO 132 at paras 20(d), 139.

²⁶⁸ *Moore*, *supra* note 5 at at paras 47–48.

²⁶⁹ *Ibid* at paras 10, 32—66.

²⁷⁰ *Ibid* at paras 5, 32.

²⁷¹ [VJ v Thames Valley District School Board](#), 2021 HRTO 149.

²⁷² [McGill University Health Centre \(Montreal General Hospital\) v Syndicat des employés de l'Hôpital général de Montréal](#), 2007 SCC 4 at para 22 [McGill].

²⁷³ *Ibid* at para 22.

²⁷⁴ *Eaton*, *supra* note 234 at para 69.

²⁷⁵ The Ontario Human Rights Commission has explored this "contextualized" or "intersectional" approach to discrimination analysis at length in its discussion paper *An intersectional approach to discrimination: Addressing multiple grounds in human rights claims* (2001), online: *Ontario Human Rights Commission* ohrc.on.ca/en/intersectional-approach-discrimination-addressing-multiple-grounds-human-rights-claims.

²⁷⁶ *Egan v Canada*, [1995] 2 SCR 513, 124 DLR (4th) 609 [*Egan*].

²⁷⁷ *Corbiere v Canada*, [1999] 2 SCR 203, 173 DLR (4th) 1 [*Corbiere*].

²⁷⁸ *Egan* at 551–52, 124 DLR (4th) 609, L’Heureux-Dubé J, dissenting.

²⁷⁹ *Corbiere* at para 73, L’Heureux-Dubé J, concurring.

²⁸⁰ *Asfaha-Negusse v Toronto (City)*, 2019 HRTO 1650. See also *Baylis-Flannery v DeWilde (Tri-Community Physiotherapy)*, 2003 HRTO 28, in which the Tribunal found that the serious forms of discrimination Ms. Baylis-Flannery endured, with respect to her race and her sex, were intersectional in nature. See also *Hogan v Ontario (Health and Long-Term Care)*, 2006 HRTO 32 and *Falkiner v Ontario (Minister of Community and Social Services)*, [2002] OR (3d) 481, OJ No 1771 [*Falkiner*]. At paragraph 72 of *Falkiner*, the Court of Appeal for Ontario found:

Because the respondents' equality claim alleges differential treatment based on an interlocking set of personal characteristics, I think their general approach is appropriate. Multiple comparator groups are needed to bring into focus the multiple forms of differential treatment alleged.

²⁸¹ For example, the Toronto District School Board reported in 2013, students who identify as Black are the largest racial category represented in congregated Special Education schools (over doubly represented at 30.2%), and are notably under-represented in Gifted, International Baccalaureate (IB), Advanced Placement (AP) and Elite Athlete programs. See “Selected School-Wide Structures: An Overview” Fact Sheet 9 (Toronto: Toronto District School Board, December 2013) at 3, online (pdf): *Toronto District School Board* tdsb.on.ca/portals/research/docs/reports/school-widestructuresanoverview%20fs-final.pdf. See also “Selected In-School Programs: An Overview” Fact Sheet 8 (Toronto: Toronto District School Board, December 2013) at 3, online (pdf): *Toronto District School Board* tdsb.on.ca/Portals/research/docs/reports/In-SchoolProgramsAnOverview%20FS %20FINAL.pdf. The OHRC has also heard from members of the community that Indigenous students are similarly over-represented in special education placements.

²⁸² *Trauma-Informed Schools* (2016) 4 OFIFC Research Series at 3, online: *Ontario Federation of Indigenous Friendship Centres* oifc.org/wp-content/uploads/2020/03/Trauma-Informed-Schools-Report-2016.pdf [Ontario Federation of Indigenous Friendship Centres: *Trauma-Informed Schools*].

²⁸³ Ena Chadha et al, *Review of the Peel District School Board* (28 February 2020), online (pdf): *Ontario Ministry of Education* edu.gov.on.ca/eng/new/review-peel-district-school-board-report-en.pdf. [Chadha et al].

²⁸⁴ *The opportunity to succeed: Achieving barrier-free education for students with disabilities - Consultation Report* (2003), online: *Ontario Human Rights Commission* www.ohrc.on.ca/sites/default/files/attachments/The_opportunity_to_succeed%3A_Achieving_barrier-free_education_for_students_with_disabilities.pdf. Consultees also reported that students with disabilities from low-income families encounter unique hurdles in the special education system. Parents of these children often find it extremely difficult, if not impossible, to take time out from work to advocate on their child’s behalf.

²⁸⁵ CRPD, *General Comment No 4*, *supra* note 258 at para 46: “Intersectional discrimination and exclusion pose significant barriers to the realization of the right to education for women and girls with disabilities. States parties must identify and remove those barriers, including gender-based violence and the lack of value placed on the education of women and girls, and put in place specific measures to ensure that the right to education is not impeded by gender and/or disability discrimination, stigma or prejudice. Harmful gender and/or disability stereotypes in textbooks and curricula must be eliminated. Education plays a vital role in combating traditional notions of gender that perpetuate patriarchal and paternalistic societal frameworks.”

²⁸⁶ *Human Rights Code*, s 30.

²⁸⁷ *UDHR*, *supra* note 173.

²⁸⁸ *ICESCR*, *supra* note 176.

²⁸⁹ *CRC*, *supra* note 178.

²⁹⁰ CRPD, *supra* note 178 at art 2.

²⁹¹ *United Nations Declaration on the Rights of Indigenous Peoples*, GA Res 61/295, UNGAOR, 61st Sess, UN Doc A/RES/61/295 (2007) [UN Declaration].

²⁹² *Baker v Canada (Minister of Citizenship and Immigration)*, [1999] 2 SCR 817 at para 69, 174 DLR (4th) 193 [*Baker*]; *Reference re Pan-Canadian Securities Regulation*, 2018 SCC 48 at para 66, citing *Labour Conventions Case (Canada (AG) v Ontario (AG))*, [1937] AC 326 (UK JCPC) at 348, 1 DLR 673.

Only customary (non-treaty) law can be adopted into the domestic law by Canadian courts without the need for legislation (*R v Hape*, 2007 SCC 26 at para 39 [*Hape*]).

²⁹³ See [Quebec \(AG\) v 9147-0732 Québec Inc](#), 2020 SCC 32 at para 35 [Quebec (AG)].

²⁹⁴ *Baker* at para 70.

²⁹⁵ *Hape* at paras 53–54.

²⁹⁶ *Quebec (AG)* at paras 31–34.

²⁹⁷ **Jean-François Noël**, *The Convention on the Rights of the Child* (Department of Justice Family Law Reports) at endnote 10, online: *Government of Canada, Department of Justice* justice.gc.ca/eng/rp-pr/fl-lf/divorce/crc-crde/conv2d.html#ftn10.

²⁹⁸ *Human Rights Code*, at Preamble.

²⁹⁹ *UDHR*, *supra* note 173.

³⁰⁰ *ICESCR*, *supra* note 176 at 2, 13—14.

³⁰¹ *CRC*, *supra* note 178 at arts 2, 23, 28–29.

³⁰² *Ibid* at art 3.

³⁰³ *CRPD*, *supra* note 178 at art 24.

³⁰⁴ *Ibid* at art 2.

³⁰⁵ *Ibid* at art 24.

³⁰⁶ *Ibid* at art 24(2)(c)). The denial of which is included in the CRPD's definition of discrimination on the basis of disability (at article 2). In 2016, the Committee on the Rights of Persons with Disabilities interpreted article 24 in its General Comment 4 on the right to inclusive education. The Committee identified many barriers that obstruct access to inclusive education for persons with disabilities, including, among other things: “the failure to understand or implement the human rights model of disability;” “low expectations about those in mainstream settings;” “lack of appropriate responses to support requirements;” “lack of disaggregated data and research, necessary for accountability and program development;” “lack of political will, technical knowledge, and capacity in implementing the right to inclusive education including insufficient education of all teaching staff;” “inappropriate and inadequate funding mechanisms to provide incentives and reasonable accommodations;” and “lack of legal remedies and mechanisms.” The Committee also mentions that persons with disabilities can experience intersectional discrimination based on other prohibited grounds (CRPD, *General Comment No 4*, *supra* note 258.)

³⁰⁷ UNESCO, “Literacy, A UNESCO Perspective” (February 2003) at 2, online: *UNESDOC Digital Library unesdoc.unesco.org/ark:/48223/pf000131817?posInSet=6&queryId=0a93ce89-47a7-4898-a962-70446b1683d5* [UNESCO, “Literacy”].

³⁰⁸ *Ibid* at 1.

³⁰⁹ Sheila Carr-Stewart, “A Treaty Right to Education” (2001), 26(2) *Canadian J of Edu* 125, online (pdf): *Assembly of First Nations* afn.ca/uploads/files/education/8_2001_carr-stewart_treaty_right_to_education.pdf.

³¹⁰ Ontario First Nation Special Education Working Group (Review Chair: Peter Garrow), *Ontario First Nations Special Education Review Report* (May 2017) at 13, online (pdf): “Ontario First Nation Special Education Review Report” (May 2017), online (pdf): *Chiefs of Ontario Education Portal firstnationsspecialeducation.ca/wp-content/uploads/2017/05/Ontario-First-Nations-Special-Education-Review-Report-May-2017-2.pdf* [Ontario First Nation Special Education Working Group, *Review Report*].

³¹¹ *UN Declaration*, *supra* note 291 at arts 14(2), 21(2), 22.

³¹² *Ibid* at art 17(2).

³¹³ *Ibid* at arts 21(2), 22.

³¹⁴ *UN Declaration*, *supra* note 291.

³¹⁵ *Ibid*.

³¹⁶ *Convention Relating to the Status of Refugees*, 28 July 1951, 189 UNTS 137, arts 4, 22 (entered into force 22 April 1954); See also Principle 23 of the *Guiding Principles on Internal Displacement* which protects the right to education for Internally Displaced Persons: UN High Commissioner for Refugees (UNHCR), *Guiding Principles on Internal Displacement*, 22 July 1998, ADM 1.1,PRL 12.1, PR00/98/109.

³¹⁷ Based on 2018-2019 EQAO data. See: *Highlights of the Provincial Results: Literacy English-Language Students, 2018-2019* (2019), online (pdf): *Ontario, Education Quality and Accountability Office eqao.com/provincial-report-highlights-literacy-2019-pdf/* [EQAO, *Literacy Highlights 2018-2019*].

³¹⁸ Students with special education needs (excluding gifted) are students with an Individual Education Plan (IEP) who may or may not have been identified as “exceptional pupils” through an Identification, Placement and Review Committee (IPRC), and are receiving special education programs and services. See *ibid*.

³¹⁹ Ontario Student Achievement 2018-2019, EQAO’s Provincial Elementary School Report (2019) at 28, 35, online (pdf): Ontario, Education Quality and Accountability Office eqao.com/provincial-report-elementary-2019-pdf/ [EQAO, Elementary School Report 2018-2019].

³²⁰ TDSB, “Right to Read: Closing Achievement Gaps,” *supra* note 20 at 4. For U.S. data see B Hussar et al, “The Condition of Education 2020” (2020), online: *National Centre for Education Statistics nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2020144* [Hussar]; NAEP, “Nation’s Report Card: Reading,” *supra* note 21.

³²¹ TDSB, “Right to Read: Closing Achievement Gaps,” *supra* note 20 at 4. For U.S. data see Hussar, *supra* note 320. See also NAEP, “Nation’s Report Card: Reading, *supra* note 21.

³²² Strengthening Our Learning Journey: Technical Appendix to the Third Progress Report on the Implementation of the Ontario First Nations, Metis, and Inuit Education Policy Framework (2018) at 9, online (pdf): Ontario, Ministry of Education files.ontario.ca/edu_1_1/edu-ieo-technical-appendix-third-report-en-2021-10-28.pdf [Ontario Ministry of Education, *Strengthening Our Learning Journey: Technical Appendix*].

³²³ EQAO, *Literacy Highlights 2018-2019*, *supra* note 316. This report focuses on reading assessment results. However, reading and writing are closely related and depend on many of the same skills. They are both important components of literacy. See: *The Reading Writing Connection* (2012), online (pdf): National Institute of Child Health & Human Development files.eric.ed.gov/fulltext/ED571549.pdf.

³²⁴ R S Brown & G Parekh, *The Intersection of Disability, Achievement, and Equity: A System Review of Special Education in the TDSB* (2013) Toronto District School Board Research Report No. 12-13-12, online (pdf): [Toronto District School Board](http://tdsb.on.ca/Portals/research/docs/reports/Intersection%20of%20Disability%20Achievement%20and%20Equity.pdf)

tdsb.on.ca/Portals/research/docs/reports/Intersection%20of%20Disability%20Achievement%20and%20Equity.pdf [Brown & Parekh, *The Intersection of Disability, Achievement, and Equity*].

³²⁵ Failing to achieve reading proficiency by the end of Grade 1 is associated with an increased risk of drop-out. Partanen & Siegel, “Long-term outcome of the early identification and intervention of reading disabilities,” *supra* note 65; see also Trzesniewski et al, *supra* note 80.

³²⁶ Learning Disabilities Association of Canada, “A Literature Framework to Guide the Research Study,” *supra* note 77 at 14; Rojewski *supra* note 81.

³²⁷ See Pierre Brochu et al, *PIRLS/ePIRLS 2016: Canada in Context – Canadian Results from the Progress in International Reading Literacy Study* (Canada: Council of Ministers of Education, 2016) at 1, online (pdf): *Council of Ministers of Education, Canada* cmecc.ca/Publications/Lists/Publications/Attachments/385/PIRLS2016-Report-EN.pdf [Brochu et al, *PIRLS 2016: Canada in Context*].

³²⁸ Value for Money Audit: Curriculum Development, Implementation and Delivery (2020) at 46, online (pdf): *Office of the Auditor General* auditor.on.ca/en/content/annualreports/arreports/en20/20VFM_03curriculum.pdf [Auditor General, 2020 *Value for Money Audit: Curriculum*].

³²⁹ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 2, 3, 13.

³³⁰ Auditor General, 2020 *Value for Money Audit: Curriculum*, *supra* note 328 at 46.

³³¹ EQAO, *Elementary School Report 2018-2019*, *supra* note 319 at 28, 35.

³³² Includes participating and non-participating students. The percentage of participating students who met the provincial standard in Grade 3 was 77%, see: Ontario, Education Quality and Accountability Office, *School Board Report (TDSB): Assessments of Reading, Writing and Mathematics 2018-2019*, (2019) at 7 (accessed September 2020, no longer available online) [EQAO School Board Report (TDSB) 2018-2019].

³³³ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 3.

³³⁴ Includes participating and non-participating students. The percentage of participating students who met the provincial standard in Grade 6 was 83%, see: EQAO School Board Report (TDSB) 2018-2019, *supra* note 332 at 11.

³³⁵ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 20.

³³⁶ Torgesen, “The Prevention of Reading Difficulties,” *supra* note 59; Moats, *Teaching Reading Is Rocket Science*, *supra* note 22; Partanen & Siegel, “Long-term outcome of the early identification and intervention of reading disabilities,” *supra* note 65.

³³⁷ EQAO *Elementary School Report 2018-2019*, *supra* note 319.

³³⁸ The Auditor General of Ontario defines boards north of North Bay as northern boards. Auditor General, *2017 Annual Report*, *supra* note 183 at s 3.12, 624.

³³⁹ *Ibid* at s 3.12, 623. There was less of a discrepancy on the Grade 6 reading assessment, but the difference between northern boards increased once again on the Grade 10 OSSLT.

³⁴⁰ EQAO, *Literacy Highlights 2018-2019*, *supra* note 316 at 3.

³⁴¹ *Ontario Student Achievement, 2018-2019: EQAO’s Provincial Secondary School Report* (2019) at 3, online (pdf): Ontario, *Education and Accountability Office* [eqao.com/provincial-report-secondary-2019-pdf/\[EQAO, Secondary School Report 2018-2019\]](http://eqao.com/provincial-report-secondary-2019-pdf/[EQAO, Secondary School Report 2018-2019]).

³⁴² Students for whom there is work for both sessions of the administration of the OSSLT and who were assigned an achievement result (successful, not yet successful). Students who are not working toward an OSSD, students who were absent and students who were deferred are excluded.

³⁴³ Previously eligible includes all students who were absent or deferred, or were unsuccessful during one or more previous administrations; were previously exempted but are now working toward an OSSD; entered Grade 11 or 12 from out of province or enrolled in an adult education program and began Grade 9 in or after the 2000–2001 school year. For definitions, see: EQAO, *Secondary School Report, 2018-2019*, *supra* note 341 at 62.

³⁴⁴ For more findings related to the OSSLT, see IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59.

³⁴⁵ The IDA found only 38% of ELL students passed the assessment compared to 60% of non-ELL students; *ibid* at 3.

³⁴⁶ Based on the number of students in the cohort who took part in the OSSLT and for whom EQAO has Grade 3 and Grade 6 assessment results (including students who took part, were exempted or provided no work to be scored); *Highlights of the Provincial Results, Literacy, 2017–2018*, (2018) at 4, online (pdf): Ontario, *Education and Accountability Office* [eqao.com/provincial-report-highlights-literacy-2018-pdf/\[EQAO, Literacy Highlights 2017-2018\]](http://eqao.com/provincial-report-highlights-literacy-2018-pdf/[EQAO, Literacy Highlights 2017-2018]).

³⁴⁷ Of the 18 384 students (18%) who had not met the reading standard in Grade 3 but had achieved it in Grade 6, 70% (12 847) were successful on the OSSLT. Of the 4,032 students (4%) who had met the reading standard in Grade 3 but not in Grade 6, 57% (2,294) were successful on the OSSLT. See: EQAO, *Literacy Highlights 2017-2018*, *supra* note 346 at 3.

³⁴⁸ *2018-2019 Annual Report* (2019) at 23, online (pdf): Ontario, *Education and Accountability Office* [eqao.com/annual-report-2018-2019-pdf/\[EQAO, 2018-2019 Annual Report\]](http://eqao.com/annual-report-2018-2019-pdf/[EQAO, 2018-2019 Annual Report]).

³⁴⁹ EQAO, *Elementary School Report*, *supra* note 319 at 2.

³⁵⁰ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 16.

³⁵¹ “Submission to the Ontario Human Rights Commission’s Right to Ready Inquiry” (March 2020) at 5, online (pdf): International Dyslexia Association Ontario idaontario.com/wp-content/uploads/2020/04/IDA-Ontario-Submission-to-the-OHRC-Right-to-Read-Inquiry-March-2020.pdf [IDA, “Submission to OHRC Right to Read Inquiry”].

³⁵² IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 3.

³⁵³ To receive an exemption, a student must have an IEP or be in alternate programming that does not access the grade-level curriculum. If a student has a different situation (for example illness or a personal situation), the students may not attend the test and will be recorded as absent, but not exempt.

³⁵⁴ According to the EQAO Administration and Accommodation Guide which was provided to the OHRC by a school board.

³⁵⁵ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59.

³⁵⁶ Kevin S McCrew et al, “An Investigation of the Exclusion of Students with Disabilities in National Data Collection Programs, Educational Evaluation and Policy Analysis” (1993) 15:3 Educational Evaluation and Policy Analysis 339, DOI: <https://doi.org/10.3102/0162373701500339>; July L Elliott et al, “What About Assessment and Accountability? Practical Implications for Educators” (1998) 31:1 Teaching Exceptional Children 20, DOI: <https://doi.org/10.1177/004005999803100103>; see also: Matthew J Scheulka, “Excluding students with disabilities from the culture of achievement: the case of the TIMSS, PIRLS, and PISA” (2012) 28:2 Journal of Education Policy 216, DOI: <https://doi.org/10.1080/02680939.2012.708789>.

³⁵⁷ In the 2019–20 school year, 348,000 students had an IEP; Auditor General, *2020 Value for Money Audit: Curriculum*, *supra* note 328 at 8.

³⁵⁸ Rounded to the nearest whole per cent. If the decimal portion was less than 0.5, we rounded down; if it was greater than 0.5, we rounded up. If the decimal portion was exactly 0.5, we rounded up if the place value to the left of the decimal was an odd number and down if it was an even number.

³⁵⁹ Includes participating and non-participating students.

³⁶⁰ Includes participating and non-participating students.

³⁶¹ Includes participating and non-participating students.

³⁶² Total number of students in grades 3 and 6 at the following school boards with SEN or LD designation:

	Grade 3 students with special education needs	Grade 3 students with LDs	Grade 6 students with special education needs	Grade 6 students with LDs
Hamilton-Wentworth	633	8	839	88
Keewatin-Patricia	45	0	71	3
Lakehead	233	2	159	16
London Catholic	186	12	246	52
Ottawa-Carleton	953	33	1140	103
Peel	1297	102	1944	391
Simcoe Muskoka Catholic	274	5	333	38
Thames Valley	676	19	1114	286

³⁶³ As very few students have been identified with an LD exceptionality by Grade 3, the Grade 3 exemption numbers are not significant.

³⁶⁴ Percentages are rounded to the nearest whole percent. If the decimal portion was less than 0.5, we rounded down; if it was greater than 0.5, we rounded up. If the decimal portion was exactly 0.5, we rounded up if the place value to the left of the decimal was an odd number and down if it was an even number.

³⁶⁵ N/D: “No data available” indicates there were no students in that group.

³⁶⁶ The Ministry of Education states that it is a reasonable hypothesis that a significant portion of students receiving special education programs and services, but not identified by an IPRC, have learning disabilities (144,987 or 7.1% of total enrollment); from Ontario Ministry of Education, *Special Education Update*, *supra* note 44 at 5. In Ottawa-Carleton’s recent census (2019-2020), learning disability was the disability most commonly reported by either students or parents/guardians. Among students who self-identified as having a disability, 51.4% reported having a learning disability and 48.9% of parents/guardians who reported having a disability said they had a learning disability; see “Valuing Voices – Identity Matters!” (2020), online (pdf): Ottawa-Carleton District School Board ocdsb.ca/UserFiles/Servers/Server_55394/File/Our%20Schools/Equity,%20Diversity%20and%20Inclusion/Valuing%20Voices/Valuing%20Voices%20IDB%20Infographic.pdf [Ottawa-Carleton, “Valuing Voices”]. In Peel’s 2018 census, learning disability was the highest reported disability; see “STUDENT CENSUS 2018: Special Report Students with Special Education Needs” (2020), online (pdf): Peel District School Board FINALStudent-Census-2018-StudentsWithSpecialEducationNeeds_July14.pdf (peelschools.org, at 5).

³⁶⁷ Ontario has taken part in PIRLS since 2001, so it is possible to track Ontario’s progress over time.

³⁶⁸ For more detail on how PIRLS is administered and what it assesses, see Pierre Brochu et al, *PIRLS 2016: Canada in Context*, *supra* note 327.

³⁶⁹ See *ibid* at 1.

³⁷⁰ Pierre Brochu et al, *PIRLS 2016: Canada in Context*, *supra* note 327.

³⁷¹ Matthew Schuelka, “Excluding students with disabilities from the culture of achievement: the case of TIMSS, PIRLS, and PISA” (2013) 28:2 J of Edu Policy 216, DOI: <https://doi.org/10.1080/02680939.2012.708789>.

³⁷² According to PIRLS, Ontario’s score of 544 differs significantly only from B.C.’s, but not from the Canadian average or Quebec and Alberta. For the latter three, confidence intervals overlap, so it is not statistically significant.

³⁷³ Pierre Brochu et al, *PIRLS 2016: Canada in Context*, *supra* note 327 at 37.

³⁷⁴ *Ibid* at 5.

³⁷⁵ Defined as “students who were considered, in the professional opinion of the school principal or by other qualified staff, to have intellectual disabilities and/or who had been psychologically tested as such. The category included students who were emotionally or mentally unable to follow even the general instructions of the test.” Students were not supposed to be excluded solely because of poor academic performance or normal disciplinary problems. Systematic exclusion of all students with dyslexia, or other such learning disabilities, was not acceptable (students had to be accommodated in the test situation, if possible, rather than excluded); *ibid* at 81.

³⁷⁶ Jake Anders et al, “Is Canada really an education superpower? The impact of non-participation on results from PISA 2015” (2021) 33 Educ Asse Eval Acc 229, DOI: <https://doi.org/10.1007/s11092-020-09329-5>

³⁷⁷ Kathryn O’Grady et al, *Measuring up: Canadian Results of the OECD PISA 2018 Study* (2019) at 26–27, online (pdf): *Council of Ministers of Education, Canada* cmecc.ca/Publications/Lists/Publications/Attachments/396/PISA2018_PublicReport_EN.pdf [O’Grady et al, *Canadian Results – PISA 2018*].

³⁷⁸ *Ibid* at 19.

³⁷⁹ *Ibid* at 31–32. Ontario’s overall score has declined from 531 in 2009 to 524 in 2018.

³⁸⁰ *Ibid* at 104.

³⁸¹ *Ibid* at 59.

³⁸² *Ibid* at 12.

³⁸³ *Ibid* at 34—35. In PISA, socioeconomic status is measured using the index of economic, social and cultural status (ESCS), which is derived from three indices: the highest occupational status of students’ parents; the highest educational level attained by students’ parents; and a number of home possessions that can be used as proxies for material wealth, including the number of books and other educational resources available in the home; see: Organisation for Economic Cooperation and Development, *PISA 2018 Results (Volume II): Where all students can succeed*, (Paris: OECD publishing, 2019), DOI: <https://doi.org/10.1787/19963777> [OECD, *PISA 2018 Volume II*]. The top 25% of the index were defined as socioeconomically advantaged students, whereas the bottom 25% were defined as socioeconomically disadvantaged students; see: Organisation for Economic Cooperation and Development, *PISA 2015 Results (Volume III): Students’ well-being*, (Paris: OECD Publishing, 2017), DOI: <https://doi.org/10.1787/19963777> [OECD, *PISA 2015 Volume III*].

³⁸⁴ Organisation for Economic Cooperation and Development / F Avvisati et al, *Programme for International Student Assessment (PISA) Results from PISA 2018: Canada*, (2019) OECD Country Note, online (pdf): *Organisation for Economic Cooperation and Development* oecd.org/pisa/publications/PISA2018_CN_CAN.pdf [OECD, *PISA 2018: Canada Country Note*].

³⁸⁵ O’Grady et al, *Canadian Results – PISA 2018*, *supra* note 377 at 32.

³⁸⁶ “The Essential Adult Skills Initiative” (last visited 24 January 2022), online: *Higher Education Quality Council of Ontario* heqco.ca/en-ca/OurPriorities/LearningOutcomes/Pages/the-essential-adult-skills-initiative.aspx.

³⁸⁷ Algonquin College, Centennial College, Conestoga College, Fanshawe College, Fleming College, George Brown College, Humber College, Sault College, Seneca College, Sheridan College, St. Lawrence College, Algoma University, Brescia University College at Western University, Brock University, McMaster University, Nipissing University, Queen’s University, University of Guelph, York University, Quest University Canada.

³⁸⁸ Harvey P Weingarten et al, *Measuring Essential Skills of Postsecondary Students: Final Report of the Essential Adult Skills Initiative* (Toronto: The Higher Education Council of Ontario, 2018) at 45 & 50.

³⁸⁹ “Director’s response to the Enhancing Equity Task Force Report” (31 January 2018) at 10, online: *Toronto District School Board* tdsb.on.ca/Portals/0/docs/Response%20to%20Report_Jan2018_v5.pdf [TDSB, “Director’s response to the Enhancing Equity Task Force Report”]; Carl James & Tana Turner, *Towards Race Equity in Education: The Schooling of Black Students in the Greater Toronto Area* (Toronto: York University, 2017) at 41, online (pdf): *York University* edu.yorku.ca/files/2017/04/Towards-Race-Equity-in-Education-April-2017.pdf [James & Turner: *Towards Race Equity in Education*].

³⁹⁰ See Daniel Hamlin & David Cameron, *Applied or Academic: High Impact Decisions for Ontario Students* (Toronto: People for Education, 13 April 2015) at 3, online (pdf): *People for Education* peopleforeducation.ca/wp-content/uploads/2017/07/Applied-or-Academic-Report-2015.pdf [Hamlin & Cameron, *Applied or Academic*]; Sharma Queiser & Sabrina De Araujo, *Still Streamed: How High Impact Decisions are Shaping Students’ Futures* (Toronto: Social Planning Toronto, September 2017) at 2, online (pdf): *Social Planning Toronto* d3n8a8pro7vhmx.cloudfront.net/socialplanningtoronto/pages/1728/attachments/original/1541612433/Streaming_Report-September-v1.1-web.pdf?1541612433 [Queiser & De Araujo, *Still Streamed*].

³⁹¹ Hamlin & Cameron, *Applied or Academic*, *supra* note 390 at 5.

³⁹² For reports on the inequitable impact of streaming on marginalized students see: Queiser & De Araujo, *Still Streamed*, *supra* note 390 at 2; Hamlin & Cameron, *Applied or Academic*, *supra* note 390 at 5; James & Turner: *Towards Race Equity in Education*, *supra* note 389 at 41.

³⁹³ Chadha et al, *supra* note 283.

³⁹⁴ *Ibid* at 11–13.

³⁹⁵ *Ibid* at 6.

³⁹⁶ *Ibid*.

³⁹⁷ David Clandfield et al, “Restacking the Deck: Streaming by class, race and gender in Ontario schools” (Winter 2014) 23: 114 Our Schools/Our Selves (Special Issue) at 221, online (pdf): <http://easywebdesignsolutions.com/georgemartell/email43/docs/OS%23114Restacking%20the%20Deck%20online.pdf> [Clandfield et al, “Restacking the Deck”]; see also Queiser & De Araujo, *Still Streamed*, *supra* note 390.

³⁹⁸ TDSB, “Director’s response to the Enhancing Equity Task Force Report,” *supra* note 389 at 10; Clandfield et al, “Restacking the Deck,” *supra* note 397 at 9; Hamlin & Cameron, *Applied or Academic*, *supra* note 390 at 5.

³⁹⁹ The Boards were asked: What percentage of Grade 9 students who have an LD exceptionality are taking mostly applied versus academic courses? Ontario boards do not have a consistent way of tracking academic pathways, as such boards may have used different methodologies when compiling this data. The review of the Peel District School Board also assessed whether the majority of the courses taken were academic, applied, or locally developed; Chadha et al, *supra* note 283 at 6.

⁴⁰⁰ See also Clandfield et al, “Restacking the Deck,” *supra* note 397 at 80.

⁴⁰¹ “English-track students less privileged than immersion peers, report finds,” *CBC News* (1 November 2019), online: *CBC News* cbc.ca/news/canada/ottawa/social-streaming-in-ottawa-french-and-english-schools-1.5342800 [CBC News, “English-track students less privileged than immersion peers”].

⁴⁰² Jacquie Miller, “Data reveal issues with newcomers, low-income kids in Ottawa streaming into English, not French Immersion” *CBC News* (30 October 2019), online: *CBC News* cbc.ca/news/canada/ottawa/social-streaming-in-ottawa-french-and-english-schools-1.5342800 [Miller, “Data reveal issues”].

⁴⁰³ Ontario, Office of the Premier, New Release, “News Room: Ontario Taking Bold Action to Address Racism and Inequity in Schools” (9 July 2020), online: *Government of Ontario* news.ontario.ca/en/release/57543/ontario-taking-bold-action-to-address-racism-and-inequity-in-schools-1.

⁴⁰⁴ People for Education, *Choosing Courses for High School: Achievement gaps, informed decision-making, and inequality* (2014), online (pdf): *People for Education* peopleforeducation.ca/wp-content/uploads/2020/07/People-for-Education-report-on-streaming-in-Ontario-schools.pdf.

⁴⁰⁵ Nicholas Dion & Vicky Maldonado, “Making the Grade? Troubling Trends in Postsecondary Student Literacy” (31 October 2013) Higher Education Quality Council of Ontario Issue Paper No. 16 at 11, online (pdf): *Higher Education Quality Council of Ontario* heqco.ca/SiteCollectionDocuments/HEQCO%20Literacy%20ENG.pdf [Dion & Maldonado, “Making the Grade”].

⁴⁰⁶ “Access to Postsecondary Education” (last visited 24 January 2022), online (pdf): *Higher Education Quality Council of Ontario* heqco.ca/en-ca/OurPriorities/Access/Pages/home.aspx [Higher Education Quality Council of Ontario, “Access to Postsecondary Education”]; see also Clandfield et al, “Restacking the Deck,” *supra* note 397 at 11–12.

⁴⁰⁷ *Ibid*; see also Clandfield et al, “Restacking the Deck,” *supra* note 397 at 11–12. The HEQCO refers to post-secondary education as enrollment at a college or university and does not include taking part in an apprenticeship for a skilled trade.

⁴⁰⁸ Robert Sweet et al, *Special Needs Students and Transitions to Postsecondary Education* (Toronto: Higher Education Quality Council of Ontario, 2012) at 2, online (pdf): *Higher Education Quality Council of Ontario* heqco.ca/SiteCollectionDocuments/Special%20Needs%20ENG.pdf [Sweet et al: *Special Needs Students and Transitions to Postsecondary Education*].

⁴⁰⁹ *Ibid*.

⁴¹⁰ For discussion see Dion & Maldonado, “Making the Grade,” *supra* note 405 at 15–16.

⁴¹¹ Tamara Knighton & Patrick Bussière, “Educational Outcomes at Age 19 Associated with Reading Ability at Age 15” (2006) Statistics Canada Research Paper No. 81-595-MIE2006043-043 at 14, online (pdf): *Statistics Canada* www150.statcan.gc.ca/n1/en/pub/81-595-m/81-595-m2006043-eng.pdf?st=24sqbQ1N.

⁴¹² Dion & Maldonado, “Making the Grade,” *supra* note 405 at 16.

⁴¹³ Robert S Brown et al, “Redefining Risk: Human Rights and Elementary School Factors Predicting Post-Secondary Access” (2020) 28:21 Education Policy Analysis Archives, online: *Education Policy Analysis Archives* epaa.asu.edu/ojs/article/view/4200/2382; Ross Finnie & Richard E Mueller, “The Effects of Family Income, Parental Education and Other Factors on Access to Post-Secondary Education in Canada: Evidence from the YITS” (July 2008) MESA Project Research Paper, online (pdf): *York University* yorku.ca/pathways/literature/Access/MESA_Finnie_Mueller.pdf; Richard E Mueller, “Access and Persistence of Students from Low-Income Backgrounds in Canadian Post-Secondary Education: A Review of the Literature” (May 2008) MESA Project Research Paper, online (pdf): *University of Lethbridge*

http://scholar.ulethbridge.ca/sites/default/files/mueller/files/mesa.may_.2008.pdf?m=1458144695; R S Brown & G Tam, “Grade 9 cohort post-secondary pathways, 2011–2016” Fact Sheet 3 (Toronto: Toronto District School Board, November 2017), online (pdf): *Toronto District School Board* tdsb.on.ca/Portals/research/docs/reports/FS3%20Grade%209%20Cohort%20Post-Sec%20Pathways%202011-16%20FINAL.pdf; L Musu-Gillette et al, *Status and trends in the education of racial and ethnic groups 2017* (NCES 2017-051) (Washington DC: U.S. Department of Education NCES, 2017), online (pdf): *National Center for Education Statistics* nces.ed.gov/pubs2017/2017051.pdf; Alan Ginsburg et al, *Absences add up: How school attendance influences student success* (August 2014), online (pdf): *Attendance Works* attendanceworks.org/wp-content/uploads/2017/05/Absenses-Add-Up_September-3rd-2014.pdf; Michael A Gottfried, “Evaluating the relationship between student attendance and achievement in urban elementary and middle schools: An instrumental variables approach” (2010) 47:2 American Edu Research J 434, DOI: <https://doi.org/10.3102/0002831209350494>; Christopher A Kearney, “School absenteeism and school refusal behavior in youth: A contemporary review” (2008) 28 Clin Psychol Rev 451, DOI: <https://doi.org/10.1016/j.cpr.2007.07.012>; Joyce L Epstein & Steven B Sheldon, “Present and accounted for: Improving student attendance through family and community involvement” (2002) 95:5 J of Edu Research 308, DOI: <https://doi.org/10.1080/00220670209596604>; *Beyond Suspensions: Examining School Discipline Policies and Connections to the School-to-Prison Pipeline for Students of Color with Disabilities* (July 2019) Briefing Before the U.S. Commission on Civil Rights, online (pdf): *US Commission on Civil Rights* usccr.gov/pubs/2019/07-23-Beyond-Suspensions.pdf.

⁴¹⁴ Sally Shaywitz & Jonathan Shaywitz, *Overcoming Dyslexia*, 2nd ed (New York: Vintage Books, 2020) at 86 [Shaywitz & Shaywitz, *Overcoming Dyslexia*]; see also: *Developmental Perspective on Testing for Dyslexia: Field Hearing of the Committee on Health, Education, Labor, and Pensions* (13 October 2015) United States Senate Hearing 114-692, online: GovInfo govinfo.gov/content/pkg/CHRG-114shrg97273/html/CHRG-114shrg97273.htm.

⁴¹⁵ Students who are learning English at the same time as they are learning the curriculum and developing a full range of literacy skills. See Ontario Ministry of Education, *English Language Learners*

ESL and ELD Programs and Services: Policies and Procedures for Ontario Elementary and Secondary Schools, Kindergarten to Grade 12 (2007) at 7, online (pdf): *Ontario Ministry of Education* edu.gov.on.ca/eng/document/esleldprograms/esleldprograms.pdf [Ontario Ministry of Education, *English Language Learners ESL and ELD Programs and Services*].

⁴¹⁶ For example, children from low-income households often start school already behind their peers: H Ferguson et al, “The Impact of Poverty on Educational Outcomes for Children” (2007) 12:8 *Paediatrics & Child Health* 701, DOI: <https://doi.org/10.1093/pch/12.8.701>.

⁴¹⁷ Percentages are rounded to the nearest whole per cent. If the decimal portion was less than 0.5, we rounded down; if it was greater than 0.5, we rounded up. If the decimal portion was exactly 0.5, we rounded up if the place value to the left of the decimal was an odd number and down if it was an even number. Because gender categories that were not “boy/man” or “girl/woman” fell below 0.5%, we kept the value left of the decimal. Also, when comparing our inquiry data to Statistics Canada demographic information, we mirrored the number of decimal points provided by Statistics Canada for ease of comparison. Percentages, which are calculated on rounded data, may not necessarily add up to 100%.

⁴¹⁸ This category included self-report of a reading disability.

⁴¹⁹ Respondents reported co-existing disabilities such as ADHD, dysgraphia, dyscalculia, ASD, intellectual disabilities, blindness, low vision, deaf, hard of hearing, language disabilities, developmental disabilities, physical disabilities and mental health disabilities.

⁴²⁰ Countries reported were Australia, Bermuda, Brazil, China, England, Ethiopia, Germany, Haiti, Honduras, Ireland, Peru, Philippines, Poland, Portugal, Romania, Russia, South Africa, South Korea, Taiwan, United Arab Emirates, United Kingdom and the United States.

⁴²¹ Other languages were: Arabic, ASL, Creole, Croatian, Farsi, German, Greek, Haka, Italian, Lebanese, Mandarin, Ojibway, Patois, Polish, Portuguese, Punjabi, Romanian, Russian, Spanish, Swedish, Tagalog, Telugu.

⁴²² Respondents could choose all that apply. The race-based categories were modelled based on *Data Standards for the Identification and Monitoring of Systemic Racism*, OIC 897/2018, online: *Government of Ontario* ontario.ca/page/anti-racism-data-standards-order-council-8972018.

⁴²³ Many respondents who self-identified as “other” also self-identified as “mixed race.” Respondents answered: “Eastern Europe,” “White and Latina,” “Mixed race: Caucasian and Indian,” “Mixed race: White and North African,” “Why is this important to this survey,” “Mixed white and Indian,” “Canadian,” “Mixed: Japanese Canadian/Caucasian,” “Mixed Latino and Asian,” “French Canadian,” “Mix Background: Latino and White,” “Jewish,” “Mixed: White/East Asian,” “Jewish, Irish and Cree descent,” “Mixed ethnicity,” “Mixed”, “Biracial: White and South Asian,” “Macedonian,” “Canadian/Central America,” “Mixed: Black/White,” “Lebanese/White European,” “White/Middle Eastern,” “West Indian/Mexican.”

⁴²⁴ The total exceeds 100% because respondents could select more than one race category. When comparing the inquiry data to Statistics Canada demographic information, we mirrored the number of decimal points provided by Statistics Canada for ease of comparison.

⁴²⁵ *Ontario [Province] and Ontario [Province] (table), Census Profile*. 2016 Census, Statistics Canada Catalogue no. 98-316-X2016001 (Ottawa: Statistics Canada, 29 November 2017), online: *Statistics Canada* www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=PR&Code1=35&Geo2=PR&Code2=35&SearchText=Toronto&SearchType=Begins&SearchPR=01&B1=Visible%20minority&TABID=1&type=1 [Statistics Canada, *Census Profile 2016*].

⁴²⁶ Statistics Canada has separate categories for Arab and West Asian while the ATRD combines these categories into Middle Eastern – the breakdown according to Statistics Canada would be: West Asian: 1.2% and Arab 1.6%.

⁴²⁷ Combining Statistics Canada figures for Chinese (5.7%), Korean (0.7%), Japanese (0.2%)

⁴²⁸ Combining Statistics Canada figures for Filipino (2.4%) and Southeast Asian.

⁴²⁹ Statistics Canada reports that there are 3,860 Inuit in Ontario but rounds down percentages and therefore reports the percentage as 0%.

⁴³⁰ Many respondents who self-identified as “other” also self-identified as “mixed race.” Respondents answered: “Bi-racial (Black and Caucasian),” “White with First Nations in family,” “White Jewish,” “Canadian,” “Mixed (Japanese Canadian and Caucasian),” “Jewish/White European,” “Franco Ontarienne,” “Mixed ethnicity,” “Mixed (Japanese Canadian and British),” “Macedonian,” “Mixed southeast Asian and European,” “West Indian/Mexican.”

⁴³¹ Statistics Canada, “Table 11-10-0190-01 Market income, government transfers, total income, income tax and after-tax income by economic family type” (Ottawa: Statistics Canada, 23 March 2021), DOI: <https://doi.org/10.25318/1110019001-eng>.

⁴³² Statistics Canada, *Ontario [Province] and Ontario [Province] (table), Census Profile, 2016 Census*, Catalogue No 98-316-X2016001 (Ottawa: Statistics Canada, 29 November 2017), online: *Statistics Canada* www12.statcan.gc.ca/census-recensement/2016/dp-pd/prof/details/page.cfm?Lang=E&Geo1=PR&Code1=35&Geo2=PR&Code2=35&SearchText=Toronto&SearchType=Begins&SearchPR=01&B1=Education&TABID=1&type=1.

⁴³³ Ontario statistics are derived from the Statistics Canada category: “no certificate, diploma or degree,” see Statistics Canada, *Census Profile 2016*, *supra* note 425.

⁴³⁴ Respondents who answered others provided various notes in the textbox; sometimes they listed multiple degrees or a specific Bachelor or Master’s degree. Others explained that they were currently enrolled in a post-secondary institution, or they had started but not completed a degree or diploma.

⁴³⁵ Myoungock Jang & Allison Vorderstresse, “Socioeconomic Status and Racial or Ethnic Differences in Participation: Web-Based Survey” (2019) 8:4 JMIR Res Protoc DOI: <https://doi.org/10.2196/11865>; David R Williams & Michelle Sternthal, “Understanding Racial/ethnic Disparities in Health: Sociological Contributions” (2010) 51:1 J Health Soc Behav s15 at 15–16, DOI: <https://doi.org/10.1177/0022146510383838>;

Helen Sheldon et al., “Increasing Response Rates Amongst Black and Minority Ethnic and Seldom Heard Groups” (Oxford: Picker Institute Europe, 2007), online (pdf): *Research Gate* researchgate.net/publication/255650786_Increasing_response_rates_amongst_black_and_minority_ethnic_and_seldom_heard_groups.

⁴³⁶ *Under Suspicion: Research and consultation report on racial profiling in Ontario* (2017), online: *Ontario Human Rights Commission* ohrc.on.ca/en/under-suspicion-research-and-consultation-report-racial-profiling-ontario; Rates of poverty are much higher for people with disabilities (23.5%), First Nations, Inuit and Métis peoples (23.7%), Black persons (24.1%), female-led families (29.8%), immigrants arriving between 2011 and 2016 (35.6%), and Arab persons (40.6%); see: Catherine Wall (Statistics Canada), *Low income among persons with a disability in Canada*, Catalogue No 75-006-X (Ottawa: Statistics Canada, 11 August 2017), online (pdf): *Statistics Canada* www150.statcan.gc.ca/n1/en/pub/75-006-x/2017001/article/54854-eng.pdf?st=0-FzFFz0; *Statistics Canada, Data Tables, 2016 Census*, Catalogue Nos 98-400-X2016124, 98-400-X2016173, 98-400-X2016211, 98-400-X2016206 (Ottawa: Statistics Canada, 2018), online: *Statistics Canada* statcan.gc.ca/en/start; René Houle (Statistics Canada), *Changes in the socioeconomic situation of Canada’s Black population, 2001 to 2016*, Catalogue No 89-657-X2020001 (Ottawa: Statistics Canada, 2020), online: *Statistics Canada* www150.statcan.gc.ca/n1/pub/89-657-x/89-657-x2020001-eng.htm; Martin Turcotte (Statistics Canada), *Results from the 2016 Census: Education and labour market integration of Black youth in Canada*, Catalogue No 75-006-X (Ottawa: Statistics Canada, 2020), online: *Statistics Canada* www150.statcan.gc.ca/n1/pub/75-006-x/2020001/article/00002-eng.htm.

⁴³⁷ Web-based surveys are not always an effective way to hear from certain communities. We did not hear from segments of the population. People with low literacy and people who may have difficulty accessing the Internet, such as people with low incomes, people in jail or prison and homeless youth, are not as well represented among the respondents. The survey was only available in English and French, which affected the number of respondents who are newcomers to Canada and/or speak languages other than English or French.

⁴³⁸ Neil Alexander-Passe, “How dyslexic teenagers cope: an investigation of self-esteem, coping and depression” (2006) 12:4 Dyslexia 256 at 256, DOI: <https://doi.org/10.1002/dys.318> [Alexander-Passe, “How dyslexic teenagers cope”].

⁴³⁹ Heikki Lytyinen et al, “Early identification and prevention of dyslexia: results from a prospective follow-up study of children at familial risk for dyslexia” in Gavin Reid et al, eds, *The Sage Handbook of Dyslexia* (London: SAGE, 2008) at 124, DOI: <https://doi.org/10.4135/9780857020987.n6>.

⁴⁴⁰ Alexander-Passe, “How dyslexic teenagers cope,” *supra* note 438.

⁴⁴¹ *Ibid.* [Alexander-Passe, “How dyslexic teenagers cope,” *supra* note 438]

⁴⁴² Neil Alexander-Passe, *The successful dyslexic: identify the keys to unlock your potential* (Netherlands: SensePublishers, 2017) at xvii, 14.

⁴⁴³ Gavin Reid & Iva Strnadova, “Dyslexia and learning styles: Overcoming the barriers to learning” in Gavin Reid et al., eds, *The Sage Handbook of Dyslexia* (London: SAGE, 2008) at 372.

⁴⁴⁴ Integra, “A Handbook on Learning Disabilities,” *supra* note 94 at 23.

⁴⁴⁵ Chromebooks are often provided to students as an accommodation.

⁴⁴⁶ See for more information about different types of anxiety disorders: “What are Anxiety Disorders?” (June 2021), online: American Psychiatric Association psychiatry.org/patients-families/anxiety-disorders/what-are-anxiety-disorders.

⁴⁴⁷ Mark Boyes et al, “Why Are Reading Difficulties Associated with Mental Health Problems?” (2016) 22:3 Dyslexia 263, DOI: <https://doi.org/10.1002/dys.1531>.

⁴⁴⁸ Mental health concerns like anxiety and depression are leading drivers of the increase in suicidal ideation, emergency room visits and hospitalization, and are a component of increasing health-care costs. Data from the Institute of Clinical Evaluative Science shows that emergency room visits and hospitalization for children and youth have dramatically increased from 2006 to 2014. Children in the 14 to 17 age group had the highest rate of hospitalizations, and anxiety disorders were the most common diagnoses for mental health and addiction-related emergency department visits; MHASEF Research Team, *The Mental Health of Children and Youth in Ontario: 2017 Scorecard* (Toronto: IC/ES, 2017) at 7, online: [IC/ES ices.on.ca/Publications/Atlases-and-Reports/2017/MHASEF](https://ices.on.ca/Publications/Atlases-and-Reports/2017/MHASEF).

⁴⁴⁹ Gillian Parekh et al, “Learning Skills, System Equity, and Implicit Bias Within Ontario, Canada” (2018) 35:2 Educational Policy, DOI: <https://doi.org/10.1177/0895904818813303>.

⁴⁵⁰ This is when using the discrepancy model of assessment: looking at the student’s observed cognitive abilities and their expected achievement, as measured by standardized psychological assessments. See: Esther Geva et al, “Assessing Reading in Second Language Learners: Development, Validity, and Educational Considerations” in Kilpatrick et al, eds, *Reading Development and Difficulties: Bridging the Gap Between Research and Practice* (Cham, Switzerland: Springer, 2019) at 34, DOI:

https://doi.org/10.1007/978-3-030-26550-2_6: “IQ tests often disadvantage ELL learners, both culturally and linguistically, and it may therefore be more difficult to establish reliable and valid IQ scores, and therefore to establish a discrepancy between IQ and achievement. In other words, the IQ-achievement discrepancy framework may be especially biased against L2 learners.” See also Else V Hamayan et al, “Reasons for the Misidentification of Special Needs among ELLs” (2007), online: *LD Online* ldonline.org/article/40715/; Connecticut Administrators of Programs for English Language Learners, *English Language Learners and Special Education: A Resource Handbook* (2011), online (pdf): [Connecticut's Official State Website https://portal.ct.gov/-/media/SDE/English-Learners/CAPELL_SPED_resource_guide.pdf](https://portal.ct.gov/-/media/SDE/English-Learners/CAPELL_SPED_resource_guide.pdf)

⁴⁵¹ Christie Fraser et al, “Recognizing English Language Learners with Reading Disabilities: Minimizing Bias, Accurate Identification, and Timely Intervention,” online: *Perspectives on Language* mydigitalpublication.com/publication/?i=229791&article_id=1840771&view=articleBrowser [Fraser et al, “Recognizing English Language Learners with Reading Disabilities”], citing to: M M Limbos & E Geva, “Accuracy of teacher assessments of second-language students at risk for reading disability” (2001) 34:2 *J Learn Disabil* 136, DOI: <https://doi.org/10.1177/002221940103400204>. [Limbos & Geva, “Accuracy of teacher assessments”].

⁴⁵² Jim Cummins, *Bilingualism and special education: Issues in assessment and pedagogy* (Clevedon, England: Multilingual Matters, 1984). See also: Vicki Adelson et al, *Identification, Assessment, and Instruction of English Language Learners with Learning Difficulties in the Elementary and Intermediate Grades: A Guide for educators in Ontario school boards* (March 2014) (Toronto: University of Toronto, Ontario Institute for Studies in Education, 2014), online: *State Education Resource Centre* ctserc.org/documents/resources/ELLs-with-special-needs.pdf [Adelson et al, *Identification, Assessment and Instruction.*] And see Fraser et al, *supra* note 451.

⁴⁵³ Limbos & Geva, “Accuracy of teacher assessments,” *supra* note 451, citing to Limbos & Geva, “Accuracy of teacher assessments,” *supra* note 451; E Geva, “Issues in the assessment of reading disabilities in L2 children – beliefs and research evidence” (2000) 6:1 Dyslexia 13, DOI: [https://doi.org/10.1002/\(SICI\)1099-0909\(200001/03\)6:1<13::AID-DYS155>3.0.CO;2-6](https://doi.org/10.1002/(SICI)1099-0909(200001/03)6:1<13::AID-DYS155>3.0.CO;2-6) [Geva, “Issues in the assessment of reading disabilities in L2 children.”]

⁴⁵⁴ Fraser et al, “Recognizing English Language Learners with Reading Disabilities,” *supra* note 457, citing to: Szu-Yin Chu & Sobeida Flores, “Assessment of English Language Learners with Learning Disabilities” (2011) 84:6 *Clearing House: A Journal of Educational Strategies, Issues and Ideas* 244, DOI:

<https://doi.org/10.1080/00098655.2011.590550>: “Both groups may demonstrate poor listening or reading comprehension, difficulty following directions, errors in grammar and syntax, difficulty in task completion, poor self-esteem, poor oral skills and low motivation.”

⁴⁵⁵ E Geva & J Wiener, *Psychological assessment of culturally and linguistically diverse children – a practitioner’s guide*, (New York: Springer, 2015) [Geva & Wiener, *Psychological assessment of culturally and linguistically diverse children*.]

⁴⁵⁶ Geva, “Issues in the assessment of reading disabilities in L2 children,” *supra* note 453.

⁴⁵⁷ Geva & Wiener, *Psychological assessment of culturally and linguistically diverse children*, *supra* note 455.

⁴⁵⁸ E Geva E & L Wade-Woolley, “Issues in the assessment of reading disability in second language children” in I Smythe et al, eds, *International book of dyslexia: a cross-language comparison and practice guide* (Chichester, UK: John Wiley, 2004) [Geva & Wade-Woolley, “Issues in the assessment of reading disability in second language children.”]

⁴⁵⁹ The Ontario Branch of the International Dyslexia Association (ONBIDA) obtained and analyzed provincial EQAO data and submitted their analysis to the OHRC.

⁴⁶⁰ The Ontario Branch of the International Dyslexia Association (ONBIDA) obtained and analyzed provincial EQAO data and submitted their analysis to the OHRC.

⁴⁶¹ Adelson et al, “Identification, Assessment, and Instruction,” *supra* note 452; Louisa Moats, *Whole-Language High Jinks* (Thomas B Fordham Institute, 2007), online (pdf): *ERIC Institute of Education Sciences files.eric.ed.gov/fulltext/ED498005.pdf* [Moats, *Whole-Language High Jinks*]; Amedeo D’Angiulli et al, “Literacy Instruction, SES, and Word-Reading Achievement in English-Language Learners and Children with English as a First Language: A Longitudinal Study” (2004) 19:4 Learn Disabil Research and Practice 202, DOI: <https://doi.org/10.1111/j.1540-5826.2004.00106.x>.

⁴⁶² Kent McIntosh et al, “Response to Intervention in Canada: Definitions, the Evidence Base, and Future Directions” (2011) 26:1 Canadian J of School Psychol 18, DOI:

<https://doi.org/10.1177/0829573511400857> [McIntosh].

⁴⁶³ The Learning Partnership, “A Report on Engaging Boys for Success – Academic Success for Afghan Boys in the Thorncliffe Park Community: A Shared Responsibility” (2012) [The Learning Partnership, “A Report on Engaging Boys for Success”].

⁴⁶⁴ James & Turner: *Towards Race Equity in Education*, *supra* note 389; Clandfield et al, “Restacking the Deck,” *supra* note 397; “Streaming Students,” excerpt from People for Education, *2015 Annual Report on Ontario’s Publicly Funded Schools* (2015), (last visited 25 January 2022), online (pdf): *People for Education peopleforeducation.ca/wp-content/uploads/2017/10/streaming-students-2015.pdf* [People for Education, “Streaming Students”]; TDSB, “Director’s response to the Enhancing Equity Task Force Report,” *supra* note 389 at 10; Clandfield et al, “Restacking the Deck,” *supra* note 397 at 9.

⁴⁶⁵ While 9% of survey respondents mentioned some form of streaming, the rate was higher among respondents earning less than \$25,000 a year before taxes in 2018 and respondents whose highest level of education was a secondary school diploma.

⁴⁶⁶ Miller, “Data reveal issues,” *supra* note 402; CBC News, “English-track students less privileged than immersion peers,” *supra* note 401.

⁴⁶⁷ Brown & Parekh, *The Intersection of Disability, Achievement, and Equity*, *supra* note 324 at 31; J S De Valenzuela et al, “Examining Educational Equity: Revisiting the Disproportionate Representation of Minority Students in Special Education” (2006) 72:4 Exceptional Children 425; D Kim Reid & Michelle G Knight, “Disability Justifies Exclusion of Minority Students: A Critical History Grounded in Disability Studies” (2006) 35:6 Educational Researcher 18; Beth A Ferri & David J Connor, “Tools of Exclusion: Race, Disability, and (Re)segregated Education” (2005) 107:3 Teachers College Record 453.

⁴⁶⁸ Behaviour classes are special education placements outside of the regular class setting for students typically identified with a behaviour exceptionality as defined by the Ministry of Education. A behavioural exceptionality is defined as a “learning disorder characterized by specific behaviour problems over such a period of time, and to such a marked degree, and of such a nature, as to adversely affect educational performance and that may be accompanied by one or more of the following: a. an inability to build or to maintain interpersonal relationships; b. excessive fears or anxieties; c. a tendency to compulsive reaction; d. an inability to learn that cannot be traced to intellectual, sensory, or other health factors, or any combination thereof.” See *Special Education in Ontario Kindergarten to Grade 12: Policy and Resource Guide* (2017) at A14, online: *Ontario Ministry of Education edu.gov.on.ca/eng/document/policy/os/onschools_2017e.pdf*.

⁴⁶⁹ The HSP was introduced in the early 2000s for students in Grades 1–8. Beginning in 2017, the TDSB phased out primary placements and provided programming only to Grades 4–8. “Special Education and Section Programs, Appendix A” (last visited 26 January 2022), online: *Toronto District School Board tdsb.on.ca/Portals/0/Community/Community%20Advisory%20committees/SEAC/AppendixASuptDeptUpdate-HSPParentLetter-FINAL.docx*.

⁴⁷⁰ Gillian Parekh & Robert S. Brown, “Changing Lanes: The Relationship Between Special Education Placement and Students’ Academic Futures” (2019) 33:1 Educational Policy 111 at 126–128, DOI: <https://doi.org/10.1177/0895904818812772>.

⁴⁷¹ James & Turner: *Towards Race Equity in Education*, *supra* note 389 at 45, online (pdf).

⁴⁷² Failing to achieve reading proficiency by the end of Grade 1 is associated with an increased risk of drop-out. Partanen & Siegel, “Long-term outcome of the early identification and intervention of reading disabilities,” *supra* note 65; see also Trzesniewski et al, *supra* note 80.

⁴⁷³ Community Literacy of Ontario, “Literacy,” *supra* note 119; Heisz et al, *supra* note 121 at 1.

⁴⁷⁴ Parents relied on private insurance to pay the rest of the cost.

⁴⁷⁵ Parents relied on private insurance to pay the rest of the cost.

⁴⁷⁶ As opposed to free tutoring or programs offered at no cost through the school.

⁴⁷⁷ The connection between membership in a group identified under the *Code* and the likelihood of having a low income has been recognized by the Human Rights Tribunal of Ontario and also the courts in several decisions. Therefore, measures that disadvantage people with low incomes are likely to disproportionately disadvantage members of *Code*-identified groups.

⁴⁷⁸ “The fundraising advantage” (1 March 2018), online: *People for Education*

<https://peopleforeducation.ca/our-work/the-fundraising-advantage/>.

⁴⁷⁹ J Elliott & R Nicolson, *Dyslexia: Developing the debate* (London: Bloomsbury, 2016) cited in Delany, *supra* note 144 at 100.

⁴⁸⁰ The Learning Partnership, “A Report on Engaging Boys for Success,” *supra* note 463.

⁴⁸¹ Charter, s 23; *Conseil scolaire francophone de la Colombie-Britannique v British Columbia*, [2020 SCC 13](#) at para 26.

⁴⁸² *Doucet-Boudreau v Nova Scotia (Minister of Education)*, [2003 SCC 62](#) at paras 28–29.

⁴⁸³ Ontario, Ministry of Education, *Strengthening Our Learning Journey: Technical Appendix*, *supra* note 322 at 6; *A Solid Foundation: Second Progress Report on the Implementation of the Ontario First Nations, Metis, and Inuit Education Policy Framework* (2013) at 11, online (pdf): *Ontario Ministry of Education files.ontario.ca/edu-solid-foundation-second-progress-report-2013-first-nation-metis-inuit-education-policy-framework-en-2021-10-21.pdf* [Ontario Ministry of Education, *A Solid Foundation*].

⁴⁸⁴ First Nations children attending federally funded on reserve schools have rights under the *Canadian Human Rights Act*, RSC, 1985, c H-6 [*Canadian Human Rights Act*].

⁴⁸⁵ Ontario First Nation Special Education Working Group, *Review Report*, *supra* note 310 at 13, online (pdf): *Mississaugas of the New Credit First Nation firstnationsspecialeducation.ca/wp-content/uploads/2017/05/Ontario-First-Nations-Special-Education-Review-Report-May-2017-2.pdf*; Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciliation for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (2015) at 145, online (pdf): *National Centre for Truth and Reconciliation ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Executive_Summary_English_Web.pdf* [Truth and Reconciliation Commission of Canada, *Summary of the Final Report*].

⁴⁸⁶ *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (2019) Volume 1a at 59, online (pdf): *National Inquiry into Missing and Murdered Indigenous Women and Girls mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1a-1.pdf* [National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1a*].

⁴⁸⁷ See *First Nations Child and Family Caring Society of Canada v Attorney General of Canada (for the Minister of Indian and Northern Affairs Canada)*, 2016 CHRT 2; 2016 CHRT 10; 2016 CHRT 16; 2017 CHRT 14; 2017 CHRT 35; 2019 CHRT 7; 2019 CHRT 39; 2020 CHRT 20. See also discussion of Jordan’s Principle below.

⁴⁸⁸ Ontario is home to six Indigenous language families – Anishinaabek, Onkwehonwe, Mushkegowuk, Lunaape, Inuktitut and Michif, which include over 18 unique languages and dialects: “Ontario Investing in Indigenous Language Revitalization” (9 March 2018), online: *Government of Ontario*

<https://news.ontario.ca/en/release/48527/ontario-marking-ten-years-of-collaboration-on-indigenous-education>. There are over 70 Indigenous languages spoken in Canada: *Census in Brief 2016: The Aboriginal languages of First Nations people, Metis and Inuit*, Catalogue No 98-200-X2016022 (Ottawa: Statistics Canada, 2017), online: [Statistics Canada www12.statcan.gc.ca/census-recensement/2016/as-sa/98-200-x/2016022/98-200-x2016022-eng.cfm](http://www12.statcan.gc.ca/census-recensement/2016/as-sa/98-200-x/2016022/98-200-x2016022-eng.cfm) [Statistics Canada, *Census in Brief 2016: The Aboriginal languages of First Nations people, Metis and Inuit*].

⁴⁸⁹ Statistics Canada, *Census in Brief 2016: The Aboriginal languages of First Nations peoples, Metis and Inuit*, *supra* note 488 at preamble.

⁴⁹⁰ Truth and Reconciliation Commission of Canada, *Summary of the Final Report*, *supra* note 485 at 80–85; “The Indian Residential Schools system is officially established: 1880” (last viewed 14 January 2022), online: *Office of the Commissioner of Official Languages* www.clo-ocol.gc.ca/en/timeline-event/indian-residential-schools-system-officially-established [Office of the Commissioner of Official Languages, “The Indian Residential Schools system is officially established: 1880”].

⁴⁹¹ Office of the Commissioner of Official Languages, “The Indian Residential Schools system is officially established: 1880,” *supra* note 490.

⁴⁹² Truth and Reconciliation Commission, *Truth and Reconciliation Commission of Canada: Calls to Action* (2015), at Calls to Action 10, 13–17, online (pdf): [National Centre for Truth and Reconciliation ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf](http://National%20Centre%20for%20Truth%20and%20Reconciliation%20-%20Calls%20to%20Action%20-%20English2.pdf) [Truth and Reconciliation Commission, *Calls to Action*].

⁴⁹³ *The Constitution Act, 1982*, being Schedule B to the *Canada Act 1982* (UK), c 11, s35. Note that that the Constitution Act uses the term Aboriginal.

⁴⁹⁴ *Indigenous Languages Act*, SC 2019, c 23, s 6.

⁴⁹⁵ It has been noted that Indigenous communities want their children to know their own culture, speak an Indigenous language, and also learn the required skills to succeed in the non-Indigenous world: Patrick Walton & Gloria Ramirez, “Reading Acquisition in Young Aboriginal Children” (2012) Encyclopedia of Language and Literacy Development 1 at 1, online: *Research Gate researchgate.net/publication/236154074_Reading_Acquisition_in_Young_Aboriginal_Children* [Walton & Ramirez, “Reading Acquisition in Young Aboriginal Children”].

⁴⁹⁶ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place: Executive summary of the Final Report* (2019) at 4. online (pdf): *National Inquiry into Missing and Murdered Indigenous Women and Girls* www.mmiwg-ffada.ca/wp-content/uploads/2019/06/Executive_Summary.pdf [National Inquiry into Missing and Murdered Indigenous Women and Girls, *Executive Summary*].

⁴⁹⁷ Truth and Reconciliation Commission of Canada, *Summary of the Final Report*, *supra* note 485 at 370.

⁴⁹⁸ *Ibid* at 61.

⁴⁹⁹ Parks Canada, *The Residential School System Backgrounder*, online: [Government of Canada canada.ca/en/parks-canada/news/2020/09/the-residential-school-system.html](http://Government%20of%20Canada%20-%20Residential%20School%20System%20Backgrounder%20-%20Final%20Report%20-%20May%202020.pdf). The odds of dying for children in residential schools was one in 25, a higher mortality rate than for Canadians serving in World War II: Daniel Schwartz, “Truth and Reconciliation Commission: By the numbers” *CBC News* (2 June 2015), online: [CBC News cbc.ca/news/indigenous/truth-and-reconciliation-commission-by-the-numbers-1.3096185](http://CBC%20News%20-%20Residential%20School%20System%20-%20Final%20Report%20-%20May%202020.pdf).

⁵⁰⁰ For example, a mass grave containing the remains of 215 children, some as young as three years, was found on the grounds of the former Kamloops Residential School in British Columbia: Tk’emlúps te Secwepemc, *Statement of the Office of the Chief* (27 May 2021), online (pdf): [Tk’emlúps tkemlups.ca/wp-content/uploads/05-May-27-2021-TteS-MEDIA-RELEASE.pdf](http://Tk%27eml%C3%BDps%20-%20Statement%20of%20the%20Office%20of%20the%20Chief%20-%20May%202021.pdf); as many as 751 unmarked graves were found at the site of the former Marieval Residential School in Saskatchewan; “Sask First Nation announces hundreds of unmarked graves found at former residential school site” (23 June 2021), online: *CBC News* [cbc.ca/news/canada/saskatchewan/cowessess-graves-unmarked-residential-school-marieval-1.6077797](http://CBC%20News%20-%20Residential%20School%20System%20-%20Final%20Report%20-%20May%202020.pdf); and 182 unmarked graves were found near the site of the former St. Eugene Mission School in British Columbia: Alex Migdal, “182 unmarked graves discovered near residential school in B.C.’s interior, First Nation says” (30 June 2021), online: [cbc.ca/news/canada/british-columbia/bc-remains-residential-school-interior-1.6085990](http://CBC%20News%20-%20Residential%20School%20System%20-%20Final%20Report%20-%20May%202020.pdf). Many more unmarked graves are likely to be found.

⁵⁰¹ Truth and Reconciliation Commission of Canada, *Summary of the Final Report*, *supra* note 485 at 55. According to the TRC:

Cultural genocide is the destruction of those structures and practices that allow the group to continue as a group. States that engage in cultural genocide set out to destroy the political and social institutions of the targeted group. Land is seized, and populations are forcibly transferred and their movement is restricted. Languages are banned. Spiritual leaders are persecuted, spiritual practices are forbidden, and objects of spiritual value are confiscated and destroyed. And, most significantly to the issue at hand, families are disrupted to prevent the transmission of cultural values and identity from one generation to the next. In its dealing with Aboriginal people, Canada did all these things.

Ibid at 1.

⁵⁰² *Ibid* at 144.

⁵⁰³ William Aguiar & Regine Halseth, *Aboriginal Peoples and Historic Trauma: the process of intergenerational transmission* (Prince George, BC: National Collaborating Centre for Aboriginal Health, 2015) at 19, online (pdf): *National Collaborating Centre for Indigenous Health* ccnsa-nccah.ca/docs/context/RPT-HistoricTrauma-IntergenTransmission-Aguiar-Halseth-EN.pdf [Aguiar & Halseth].

⁵⁰⁴ According to the TRC: "Existing records make it impossible to say how many Métis children attended residential school. But they did attend almost every residential school discussed in this report at some point. They would have undergone the same experiences – the high death rates, limited diets, crowded and unsanitary housing, harsh discipline, heavy workloads, neglect, and abuse – described in the other volumes of this history." Truth and Reconciliation Commission, *Canada's Residential Schools: The Métis Experience, The Final Report of the Truth and Reconciliation Commission Volume 3*, (2015) at 4, online (pdf): *Truth and Reconciliation Commission* trc.ca/assets/pdf/Volume_3_Metis_English_Web.pdf [Truth and Reconciliation Commission, *Final Report Volume 3*].

⁵⁰⁵ *Ibid* at 4, 55.

⁵⁰⁶ "From the early 1920s until the 1940s, Métis parents faced numerous barriers if they wanted to provide their children with a formal education. Once again, the federal government had started to dismiss Métis students from residential schools, while the provinces, for cost reasons, were reluctant to ensure that they were admitted to public schools." *Ibid* at 26, 29.

⁵⁰⁷ *Ibid* at 41.

⁵⁰⁸ *Ibid* at 55.

⁵⁰⁹ Truth and Reconciliation Commission, *Canada's Residential Schools: The Inuit and Northern Experience: The Final Report of the Truth and Reconciliation Commission of Canada Volume 2*, (2015) at 4, online (pdf): ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Volume_2_Inuit_and_Northern_English_Web.pdf. [Truth and Reconciliation Commission, *Final Report Volume 2*].

⁵¹⁰ Truth and Reconciliation Commission, *Summary of the Final Report*, *supra* note 485 at 150.

⁵¹¹ Truth and Reconciliation Commission, *Final Report Volume 2*, *supra* note 509 at 4.

⁵¹² *Ibid*.

⁵¹³ Truth and Reconciliation Commission of Canada, *Summary of the Final Report*, *supra* note 485 at 8.

⁵¹⁴ *Ibid* at 69.

⁵¹⁵ *Interrupted Childhoods: Over-representation of Indigenous and Black children in Ontario child welfare*, (2018) at s 4.1, online: *Ontario Human Rights Commission* www.ohrc.on.ca/en/interrupted-childhoods; Truth and Reconciliation Commission, *Summary of the Final Report*, *supra* note 485 at 135–36. A 2016 Statistics Canada study found that First Nations children (aged 14 and under) made up 82% of the Indigenous children in foster care in Canada, while Métis children made up 13%, and Inuit children made up 4%; see: Annie Turner, *Living Arrangements of Aboriginal children aged 14 and under*, Catalogue No 75-006-X (Ottawa: Statistics Canada, 13 April 2016), online (pdf): *Canadian Child Welfare Research Portal* cwrp.ca/sites/default/files/publications/en/nhs_aboriginal_children_living_conditions_2016.pdf [Turner, *Living Arrangements of Aboriginal children aged 14 and under*].

⁵¹⁶ Aguiar & Halseth, *supra* note 503 at 7.

⁵¹⁷ Prime Minister Stephen Harper, "Statement of apology to former students of Indian Residential Schools" (11 June 2008), online: *Crown-Indigenous Relations and Northern Affairs Canada* www.rcaanc-cirnac.gc.ca/eng/1100100015644/1571589171655. See also The Honourable Jane Stewart, "Address by the Honourable Jane Stewart Minister of Indian Affairs and Northern Development on the occasion of the

unveiling of Gathering Strength – Canada’s Aboriginal Action Plan” (7 January 1998), *Crown-Indigenous Relations and Northern Affairs Canada* rcaanc-circnac.gc.ca/eng/1100100015725/1571590271585.

⁵¹⁸ Statement on the Discovery Around Kamloops Indian Residential School (28 May 2021), online: Government of Canada www.canada.ca/en/crown-indigenous-relations-northern-affairs/news/2021/05/statement-on-the-discovery-around-kamloops-indian-residential-school.html.

⁵¹⁹ Melisa Brittain & Cindy Blackstock, *First Nations Child Poverty: A Literature Review and Analysis* (Ottawa: First Nations Children’s Action Research and Education Service, 2015) at 81—102, online (pdf): *First Nations Child and Family Caring Society* fncaresociety.com/sites/default/files/First%20Nations%20Child%20Poverty%20-%20A%20Literature%20Review%20and%20Analysis%202015-3.pdf.

⁵²⁰ “Under Suspicion: Issues raised by Indigenous Peoples” (2017), online: *Ontario Human Rights Commission* ohrc.on.ca/en/under-suspicion-issues-raised-indigenous-peoples.

⁵²¹ Canada, Chief Coroner’s Office, *Inquest into the deaths of Seven First Nations Youths: Jethro Anderson, Reggie Bushie, Robyn Harper, Kyle Morrisseau, Paul Panacheese, Curran Strang, Jordan Wabasse* (Thunder Bay: Verdict Explanation, 2016), at 10 [Chief Coroner’s Office: *Inquest into the deaths of Seven First Nations Youths*]. On December 14, 2020, a Thunder Bay man, Brayden Bushby, was found guilty of manslaughter for intentionally throwing a trailer hitch out of a moving vehicle at an Indigenous woman, Barbara Kentner, who later died, see: *R v Brayden Bushby*, 2020 ONSC 7780.

⁵²² Truth and Reconciliation Commission of Canada, *Summary of the Final Report*, *supra* note 485 at 135.

⁵²³ Two-Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual; National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1a*, *supra* note 486 at 40.

⁵²⁴ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Executive Summary*, *supra* note 496 at 5.

⁵²⁵ “Response to the Development of an Accessibility Standard for Education” (July 2017) at 4, online: *Ontario Federation of Indigenous Friendship Centres* <https://ofifc.org/wp-content/uploads/2020/03/2017-06-21-Increasing-Education-Access-for-Urban-Indigenous-Students.pdf> [Ontario Federation of Indigenous Friendship Centres, “Response to the development of an Accessibility Standard for Education.”]

⁵²⁶ Paula Arriagada et al, *Indigenous people and mental health during the COVID-19 pandemic*, Catalogue No 45280001 (Ottawa: Statistics Canada 23 June 2020), online: *Statistics Canada* www150.statcan.gc.ca/n1/pub/45-28-0001/2020001/article/00035-eng.htm.

⁵²⁷ Mohan B Kumar & Michael Tjepkema , *Aboriginal Peoples, Suicide among First Nations, Metis and Inuit (2011-2016): Findings from the 2011 Canadian Census Health and Environment Cohort (CanCHEC)*, in *National Household Survey*, Catalogue No 99-011-X2019001, (Ottawa: Statistics Canada, 28 June 2019), online: *Statistics Canada* www150.statcan.gc.ca/n1/pub/99-011-x/99-011-x2019001-eng.htm [Kumar & Tjepkema].

⁵²⁸ Nishnawbe-Aski Nation (NAN) is a political territorial organization representing 49 First Nations communities in northern Ontario.

⁵²⁹ Kumar & Tjepkema, *supra* note 527.

⁵³⁰ Neglect has been characterized as “often a failure to act in the child’s best interest, and carries a risk of cumulative harm over time.” In contrast, child abuse is often “a deliberate, harmful act that carries an immediate risk to the child’s well-being.” Aboriginal Children in Care Working Group, *Aboriginal Children in Care: Report to Canada’s Premiers* (Ottawa: Council of the Federation Secretariat, 2015) at 10, online (pdf): *First Nations Child and Family Caring Society* [fncaresociety.com/sites/default/files/Aboriginal%20Children%20in%20Care%20Report%20%28July%2015%29.pdf](http://fncaresociety.com/sites/default/files/Aboriginal%20Children%20in%20Care%20Report%20%28July%202015%29.pdf).

⁵³¹ Aguiar & Halseth, *supra* note 503 at 8; Chief Coroner’s Office: *Inquest into the deaths of Seven First Nations Youths*, *supra* note 521.

⁵³² “Trauma can be defined as the emotional, psychological, and physiological response from heightened stress that accompanies experiences of threat, violence, and life-challenging events. Both immediate symptoms (shock and denial) and long-term symptoms (unpredictable emotions, flashbacks, strained relationships etc.) are normal responses to traumatic events that typically follow.” See: Ontario Federation of Indigenous Friendship Centres: *Trauma-Informed Schools*, *supra* note 282.

⁵³³ Aguiar & Halseth, *supra* note 503 at 7; Chief Coroner’s Office: *Inquest into the deaths of Seven First Nations Youths*, *supra* note 521.

⁵³⁴ Aguiar & Halseth, *supra* note 503 at 7.

⁵³⁵ See for example Amy Bombay et al, "Intergenerational Trauma: Convergence of Multiple Processes among First Nations peoples in Canada" (2009) 5:3 International Journal of Indigenous Health, online: *University of Toronto Libraries | Journal Production Services*

jps.library.utoronto.ca/index.php/ijih/article/view/28987/23916; Amy Bombay et al, "The intergenerational effects of Indian Residential Schools: implications for the concept of historical trauma" (2014) 51:3 Transcultural Psychiatry 320, DOI: <https://doi.org/10.1177/1363461513503380>; and National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1a*, *supra* note 486 at 113.

⁵³⁶ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1a*, *supra* note 486 at 338.

⁵³⁷ Ontario, Ministry of Education, *Strengthening Our Learning Journey: Technical Appendix*, *supra* note 322 at 6; Ontario, Ministry of Education, *A Solid Foundation*, *supra* note 483 at 11.

⁵³⁸ "Fact Sheet: First Nations Education Funding" (last viewed 14 January 2022), online (pdf): *Assembly of First Nations* www.afn.ca/uploads/files/education/fact_sheet - fn_education_funding_final.pdf [Assembly of First Nations, "Fact Sheet: First Nations Education Funding"].

⁵³⁹ Don Drummond & Ellen Kachuck Rosenbluth, "The Debate on First Nations Education Funding: Mind the Gap" (December 2013) Queen's University Working Paper 49 at 20, online (pdf): *Queen's University qspace.library.queensu.ca/bitstream/handle/1974/14846/Drummond et al 2013 Debate on First Nations.pdf?sequence=1*. [Drummond & Kachuck Rosenbluth].

⁵⁴⁰ See for example *ibid*.

⁵⁴¹ *Ibid* at 20.

⁵⁴² First Nations Child and Family Caring Society, "First Nations Education Information Sheet #1" (adapted from a pamphlet produced by the Assembly of First Nations, 2010) (last visited 14 January 2022), online (pdf): *First Nations Child and Family Caring Society*

fncarringsociety.com/sites/default/files/FN-Education-Info-Sheet.pdf; Assembly of First Nations, "Fact Sheet: First Nations Education Funding, *supra* note 538.

⁵⁴³ Ontario First Nations Special Education Working Group, *Review Report*, *supra* note 310.

⁵⁴⁴ *Ibid*.

⁵⁴⁵ Chiefs of Ontario, "Special Education Position Paper" (2017), online (pdf): *Chiefs of Ontario education.chiefs-of-ontario.org/download/special-education-position-paper-2017/?wpdmdl=1439&refresh=61e998cc67d211642698956&ind=1608668954309&filename=doc_17-06-02-2017-special-education-position.pdf* [Chiefs of Ontario, "Special Education Position Paper."]

⁵⁴⁶ *Ibid* at 3.

⁵⁴⁷ *Ibid* at 7.

⁵⁴⁸ Hill + Knowlton Strategies Canada, *Let's talk on-reserve education: survey report* (last modified 18 December 2017), online: *Government of Canada* sac-isc.gc.ca/eng/1509019844067/1531399883352?wbdisable=true; [Hill + Knowlton]; Chiefs of Ontario, "Special Education Position Paper," *supra* note 545 at 7.

⁵⁴⁹ Press Release, "Government of Canada and Assembly of First Nations announce new policy and funding approach for First Nations K-12 education on reserve" (21 January 2019), online: *Assembly of First Nations* afn.ca/government-of-canada-and-assembly-of-first-nations-announce-new-policy-and-funding-approach-for-first-nations-k-12-education-on-reserve/.

⁵⁵⁰ Indigenous Services Canada, "New Funding and Policy Approach for First Nations Kindergarten to Grade 12 Education, Backgrounder" (2019), online (pdf): *Assembly of First Nations* afn.ca/wp-content/uploads/2019/01/2019.01.21_BG-Word_K-12Education-EN.pdf.

⁵⁵¹ See First Nations Child and Family Caring Society in partnership with the Wabanaki Council on Disability and Mawita'mk Society, *Jordan's Principle and Children with Disabilities and Special Needs: A Resource Guide and Analysis of Canada's Implementation* (March 2021) at 12–13, online (pdf): *First Nations Child and Family Caring Society*

fncarringsociety.com/sites/default/files/jordans_principle_resource_guide_2021_final.pdf [First Nations Child and Family Caring Society et al, *Jordan's Principle and Children with Disabilities and Special Needs*].

⁵⁵² Accessing *Jordan's Principle, A Resource for First Nations Parents, Caregivers, Families and Communities* (2018), online (pdf): *Assembly of First Nations*

afn.ca/uploads/Social_Development/Jordan%27s%20Principle%20Handbook%202019_en.pdf; First

Nations Child and Family Caring Society et al, *Jordan's Principle and Children with Disabilities and Special Needs*, *supra* note 551.

⁵⁵³ "Supporting Inuit Children" (last modified 29 May 2020), online: *Government of Canada* sac-isc.gc.ca/eng/1536348095773/1536348148664.

⁵⁵⁴ "Inuit Child First Initiative" (last visited 14 January 2022), online: *Inuvialuit Regional Corporation* irc.inuvialuit.com/services/health-and-wellness/inuit-child-first-initiative.

⁵⁵⁵ "Child First Initiative" (last visited 14 January 2022), online: *Tungasuvvingat Inuit* <https://tiontario.ca/programs/child-first-initiative>.

⁵⁵⁶ Memorandum from Stephen Lecce (Minister of Education) & Nancy Naylor (Deputy Minister) to Chairs of District School Boards et al regarding "Planning for the 2021-22 School Year" (4 May 2021) at 12.

[Memorandum from Minister Lecce & Deputy Minister Naylor]; K Gallagher-Mackay et al, "COVID-19 and education disruption in Ontario: emerging evidence on impacts" (4 June 2021; updated 16 June 2021) *Science Briefs of the Ontario COVID-19 Science Advisory Table* 2021;2(34), DOI:

<https://doi.org/10.47326/ocsat.2021.02.34.1.0>; for a discussion of how the pandemic has affected literacy in First Nations schools see J T O'Sullivan, *Model Schools Literacy Project: Investing in Children* (Montreal: Martin Family Initiative, 2021), online: *The Martin Family Initiative* <https://themfi.ca/investing-in-children> [O'Sullivan, *Model Schools Literacy Project*].

⁵⁵⁷ Cindy Blackstock, "The Emergence of the Breath of Life Theory" (2011) 8:1 *Journal of Social Work Values and Ethics* at 3, online (pdf): *Journal of Social Work Values and Ethics* jswe.org/download/2011-1/spr11-blackstock-Emergence-breath-of-life-theory.pdf.

⁵⁵⁸ *Ibid* at 3–5.

⁵⁵⁹ Ontario Native Literacy Coalition, *Teachings of the Medicine Wheel, Basic Level Teachings Unit 2: Student Manual* (2010), online (pdf): *Ontario Native Literacy Coalition* onlc.ca/wp-content/uploads/2014/06/Medicine-Wheel-Student-Manual1.pdf; "The Medicine Wheel Teachings" (last visited 14 January 2022), online: *Open Library* ecampusontario.pressbooks.pub/movementtowardsreconciliation/chapter/the-medicine-wheel-teachings/.

["The Medicine Wheel Teachings."]

⁵⁶⁰ *Ibid*.

⁵⁶¹ "Walking Together: First Nations, Metis and Inuit Perspectives in Curriculum: Well-being, Cycles of Life," excerpt ©Nelson Education Ltd. *Aboriginal Perspectives*, Toronto, ON, 2004, pp. 86–90 (last viewed 14 January 2022), online (pdf): *Government of Alberta* learnalberta.ca/content/aswt/well_being/documents/cycles_of_life.pdf [Government of Alberta, "Walking Together"]; Ontario Secondary School Teachers' Federation, *Full Circle: First Nations, Metis, Inuit Ways of Knowing*, (2012), online (pdf): *Ontario Institute for Studies in Education* oise.utoronto.ca/deepeningknowledge/UserFiles/File/UploadedAmina_/full-circle-first-nations-metis-and-inuit-ways-of-knowing.pdf; Nicole Bell, "Teaching by the Medicine Wheel" (9 June 2014), online: *EdCan Network* edcan.ca/articles/teaching-by-the-medicine-wheel/.

⁵⁶² Government of Alberta, "Walking Together," *supra* note 561.

⁵⁶³ *Independent Auditor's Report 2021: Report 3 – Access to Safe Drinking Water in First Nations Communities – Indigenous Services Canada* (25 February 2021), online (pdf): *Office of the Auditor General of Canada* www.oag-bvg.gc.ca/internet/English/parl_oag_202102_03_e_43749.html.

⁵⁶⁴ Statistics Canada, "Aboriginal Peoples Survey, 2006: School Experiences of Off-Reserve First Nations Children Aged 6 to 14" by Evelyn Bougie, Catalogue No 89-637-X – No. 001 (Ottawa: Statistics Canada, 2009), online (pdf): *Statistics Canada* www150.statcan.gc.ca/n1/pub/89-637-x/89-637-x2009001-eng.pdf [Statistics Canada, "Aboriginal Peoples Survey, 2006"].

⁵⁶⁵ 3.7% selected "not applicable."

⁵⁶⁶ Rounded to the nearest whole percent. Sample size was 27 for First Nations students, 20 for Métis students, and 46 for all Indigenous students.

⁵⁶⁷ Statistics Canada, "Aboriginal Peoples Survey, 2006", *supra* note 564 at 31.

⁵⁶⁸ Indigenous children are twice as likely as non-Indigenous children to live with their grandparents: Turner, *Living Arrangements of Aboriginal children aged 14 and under*, *supra* note 515.

⁵⁶⁹ "Trauma-informed practice" (last visited 14 January 2022), online: *Government of Alberta* alberta.ca/trauma-informed-practice.aspx.

⁵⁷⁰ Education Connections, *Strengthening Attendance and Retention of Indigenous Youth in Elementary and Secondary Schools in Canada and Beyond* (Fredericton, NB: Education Connections, 2017) at 21,

online (pdf): Assembly of First Nations afn.ca/event_download/478e1939-2d72-47c0-83ef-05440aae1381/40754b7b-4569-43fc-82e5-6aa212f01b21/544475d1-9b73-4a1d-9a39-559dce3bf3fb/D5.%20FNEII%20-%20Attendance%20Environmental%20Scan.pdf; [Education Connections, *Strengthening Attendance and Retention*]; Statistics Canada, “Aboriginal Peoples Survey, 2006”, *supra* note 564 at 31.

⁵⁷¹ Education Connections, *Strengthening Attendance and Retention*, *supra* note 570 at 21. This was confirmed in the lived experience accounts we received.

⁵⁷² Statistics Canada, “Aboriginal Peoples Survey, 2006”, *supra* note 564 at 31.

⁵⁷³ Ontario Federation of Indigenous Friendship Centres, “Response to the Development of an Accessibility Standard for Education,” *supra* note 525 at 3.

⁵⁷⁴ For example: Chiefs of Ontario, “Special Education Position Paper,” *supra* note 545; Ontario First Nations Special Education Working Group, *Review Report*, *supra* note 310; Kelly Gallagher-Mackay et al, “First Nations, Metis, and Inuit Education: Overcoming gaps in provincially funded schools” (Toronto, ON: People for Education, 2013), online (pdf): [People for Education peopleforeducation.ca/wp-content/uploads/2017/07/Indigenous-Education-2013.pdf](http://peopleforeducation.ca/wp-content/uploads/2017/07/Indigenous-Education-2013.pdf).

⁵⁷⁵ “Indigenous Education in Ontario” (last modified 7 December 2021), online: *Ministry of Education edu.gov.on.ca/eng/aboriginal/supporting.html*.

⁵⁷⁶ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1a*, *supra* note 486 at 409.

⁵⁷⁷ *To dream together: Indigenous peoples and human rights dialogue report* (September 2018), online: *Ontario Human Rights Commission ohrc.on.ca/en/dream-together-indigenous-peoples-and-human-rights-dialogue-report* [OHRC, *To dream together*].

⁵⁷⁸ See for example, the success of alternative secondary school programs operated by Indigenous Friendship Centres: “Alternative Secondary School Program” (last visited 14 January 2022), online: *Ontario Federation of Indigenous Friendship Centres ofifc.org/program/alternative-secondary-school-program/* [Ontario Federation of Indigenous Friendship Centres, “Alternative Secondary School Program”]; “OFIFC’s Response to the Premier’s Highly Skilled Workforce Expert Panel” (2016), online (pdf): *Ontario Federation of Indigenous Friendship Centres ofifc.org/wp-content/uploads/2020/03/2016-02-22-Response-to-the-Highly-Skilled-Workforce-Expert-Panel.pdf* and the creation of the Mi’kmaq education authority. Twenty years ago, the Nova Scotia Mi’kmaq First Nation took control of their education system and increased graduation rates from 30% to 90%, the highest on-reserve graduation rate in Canada: Michael MacDonald, “Carolyn Bennett lauds ‘amazing’ Mi’kmaq graduation rate in NS, signs new \$600-million agreement” *Global News* (14 March 2019), online: *Global News globalnews.ca/news/5056368/mikmaq-education-authority-ns/* [MacDonald.]

⁵⁷⁹ MacDonald, *supra* note 578.

⁵⁸⁰ Ontario Federation of Indigenous Friendship Centres, “Alternative Secondary School Program,” *supra* note 578.

⁵⁸¹ Hill + Knowlton, *supra* note 548; see also Ontario Ministry of Education, *Strengthening Our Learning Journey, Executive Summary to the Third Progress Report on the Implementation of the Ontario First Nations, Metis, and Inuit Education Policy Framework* (2018) at 3, online (pdf): [Government of Ontario www.ontario.ca/page/strengthening-our-learning-journey-third-progress-report-implementation-ontario-first-nation](http://www.ontario.ca/page/strengthening-our-learning-journey-third-progress-report-implementation-ontario-first-nation) [Ontario Ministry of Education, *Strengthening Our Learning Journey – Executive Summary*] for a discussion of the importance of Indigenous counsellors and support workers to assist students with transitions, and also to engage and retain students at risk of leaving school early.

⁵⁸² OHRC, *To dream together*, *supra* note 577.

⁵⁸³ Ontario, Ministry of Education, “Ontario, First Nation, Metis, and Inuit Education Policy Framework” (2007) at 6, online (pdf): *Government of Ontario ontario.ca/page/ontario-first-nation-metis-and-inuit-education-policy-framework-2007*; *Moving toward reconciliation in Ontario’s publicly funded schools* (2016) at 2, online (pdf): *People for Education https://peopleforeducation.ca/wp-content/uploads/2017/11/P4E-Indigenous-Education-2016.pdf*; Tanya C Leary, “First Nations, Metis, and Inuit Education 101” (2014), online: *EFTO Voice https://etfovoice.ca/node/586*; Daniel Schwartz, “First Nations education needs fresh ideas, leaders say” *CBC News* (4 November 2013), online: *CBC cbc.ca/news/canada/first-nations-education-needs-fresh-ideas-leaders-say-1.2255180*; Brittany Hobson, “New report highlights underrepresentation of Indigenous school teachers in Winnipeg” *APTN National*

News (9 October 2020), online: *APTN News* <https://www.aptnnews.ca/national-news/new-report-highlights-underrepresentation-of-indigenous-school-teachers-in-winnipeg/>.

⁵⁸⁴ Chiefs of Ontario, "Special Education Position Paper," *supra* note 545 at 6.

⁵⁸⁵ Chief Coroner's Office, *Inquest into the deaths of Seven First Nations Youths*, *supra* note 521 at 12.

⁵⁸⁶ The Northern Nishnawbe Education Council (NNEC) operates two First Nations high schools in Thunder Bay and near Sioux Lookout for NAN on-reserve students; *Ibid* at 13.

⁵⁸⁷ Ontario, Ministry of Education, *Strengthening Our Learning Journey - Executive Summary* *supra* note 581 at 3.

⁵⁸⁸ A Coroner's inquest (the Seven Youth inquest) examined the deaths of Reggie Bushie, Jethro Anderson, Jordan Wabasse, Kyle Morrisseau, Curran Strang, Paul Panacheese and Robyn Harper, seven youth from the Nishnawbe Aski Nation who died when attending a First Nations high school in Thunder Bay. The inquest identified recommendations for improving Indigenous education and better supporting student transitions. See: Chief Coroner's Office, *Inquest into the deaths of Seven First Nations Youths*, *supra* note 521.

⁵⁸⁹ The seven youth from the Nishnawbe Aski Nation were attending a First Nations high school in Thunder Bay.

⁵⁹⁰ A term used to describe the Inuit homeland in Canada, encompassing the land claims regions of Nunavut, Nunavik in Northern Quebec, Nunatsiavut in Northern Labrador and the Inuvialuit Settlement Region of the Northwest Territories; see "Inuit Nunangat Map" (last visited 14 January 2022) online: *Inuit Tapirik Kanatami* itk.ca/inuit-nunangat-map/.

⁵⁹¹ Jim Bell, "Tungasuvvingat Inuit signs five-year education pact with Ontario," *Nunatsiaq News* (4 December 2017), online: *Nunatsiaq News* nunatsiaq.com/stories/article/65674tungasuvvingat_inuit_signs_five-year_education_pact_with_ontario/.

⁵⁹² Chief Coroner's Office, *Inquest into the deaths of Seven First Nations Youths*, *supra* note 521.

⁵⁹³ Chiefs of Ontario, "Special Education Position Paper," *supra* note 545 at 6.

⁵⁹⁴ The TRC report also discusses the strength and contributions of residential school survivors:

Survivors are more than just victims of violence. They are also holders of Treaty, constitutional and human rights. They are women and men who have resilience, courage and vision. Many have become Elders, community leaders, educators, lawyers, and political activists who are dedicated to revitalizing their cultures, languages, Treaties, laws and governance systems.

Through lived experience, they have gained deep insights into what victims of violence require to heal. Equally important, they have provided wise counsel to political leaders, legislators, policymakers, and all citizens about how to prevent such violence from happening again.

Truth and Reconciliation Commission of Canada, *Summary of the Final Report*, *supra* note 485 at 207.

⁵⁹⁵ The OHRC recognizes that there are issues with evaluating Indigenous students' achievement using these measures, in particular standardized testing which has been described as Eurocentric and biased towards Indigenous students among others.

⁵⁹⁶ Ontario Ministry of Education, *Strengthening Our Learning Journey – Executive Summary* *supra* note 581.

⁵⁹⁷ Ontario, Ministry of Education, *Strengthening Our Learning Journey: Technical Appendix*, *supra* note 322 at 9.

⁵⁹⁸ Results for self-identified Inuit students in the French-language system were not reported because of the small number of self-identified Inuit students (less than 10).

⁵⁹⁹ Ontario Ministry of Education, *Strengthening Our Learning Journey: Technical Appendix*, *supra* note 322 at 10.

⁶⁰⁰ *Ibid* at 18.

⁶⁰¹ Due to low numbers (fewer than 10), data for Inuit students in the French system is not provided.

⁶⁰² Ontario Ministry of Education, *Strengthening Our Learning Journey: Technical Appendix*, *supra* note 322 at 19.

⁶⁰³ *Ibid* at 32.

⁶⁰⁴ *Ibid* at 33.

⁶⁰⁵ *Ibid* at 40.

⁶⁰⁶ *Building Bridges to Success for First Nation, Métis and Inuit Students – Developing Policies for Voluntary, Confidential Aboriginal Student Self-Identification: Successful Practices for Ontario School Boards* (2007) at 6, online (pdf): Ontario, Ministry of Education <https://files.ontario.ca/edu-building->

[bridges-to-success-first-nation-metis-inuit-students-en-2021-10-21.pdf](#) [Ontario Ministry of Education, *Building Bridges to Success for First Nation, Métis and Inuit Students*].

⁶⁰⁷ *Aboriginal Self-Identification Project Final Report* (May 2013) at 17–18, online (pdf): Council of Ontario Universities cou.ca/wp-content/uploads/2015/05/COU-Aboriginal-Self-Identification-Project.pdf; Ontario Ministry of Education, *Building Bridges to Success for First Nation, Métis and Inuit Students*, *supra* note 606 at 13.

⁶⁰⁸ For resources on Indigenous research methodologies see “Indigenous Methodologies: *Xwi7xwa Library*” (last visited 29 January 2022), online: *The University of British Columbia Library* https://guides.library.ubc.ca/l.php?content_id=35791473.

⁶⁰⁹ The Ministry of Education advised that all school boards have had access to their own self-identification data as well as regional and provincial aggregate data for several years (including breakdowns of self-identification data and achievement data) through the Indigenous Education Analytical Profile Tool.

⁶¹⁰ Total number of self-identified Indigenous students in grades 3 and 6:

	Grade 3	Grade 6
Hamilton-Wentworth	27	28
Keewatin-Patricia	152	166
Lakehead	116	107
London Catholic	N/A*	N/A*
Ottawa-Carleton	N/D	N/D
Peel	N/A*	N/A*
Simcoe Muskoka Catholic	16	19
Thames Valley	116	156

N/A*: London Catholic provided the data but it is not reported due to the very small sample size and risk of compromising individual student identities.

N/D: Ottawa-Carleton did not provide the number of students in the sample

⁶¹¹ Hamilton-Wentworth in Grade 3, London Catholic in Grade 3, Simcoe Muskoka Catholic in Grades 3 and 6.

⁶¹² We could not assess Indigenous student achievement in the eighth board, Peel, as it did not provide the data citing student confidentiality concerns.

⁶¹³ T M Janzen et al, “Cognitive and reading profiles of two samples of Canadian First Nations children: Comparing two models for identifying reading disability” (2013) 28:4 *Canadian Journal of School Psychology* 323 at 327, DOI: <https://doi.org/10.1177/0829573513507419> [Janzen et al, “Cognitive and reading profiles of two samples of Canadian First Nations children”]. See also J P Das et al, “Influence of distal and proximal cognitive processes on word reading” (2008)29:4, *Reading Psychology* 366–393, DOI: <https://doi.org/10.1080/02702710802153412> [Das et al, “Influence of distal and proximal cognitive processes on word reading.”]

⁶¹⁴ Janzen et al, “Cognitive and reading profiles of two samples of Canadian First Nations children,” *supra* note 613 at 340.

⁶¹⁵ J P Das et al, “Correlates of Canadian native children’s reading performance: From cognitive styles to cognitive processes” (2007) 45:6, *Journal of School Psychology* 589 at 600, DOI: <https://doi.org/10.1016/j.jsp.2007.06.004> [Das et al, “Correlates of Canadian native children’s reading performance”].

⁶¹⁶ Walton & Ramirez, “Reading Acquisition in Young Aboriginal Children,” *supra* note 495 at 3; Patrick Walton, “Using Songs and Movement to Teach Reading to Aboriginal Children” (2010), Canadian Council of Learning, online: *Research Gate* www.researchgate.net/publication/228998127_Using_songs_and_movement_to_teach_reading_to_Aboriginal_children [Walton, “Using Songs and Movement to Teach Reading to Aboriginal Children.”]

⁶¹⁷ Das et al, “Correlates of Canadian native children’s reading performance,” *supra* 615 at 600. See also: Das et al, “Influence of distal and proximal cognitive processes on word reading,” *supra* 613.

⁶¹⁸ M Williams, “Phonemic Awareness and Early Spelling Skills in Urban Australian Aboriginal and Non-Aboriginal Children” (2010) 12:6 *International journal of speech language pathology* 497, DOI: <https://doi.org/10.3109/17549507.2011.481798>; Margot Prior, “Language and literacy challenges for Indigenous children in Australia” (2013) 18:2, *Australian J of Learn Difficulties* 123, DOI: <https://doi.org/10.1080/19404158.2013.840901>.

⁶¹⁹ Jennifer R Wolgemuth et al, “ABRACADABRA aids Indigenous and non-Indigenous early literacy in Australia: Evidence from a multisite randomized controlled trial” (2013) 67 Computers and Education 250, DOI: <https://doi.org/10.1016/j.compedu.2013.04.002>.

⁶²⁰ K McIntosh et al, “Response to intervention in Canada: Definitions, the evidence base, and future directions” (2011), 26:1 *Canadian Journal of School Psychology* 18, at 32, DOI: <https://doi.org/10.1177/0829573511400857>.

⁶²¹ O’Sullivan, *Model Schools Literacy Project*, *supra* note 556 at 12.

⁶²² *Ibid* at 12-13.

⁶²³ *Ibid* at 13.

⁶²⁴ *Ibid* at 9.

⁶²⁵ *Ibid*.

⁶²⁶ Walton & Ramirez, “Reading Acquisition in Young Aboriginal Children,” *supra* note 495 at 1; Walton, “Using Songs and Movement to Teach Reading to Aboriginal Children,” *supra* note 616.

⁶²⁷ *Ibid*.

⁶²⁸ Pamela Rose Toulouse, “What matters in Indigenous Education: Implementing a Vision Committed to Holism, Diversity and Engagement” (Toronto, ON: People for Education, 2016), online (pdf): *People for Education* peopleforeducation.ca/wp-content/uploads/2017/07/MWM-What-Matters-in-Indigenous-Education.pdf.

⁶²⁹ *Ibid*.

⁶³⁰ O’Sullivan, *Model Schools Literacy Project*, *supra* note 556 at 9.

⁶³¹ See also: *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls* (2019) Volume 1b at 167–218 (“Calls for Justice”), online (pdf): *National Inquiry into Missing and Murdered Indigenous Women and Girls* mmiwg-ffada.ca/wp-content/uploads/2019/06/Final_Report_Vol_1b.pdf [National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1b*].

⁶³² Ontario First Nations Special Education Working Group, *Review Report*, *supra* note 310 at 13. See also letter from Chief Commissioner Renu Mandhane to Minister Mitzie Hunter regarding “Implementing Recommendations on First Nations Special Education” (20 November 2017), online: *Ontario Human Rights Commission* ohrc.on.ca/en/re-implementing-recommendations-first-nations-special-education.

⁶³³ Ontario Federation of Indigenous Friendship Centres, “Response to the development of an Accessibility Standard for Education,” *supra* note 525.

⁶³⁴ Chief Coroner’s Office: *Inquest into the deaths of Seven First Nations Youths*, *supra* note 521.

⁶³⁵ Truth and Reconciliation Commission, *Calls to Action*, *supra* note 492.

⁶³⁶ National Inquiry into Missing and Murdered Indigenous Women and Girls, *Final Report Volume 1b*, *supra* note 631 at 167-218 (“Calls for Justice”).

⁶³⁷ See project year one to four reports here: “CODE Current projects” (last visited 17 January 2022), online: *Council of Ontario Directors of Education* ontariodirectors.ca/projects-current.html.

⁶³⁸ OHRC, *To dream together*, *supra* note 577.

⁶³⁹ “Indigenous education in Ontario” (last modified 7 December 2021), online: *Government of Ontario* ontario.ca/page/indigenous-education-ontario.

⁶⁴⁰ *UN Declaration*, *supra* note 291.

⁶⁴¹ CRPD, *supra* note 8. *Convention on the Rights of Persons with Disabilities*, UNGAOR, 61st Sess, Supp No 49, UN Doc A/RES/61/106 (2007), arts 7 and 24; *Convention on the Rights of the Child*, 20 November 1989, UNTS 1577, art 28 (entered into force on 2 September 1990).

⁶⁴² In 2016, Ontario passed legislation declaring the first week of November as Treaties Recognition Week. This annual event honours the importance of treaties and helps students and residents of Ontario learn more about treaty rights and relationships; “Treaties” (last modified 16 November 2021), online: *Government of Ontario* ontario.ca/page/treaties#:~:text=In%202016%2C%20Ontario%20passed%20legislation,about%20treaty%20rights%20and%20relationships.

⁶⁴³ September 19th celebrates the anniversary of a landmark Métis rights victory at the Supreme Court of Canada in *R v Powley*. The Supreme Court of Canada unanimously recognized Métis rights in Section 35 of Canada’s Constitution; see “A Powley Day message from MNO President Margaret Froh” (19 September 2020), online: *Metis Nation of Ontario* metisnation.org/news/powley-day-

[2020/#:~:text=Now%20known%20as%20E2%80%9CPowley%20Day,Canada%20in%20R%20v%20Po
wley.](#)

⁶⁴⁴ November 16, the anniversary of Riel's execution in 1885. MNO citizens, MNO Chartered Community Councils and communities hold events across Ontario to celebrate Métis culture, recognize the many contributions of the Métis to Canada, and highlight the struggles Métis continue to face; "Louis Riel Day Information" (last modified 20 November 2020), online: *Metis Nation of Ontario* metisnation.org/culture-heritage/louis-riel-day-info/.

⁶⁴⁵ For example, by relying on observation of students in the classroom; see: G Reid Lyon & Vinita Chhabra, "The Science of Reading Research," (2004) 61:6 Educational Leadership: What Research Says About Reading 12, online: ASCD ascd.org/publications/educational-leadership/mar04/vol61/num06/The-Science-of-Reading-Research.aspx [Lyon & Chhabra, "The Science of Reading Research"].

⁶⁴⁶ The scientific method includes developing a hypothesis, identifying research methodology to test the hypothesis, collecting and analyzing data, and reporting findings. Independent review by researchers who specialize in the same area to evaluate the studies is considered a benchmark for trustworthiness. More than one study using solid research methodology also increases the accuracy and confidence of findings; see *ibid*.

⁶⁴⁷ Jill Hawken, *Foundations for Literacy: An Evidence-based Toolkit for the Effective Reading and Writing Teacher* (Canadian Language and Literacy Research Network, 2008) at 12, online: *LD School* ldatschool.ca/wp-content/uploads/2018/06/Foundations-for-Literacy-Toolkit.pdf [Hawken, *Foundations for Literacy*].

⁶⁴⁸ Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201 at 7.

⁶⁴⁹ *Ibid* at 7.

⁶⁵⁰ Moats, *Whole-Language High Jinks*, *supra* note 461; S Brady, "Strategies used in education for resisting the evidence and implications of the science of reading" (2020) 1:1 *The Reading League Journal* 33 [Brady, "Strategies used in education for resisting the evidence"]; R S Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching on the reading and spelling ability of 10 year old boys and girls" (2012) 25:6 *Reading and Writing* 1365 [Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching"].

⁶⁵¹ Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201 at 2.

⁶⁵² *Ibid* at 2–3.

⁶⁵³ Comprehensive phonics programs are often more inclusive, and include teaching morphemes and other frequent orthographic patterns in words (for example, past tense – ed; plural s; and patterns such as tion; cy, etc.).

⁶⁵⁴ *National Reading Panel Report: Teaching Children to Read: An Evidence-Based Assessment of the Scientific Research Literature on Reading and Its Implications for Reading Instruction – Reports of the Subgroups* (2000) National Institute of Health Publication No. 00-4754 at 1-1, online (pdf): *National Institute of Child Health and Human Development* nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf [NICHD: *National Reading Panel Report*].

⁶⁵⁵ *Ibid* at 1-1.

⁶⁵⁶ NICHD: *National Reading Panel Report*, *supra* note 654.

⁶⁵⁷ *Ibid*.

⁶⁵⁸ *Ibid*. For a helpful summary see: Center on Teaching and Learning, "There are Five Big Ideas in Beginning Reading" (last visited 25 January 2022), online: University of Oregon reading.uoregon.edu/big_ideas/.

⁶⁵⁹ For a detailed explanation of the Five Big Ideas, see: "Reading After Epilepsy Surgery: Part 1 Understanding the Big Five for the Early or Struggling Reader" (last visited 25 January 2022), online (pdf): *The Brain Recovery Project* brainrecoveryproject.org/wp-content/uploads/2018/10/Part-1-Understanding-the-Big-Five-for-the-Early-or-Struggling-Reader.pdf.

⁶⁶⁰ Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201 at 71.

⁶⁶¹ Ontario Legislative Assembly, *Standing Committee on Estimates*, 4th Sess, 37th Parl (10 June 2003) at E-49, online: *Ontario Legislative Assembly* ola.org/en/legislative-business/committees/estimates/parliament-37/transcripts/committee-transcript-2003-jun-10.

⁶⁶² Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201 at 11.

⁶⁶³ *Ibid* at 3.

⁶⁶⁴ *Ibid* at 16.

⁶⁶⁵ *Ibid* at 17.

⁶⁶⁶ *Ibid* at 23.

⁶⁶⁷ Jim Rose, *Identifying and Teaching Children and Young People with Dyslexia and Literacy Difficulties: an Independent report from Sir Jim Rose to the Secretary of State for Children, Schools and Families*, (June 2009) at 38, online (pdf): *The Dyslexia-SpLD Trust* thedyslexiasplctrust.org.uk/media/downloads/inline/the-rose-report.1294933674.pdf [Rose Report 2009].

⁶⁶⁸ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 5.

⁶⁶⁹ Jim Rose, *Independent review of the teaching of early reading*, (March 2006) at 20, online (pdf): *Digital Education Resource Archive* dera.ioe.ac.uk/5551/2/report.pdf [Rose Report 2006].

⁶⁷⁰ Hawken, *Foundations for Literacy*, *supra* note 647.

⁶⁷¹ *Ibid* at 111.

⁶⁷² H S Scarborough, "Connecting early language and literacy to later (dis)abilities. Evidence, theory and practice" in S B Neuman & D K Dickinson, eds, *Handbook of early literacy research* (New York: Guilford Press, 2002) 97.

⁶⁷³ P Gough & W Tunmer, "Decoding, reading, and reading disability" (1986) 7 Remedial and Special Education 6; W Hoover & P Gough "The simple view of reading," (1990) 2 Reading and Writing: An Interdisciplinary Journal.

⁶⁷⁴ Linnea C Ehri, "Learning to read words: Theory, findings, and issues" (2005) 9:2 Scientific Studies of reading 167; Linnea C Ehri, "Orthographic mapping in the acquisition of sight word reading, spelling memory, and vocabulary learning" (2014) 18:1 Scientific Studies of Reading 5 [Ehri, "Orthographic mapping"].

⁶⁷⁵ L C Ehri, "The science of learning to read words: A case for systematic phonics instruction" (2020) 55 *Reading Research Quarterly* S45.

⁶⁷⁶ J M Fletcher et al, "A Commentary on Bowers (2020) and the Role of Phonics in Reading Instruction" (2021) 33 *Educational Psychology Review* 1249 at 1257 [Fletcher et al, "A Commentary on Bowers (2020)"].

⁶⁷⁷ See also the following meta-analysis: K Galuschka et al, "Effectiveness of treatment approaches for children and adolescents with reading disabilities: a meta-analysis of randomized controlled trials" (2014) 9:2 *PloS One* e89900: "The results revealed that phonics instruction is not only the most frequently investigated treatment approach, but also the only approach whose efficacy on reading and spelling performance in children and adolescents with reading disabilities is statistically confirmed. The mean effect sizes of the remaining treatment approaches did not reach statistical significance"; D Murphy Odo, "A Meta-Analysis of the Effect of Phonological Awareness and/or Phonics Instruction on Word and Pseudo Word Reading of English as an L2" (2021) 11:4 *SAGE Open*, DOI:

<https://doi.org/21582440211059168>: "Effect sizes were recorded for the effect of various PA and/or phonics instructional interventions on word and pseudo word reading. Results demonstrated that L2 PA and phonics instruction has a moderate effect on L2 word reading ($g=0.53$)... Based upon these conclusions, policymakers and educators can provide beginning learners of English as an L2 with PA and phonics instruction that will enable them to read, understand and enjoy English better"; S Graham et al, "Effectiveness of literacy programs balancing reading and writing instruction: A meta-analysis" (2018) 53:3 *Reading Research Quarterly* 279-304: "Results show that treatment approaches using phonics, orthographic (graphotactic or orthographic phonological spelling rules), and morphological instruction had a moderate to high impact on spelling performance"; G McArthur et al, "Phonics training for English-speaking poor readers" (2012) 12 *Cochrane Database of Systematic Reviews*, DOI:

<https://doi.org/10.1002/14651858.CD009115.pub2>: "Phonics training appears to be effective for improving literacy-related skills, particularly reading fluency of words and non-words, and accuracy of reading irregular words."; R S Dessemontet et al, "A meta-analysis on the effectiveness of phonics instruction for teaching decoding skills to students with intellectual disability" (2019) 26 *Educational Research Review* 52.

⁶⁷⁸ D LaBerge & J Samuels, "Toward a theory of automatic information processing in reading" (1974) 6 *Cognitive Psychology* 293 [LaBerge & Samuels].

⁶⁷⁹ J A Scott et al, "Vocabulary instruction throughout the day in twenty-three Canadian upper-elementary classrooms" (2003) 103:3 *The Elementary School Journal* 269 [Scott et al, "Vocabulary instruction"]; N K Duke, "3.6 minutes per day: The scarcity of informational texts in first grade" 35:2 *Reading Research Quarterly* 202 [Duke, "3.6 minutes per day"]; S Neuman et al, "A double dose of disadvantage: Language experiences for low-income children at home and at school" (2018) *Journal of Educational Psychology* 102 [Neuman et al, "A double dose of disadvantage"]; T S Wright & S B Neuman, "Paucity and disparity in

- kindergarten oral vocabulary instruction" (2014) 46:3 Journal of Literacy Research 330 [Wright & Neuman, "Paucity and disparity in kindergarten oral vocabulary instruction"].
- ⁶⁸⁰ Scott et al, "Vocabulary instruction," *supra* note 679; Duke, "3.6 minutes per day," *supra* note 679; Neuman et al, "A double dose of disadvantage," *supra* note 679; Wright & Neuman, "Paucity and disparity in kindergarten oral vocabulary instruction," *supra* note 679.
- ⁶⁸¹ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 20–21.
- ⁶⁸² S E Israel, ed, *Handbook of Research on Reading Comprehension*, 2nd ed, (New York: Guilford Press, 2017); B Honig et al, *Teaching Reading Sourcebook: For All Educators Working to Improve Reading Achievement*, 3rd ed (CORE Literacy Library Series, 2018).
- ⁶⁸³ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 20; Holly M Menzies et al, "Early Intervention in Reading: from Research to Practice" (2008) 29:2 Remedial and Special Education 67, online: *Sage Journals*: <https://journals.sagepub.com/doi/10.1177/0741932508315844>; Linnea C Ehri et al, "Systematic Phonics Instruction Helps Students Learn to Read: Evidence from the National Reading Panel's Meta-Analysis," (2001) 71:3 Review of Educational Research 393, online: *Sage Journals* <https://journals.sagepub.com/doi/abs/10.3102/00346543071003393>.
- ⁶⁸⁴ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 5.
- ⁶⁸⁵ See for example research on how students benefit from direct classroom teacher time as opposed to withdrawal with an educational assistant: Rob Webster et al, "A help or a hindrance?" (16 December 2009) 1.2 Teaching Times 64 complexneeds.org.uk/modules/Module-4.1-Working-with-other-professionals/All/downloads/m13p080b/tas_%20a_help_or_a_hindrance.pdf.
- ⁶⁸⁶ Ontario Ministry of Education, *Learning for All: A guide to Effective assessment and Instruction for All Students, Kindergarten to Grade 12* (2013) at 13, online: *Ontario Ministry of Education* edu.gov.on.ca/eng/general/elemsec/speced/learningforall2013.pdf [Ontario Ministry of Education, *Learning for All*].
- ⁶⁸⁷ Lyne Bessette, "Using the Response to Intervention (RTI) Model to Develop Reading Fluency in Grade 2 Students" (27 May 2020), online: *LD School* ldatschool.ca/response-intervention-reading-fluency/ citing to S Vaughn & L S Fuchs, "Redefining learning disabilities as inadequate response to instruction: The promise and potential problems" (2003) 18 Learning Disabilities Research and Practice 137.
- ⁶⁸⁸ Edward S Shapiro, "Tiered Instruction and Intervention in a Response-to-Intervention Model" (last visited 26 January 2022), online: *RTI Action Network* rtinetwork.org/essential/tieredinstruction/tiered-instruction-and-intervention-rti-model.
- ⁶⁸⁹ *Ibid*. See also: Margaret Searle, *What Every School Leader Needs to Know About RTI* (Alexandria, VA: ASCD, 2010), and "Response to Intervention (RTI)" (last visited 26 January 2022), online: *the Reading Well* dyslexia-reading-well.com/response-to-intervention.html.
- ⁶⁹⁰ Barbara R Foorman et al, "Interventions Aimed at Improving Reading Success: An Evidence-Based Approach," (2003) 24:2/3 Developmental Neuropsychology 613; Carolyn A Denton et al, "Perspective: Schools That 'Beat the Odds,'" (2003) 24:5 Remedial and Special Education 258.
- ⁶⁹¹ Geva, "Issues in assessment of reading disabilities in L2 children," *supra* note 453; Thompson et al "Effectiveness of supplement reading instruction for 2nd grade English learners with reading difficulties" (2003) 103:3 Elementary School Journal 221 [Thompson et al, "Effectiveness of supplement reading instruction"].
- ⁶⁹² Russell Monroe Gersten & Esther Geva, "Teaching reading to early language learners," (April 2003) Educational Leadership, online: *Research Gate* www.researchgate.net/publication/292507514_Teaching_reading_to_early_language_learners.
- ⁶⁹³ For a review of these issues, see Esther Geva, "Second-Language Oral Proficiency and Second-Language Literacy" in D August & T Shanahan, eds, *Developing literacy in second-language learners: Report of the National Literacy Panel on Language-Minority Children and Youth* (Lawrence Erlbaum Associates Publishers, 2006) at 123–139, online: *American Psychological Association APA PsycNet* <https://psycnet.apa.org/record/2006-10122-005> [Geva, "Second-Language Oral Proficiency"].
- ⁶⁹⁴ Adelson et al, *Identification, Assessment and Instruction*, *supra* note 452.
- ⁶⁹⁵ *Rose Report 2009*, *supra* note 667 at 38; K Rayner et al, "How psychological science informs the teaching of reading" (2001) 2:2 Psychological science in the public interest 31; K Cain and R Parrila, "Introduction to the special issue. Theories of reading: What we have learned from two decades of scientific research" (2014) 18:1 Scientific Studies of Reading 1; Ehri, "Orthographic mapping," *supra* note 674.

-
- ⁶⁹⁶ Moats, "Whole-Language High Jinks," *supra* note 461 at 12.
- ⁶⁹⁷ For a detailed comparison of science-based versus whole language approaches see: *ibid* at 18.
- ⁶⁹⁸ *Ibid*.
- ⁶⁹⁹ Kerry Hempenstall, "The three-cueing system in reading: Will it ever go away?" (28 November 2012, updated 29 October 2017), online: *National Institute for Direct Instruction* <https://www.nifdi.org/resources/hempenstall-blog/402-the-three-cueing-system-in-reading-will-it-ever-go-away>.
- ⁷⁰⁰ T Shanahan, "What constitutes a science of reading instruction?" (2020) 55 *Reading Research Quarterly* S235 at S239 [Shanahan, "What constitutes a science of reading instruction?"]
- ⁷⁰¹ Marilyn Jager Adams et al, "Comparing Reading Research to Program Design: An Examination of Teachers College Units of Study" (Student Achievement Partners, 2020) at 10, online (pdf): *Achieve the Core* achievethecore.org/page/3240/comparing-reading-research-to-program-design-an-examination-of-teachers-college-units-of-study [Jager Adams et al, "Comparing Reading Research to Program Design"].
- ⁷⁰² Irene C Fountas & Gay Su Pinnell, *Guided Reading: Good First Teaching for All Children*, (Portsmouth, NH: Heinemann, 1996) [Fountas & Pinnell, *Guided Reading*].
- ⁷⁰³ Janette M Hughes, "Balanced Literacy" (2007), online: *Teaching Language and Literacy, K-6: Janette M. Hughes* faculty.ontariotechu.ca/hughes/Contexts/BalancedLiteracy.html.
- ⁷⁰⁴ Louisa Moats, "Whole Language Lives On: The Illusion of Balanced Reading Instruction," (Washington, DC: Thomas B Fordham Foundation, 2000), online: *LD Online* ldonline.org/article/6394/ [Moats, "Whole Language Lives On"].
- ⁷⁰⁵ Louisa Moats, *Whole-Language High Jinks*, *supra* note 461 at 21.
- ⁷⁰⁶ Issued by the Ministry of Education under the authority of the *Education Act*, RSO 1990, c E2, s 8(1)(3.0.0.1)(iii).
- ⁷⁰⁷ Ontario Ministry of Education, *The Kindergarten Program 2016* (updated 21 August 2019), online: *Government of Ontario* ontario.ca/document/kindergarten-program-2016?_ga=2.95826076.1612652035.1618838133-1755829123.1583096645 [Ontario Ministry of Education, *The Kindergarten Program 2016*].
- ⁷⁰⁸ T Shanahan & C J Lonigan, "The National Early Literacy Panel: A summary of the process and the report" (2010) 39:4 *Educational Researcher* 279 [Shanahan & Lonigan, "The National Early Literacy Panel"]; Juel, *supra* note 65; Hugh William Catts & Tiffany P Hogan, "Dyslexia: An Ounce of Prevention is Better Than a Pound of Diagnosis and Treatment" (2021) 2:1 *Reading League Journal* 6, online: *PsyArXiv Preprints* psyarxiv.com/nvgje/ [Catts & Hogan, "Dyslexia"]; F R Vellutino et al, "Using response to kindergarten and first grade intervention to identify children at-risk for long-term reading difficulties," (2008) 21:4 *Reading and Writing* 437.
- ⁷⁰⁹ Shanahan & Lonigan, "The National Early Literacy Panel," *supra* note 708.
- ⁷¹⁰ *Ibid*; J K McNamara et al, "A longitudinal study of kindergarten children at risk for reading disabilities: The poor really are getting poorer" (2011) 44:5 *Journal of learning disabilities* 421.
- ⁷¹¹ Shanahan & Lonigan, "The National Early Literacy Panel," *supra* note 708; Partanen & Siegel, "Long-term outcome of the early identification and intervention of reading disabilities," *supra* note 65; N K Lesaux et al, "Growth in reading skills of children from diverse linguistic backgrounds: Findings from a 5-year longitudinal study" (2007) 99:4 *Journal of Educational Psychology* 821; N K Lesaux & L S Siegel, "The development of reading in children who speak English as a second language" (2003) 39:6 *Developmental psychology* 1005 [Lesaux & Siegel, "The development of reading in children who speak English as a second language"].
- ⁷¹² M R Jalongo & M J Sobolak, "Supporting young children's vocabulary growth: The challenges, the benefits, and evidence-based strategies" (2011) 38:6 *Early Childhood Education Journal* 421.
- ⁷¹³ L M Marulis & S B Neuman, "The effects of vocabulary intervention on young children's word learning: A meta-analysis" (2010) 80:3 *Review of educational research* 300; S B Neuman & T S Wright, *All about words: Increasing vocabulary in the common core classroom, Pre K-2* (Teachers College Press, 2015) [Neuman & Wright, *All about words*]; S B Neuman et al, "Building background knowledge" (2014) 68:2 *The Reading Teacher* 145 [Neuman et al, "Building background knowledge"]; S B Neuman et al, "Educational effects of a vocabulary intervention on preschoolers' word knowledge and conceptual development: A cluster-randomized trial," (2011) 46:3 *Reading Research Quarterly* 249.
- ⁷¹⁴ I L Beck & M G McKeown, "Increasing young low-income children's oral vocabulary repertoires through rich and focused instruction" (2007) 107:3 *The Elementary School Journal* 251.

-
- ⁷¹⁵ Wright & Neuman, "Paucity and disparity in kindergarten oral vocabulary instruction," *supra* note 679.
- ⁷¹⁶ Scott et al, "Vocabulary instruction," *supra* note 679.
- ⁷¹⁷ Wright & Neuman, "Paucity and disparity in kindergarten oral vocabulary instruction," *supra* note 679.
- ⁷¹⁸ *Ibid*; Neuman et al, "A double dose of disadvantage," *supra* note 679.
- ⁷¹⁹ Ontario Ministry of Education, *The Kindergarten Program 2016*, *supra* note 707.
- ⁷²⁰ G Ouellette & M Sénéchal, "Pathways to literacy: A study of invented spelling and its role in learning to read" (2008) 79:4 Child development 899. See also Ontario Ministry of Education, *Supporting Early Language and Literacy* (2011), Research Monograph 37 in What Works? Research into Practice, online (pdf): Carleton University Research Virtual Environment https://curve.carleton.ca/system/files/etd_a2a0815a-dd24-466e-bde4-5f136060fc28/etd_pdf/1ca2c5c749eda2f561fd403d0a11af66/ouellette-pathwaystoliteracyastudyofinventedspelling.pdf
- ⁷²¹ Torgesen, "The prevention of reading difficulties" *supra* note 59; Shanahan & Lonigan, "The National Early Literacy Panel," *supra* note 708.
- ⁷²² The Association of Chief Psychologists with Ontario School Boards (now named "The Association of Psychology Leaders in Ontario Schools") is a voluntary professional organization. Its members are all Psychology Leaders in Ontario who have extensive training and experience in assessment, diagnosis and treatment of children with learning, emotional and behavioural problems, as well as in mental health prevention and intervention; see their website: "About Us" (last visited 26 January 2022), online: *The Association of Psychology Leaders in Ontario Schools* aploson.org.
- ⁷²³ *Education Act*, s 8(1)2-3.
- ⁷²⁴ Auditor General, 2020 *Value for Money Audit: Curriculum*, *supra* note 328 at 61.
- ⁷²⁵ See Figure 7 of *ibid* at 21; only Alberta's language is older and it is currently undergoing revision: Alberta, "Curriculum development" (last visited 26 January 2022), online: *Government of Alberta* alberta.ca/curriculum-development.aspx.
- ⁷²⁶ Auditor General, 2020 *Value for Money Audit: Curriculum*, *supra* note 328 at 9.
- ⁷²⁷ Yaacov Petscher et al, "How the Science of Reading Informs 21st-Century Education" (2020) 55:Suppl 1 Read Res Q S267, DOI: <https://doi.org/10.1002/rq.352> [Petscher et al, "How the Science of Reading Informs 21st-Century Education"]; see also: K E Stanovich, "Concepts in developmental theories of reading skill: Cognitive resources, automaticity, and modularity" (1990) 10:1 Developmental Review 72, DOI: [https://doi.org/10.1016/0273-2297\(90\)90005-Q](https://doi.org/10.1016/0273-2297(90)90005-Q); K E Stanovich, "Word recognition: Changing perspectives" in R Barr et al, eds, *Handbook of reading research*, Vol 2 (Lawrence Erlbaum Associates, 1991) 418.
- ⁷²⁸ As summarized by leading researchers in their field:
- Other instructional practices go directly against what is known from the science of reading. For example, the three-cueing approach to support early word recognition (i.e., relying on a combination of semantic, syntactic, and graphophonic cues simultaneously to formulate an intelligent hypothesis about a word's identity) ignores 40 years of overwhelming evidence that orthographic mapping involves the formation of letter-sound connections to bond spelling, pronunciation, and meaning of specific words in memory (see Ehri, this issue). Moreover, relying on alternative cuing systems impedes the building of automatic word-recognition skill that is the hallmark of skilled word reading (Stanovich, 1990; 1991). The English orthography, being both alphabetic-phonemic and morpho-phonemic, clearly privileges the use of various levels of grapheme-phoneme correspondences to read words (Frost, 2012), with rapid context free word recognition being the process that most clearly distinguishes good from poor readers (Perfetti, 1992; Stanovich, 1980). Guessing at a word amounts to a lost learning trial to help children learn the orthography of the word and thus reduce the need to guess the word in the future (Castles et al., 2018; Share, 1995).
- See Y Petscher et al, "How the Science of Reading Informs 21st-Century Education" (2020) Read Res Q, online *US National Library of Medicine National Institutes of Health* [ncbi.nlm.nih.gov/pmc/articles/PMC8128160/](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8128160/). Using context to guess at occasional, unfamiliar words while one has overall well-developed decoding skills is significantly different than teaching children the written code of their spoken language through integrating these cueing systems.
- ⁷²⁹ The French version of the Guide contains a similar statement at 1.8:

Indices syntaxiques

En lisant, ils peuvent prédire des éléments tels que l'ordre des mots dans la phrase (p. ex., place de l'adjectif) ou l'emploi de prépositions et de mots de relation. Les élèves doivent apprendre à se poser des questions comme : « **Cela se dit-il ainsi en français?** ».

⁷³⁰ Ontario Ministry of Education, *A Guide to Effective Instruction in Reading: Kindergarten to Grade 3*, (2003) at 6.9, online (pdf): eWorkshop.on.ca/edu/resources/guides/reading_k_3_english.pdf [Ontario Ministry of Education, *A Guide to Effective Instruction in Reading*].

⁷³¹ NICHD: *National Reading Panel Report*, *supra* note 654 at 2–102.

⁷³² Ontario Ministry of Education, *A Guide to Effective Instruction in Reading*, *supra* note 730.

⁷³³ *Ibid.*

⁷³⁴ U.K., Department for Education Primary National Strategy, *Phonics and early reading: An overview for headteachers, literacy leaders and teachers in schools, and managers and practitioners in Early Years settings*, (UK: Department of Education and Skills, 2006) at 9, online: *StudyLib* studylib.net/doc/8836766/phonics-and-early-reading--an-overview.

⁷³⁵ Jager Adams et al, “Comparing Reading Research to Program Design,” *supra* note 701 at 13.

⁷³⁶ Ontario Ministry of Education, *Me Read? No Way! A practical guide to improving boys’ literacy skills at 4* (2004), online (pdf): *Ministry of Education* edu.gov.on.ca/eng/document/brochure/meread/meread.pdf [Ontario Ministry of Education, *Me Read? No Way!*].

⁷³⁷ *Ibid* at 14.

⁷³⁸ Ontario Ministry of Education, *Literacy for Learning: The Report of the Expert Panel on Literacy in Grades 4 to 6 in Ontario* (2004).

⁷³⁹ See: L Phillips et al, “Reading comprehension instruction” in *Encyclopedia of Language and Literacy Development* (London, ON: Canadian Language and Literacy Research Network, 2007). Using context for comprehending text is not usually referred to as a cueing system.

⁷⁴⁰ Hawken, *Foundations for Literacy*, *supra* note 647 at 13.

⁷⁴¹ For example, TDSB & LCDSB.

⁷⁴² Persons who completed a teacher education program from a faculty of education in Ontario.

⁷⁴³ Vellutino et al, “Response to intervention as a vehicle for distinguishing between children with and without reading disabilities”, *supra* note 41; Catts & Hogan, “Dyslexia,” *supra* note 708.

⁷⁴⁴ Petscher et al, “How the Science of Reading Informs 21st-Century Education,” *supra* note 727.

⁷⁴⁵ In contrast see: Direct Leadership Forum, *The Science of Reading Implementation Guide: Ideas and Tools for Integrating Scientifically Based Strategies into Early Reading Instruction* (2019) at 24, online (pdf): *International Dyslexia Association Ontario* idaontario.com/wp-content/uploads/2021/01/EAB-2019-Science-of-Reading-Implementation-Guide.pdf. This guide recommends a minimum of 45 minutes per day for work on foundational skills in K–Grade 2.

⁷⁴⁶ L Spear-Swerling, “Structured literacy and typical literacy practices: Understanding differences to create instructional opportunities” (2019) 51:3 *Teaching Exceptional Children* 201.

⁷⁴⁷ Auditor General, *2020 Value for Money Audit: Curriculum*, *supra* note 328 at 38.

⁷⁴⁸ *Ibid* at 38–39.

⁷⁴⁹ See also *ibid* at 2–3; *Annual Report* (4 December 2019) at s.1.08, vol 4, (“Ministry Funding and Oversight of School Boards, Follow-Up on VFM Section 3.08, 2017 Annual Report”), online: *Office of the Auditor General* auditor.on.ca/en/content/annualreports/arbyyear/ar2019.html [Auditor General, *2019 Annual Report*].

⁷⁵⁰ “What is the Summer Learning Program?” (last visited 26 January 2022), online: *Ontario Summer Learning* ontariosummerlearning.org/about/.

⁷⁵¹ Ontario, News Release, “First Year Investment of Ontario’s Four-Year Math Strategy Announced,” (28 August 2019), online: *Government of Ontario* news.ontario.ca/en/release/53479/first-year-investment-of-ontarios-four-year-math-strategy-announced [Ontario, “First Year Investment”].

⁷⁵² Ontario Ministry of Education, “The Trillium List” (last updated 1 September 2021), online: *Ministry of Education* trilliumlist.ca.

⁷⁵³ The Auditor General has identified concerns with textbooks.

⁷⁵⁴ Auditor General, *2020 Value for Money Audit: Curriculum*, *supra* note 328 at 39.

⁷⁵⁵ “Belief in Learning Styles Myth May Be Detrimental,” 30 may 2019, online: *American Psychological Association* apa.org/news/press/releases/2019/05/learning-styles-myth.

⁷⁵⁶ Chadha et al, *supra* note 283.

⁷⁵⁷ Unlike discrimination, which does not require an intention to discriminate, reprisal requires showing there was an intention on behalf of the education provider to retaliate or reprise against a person for claiming a right, attempting to enforce a right, or refusing to infringe a right; *Noble v York University*, 2010 HRTO 878 at paras 30–31, 33–34. See *Valle v Faema Corporation 2000 Ltd*, 2017 HRTO 588 where an employee was terminated as reprisal for refusing to violate human rights.

⁷⁵⁸ For a description of Professional Learning Communities, see Ontario Ministry of Education, “Professional Learning Communities: A Model for Ontario Schools” (October 2017) in The Literacy and Numeracy Secretariat Capacity Building Series, Special Edition #3.

⁷⁵⁹ Brochu et al, *PIRLS 2016: Canada in Context*, *supra* note 327 at 55.

⁷⁶⁰ *Ibid.*

⁷⁶¹ Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201 at 45.

⁷⁶² D M Scanlon et al, “Reducing the incidence of early reading difficulties,” (2008) 18 Learning and Individual Differences 346 [Scanlon et al, “Reducing the incidence of early reading difficulties”].

⁷⁶³ Lesaux & Siegel, “The development of reading in children who speak English as a second language,” *supra* note 711; Partanen & Siegel, “Long-term outcome of the early identification and intervention of reading disabilities,” *supra* note 65.

⁷⁶⁴ A D’Angiulli et al, “Schooling, socioeconomic context and literacy development,” (2004) 24:6 *Educational Psychology* 867 (D’Angiulli et al, “Schooling”).

⁷⁶⁵ Lingley, *supra* note 60; for original multisite study see: R Savage et al, “Preventative reading interventions teaching direct mapping of graphemes in texts and set-for-variability aid at-risk learners,” (2018) 22:3 *Scientific Studies of Reading* 225 [Savage et al, “Preventative reading interventions”].

⁷⁶⁶ Lingley, *supra* note 60.

⁷⁶⁷ O’Sullivan, J.T. (2021) Model Schools Literacy Project: Investing in Children. Martin Family Initiative: Montreal, Canada, at p 12, online (pdf): <https://themfi.ca/investing-in-children>. Teachers in the project have intensive professional learning support for four years. Professional learning is specifically designed for each of Kindergarten and Grades 1, 2 and 3. The report also found (at p 18):

Findings are clear that the more often the literacy block is taught by a [Martin Foundation Initiative] trained teacher, rather than a substitute, the higher the children’s reading achievement.

⁷⁶⁸ A 2021 Superior Court of Justice (Divisional Court) decision found that Ontario’s Mathematics Proficiency Test was discriminatory because of its impact on racialized teacher candidates entering the teaching profession: *Ontario Teacher Candidates’ Council v The Queen*, 2021 ONSC 7386 [OTCC].

⁷⁶⁹ See *ibid*, para 21, referring to Education Quality and Accountability Office, *Literature Review of the Empirical Evidence on the Connection Between Compulsory Teacher Competency Testing and Student Outcomes* (August 2019) at 13–14, online (pdf): *People for Education* <https://peopleforeducation.ca/wp-content/uploads/2021/05/EQAO-Literature-Review-Math-Qualifying-Test.pdf> [EQAO, *Literature Review*].

⁷⁷⁰ B Kelcey & J F Carlisle, “Learning about teachers’ literacy instruction from classroom observations” (2013) 48:3 *Reading Research Quarterly* 301, cited in EQAO, *Literature Review*, *supra* note 769 at 3–4.

⁷⁷¹ This report is a second edition to the original *Teaching Reading is Rocket Science* published by the American Federation of Teachers (AFT). It is a product of the collaboration between the AFT and the Center for Development and Learning. Moats, *Teaching Reading Is Rocket Science*, *supra* note 22.

⁷⁷² “About Us” (last visited 26 January 2022), online: *American Federation of Teachers* aft.org/about.

⁷⁷³ “Closing the Achievement Gap Through Teacher Effectiveness” (last visited 26 January 2022), online: *The Center for Development and Learning* cdl.org/who-is-cdl.

⁷⁷⁴ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 3.

⁷⁷⁵ *Ibid.*

⁷⁷⁶ *Ibid.*

⁷⁷⁷ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 7.

⁷⁷⁸ *Ibid* at 5.

⁷⁷⁹ *Ibid* at 5, 14.

⁷⁸⁰ J R Garcia & K Cain, “Decoding and reading comprehension: A meta-analysis to identify which reader and assessment characteristics influence the strength of the relationship in English” (2014) 84:1 *Review of Educational Research* 74, DOI: <https://doi.org/10.3102/0034654313499616>; F R Vellutino et al, “Components of reading ability: Multivariate evidence for a convergent skills model of reading development” (2007) 11:1 *Scientific Studies of Reading* 3, DOI: <https://doi.org/10.1080/10888430709336632>.

⁷⁸¹ LaBerge & Samuels, *supra* note 678.

⁷⁸² W Kintsch, "Learning from text" (1986) 3:2 Cognition and instruction 87; W Kintsch, "Psychological models of reading comprehension and their implications for assessment" in J Sabatini et al, eds, *Measuring up: Advances in how we assess reading ability* (Plymouth, UK: Rowman & Littlefield Education, 2012) at 21.

⁷⁸³ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 14.

⁷⁸⁴ Juel, *supra* note 65; Scanlon et al, "Reducing the incidence of early reading difficulties," *supra* note 762.

⁷⁸⁵ Torgesen, "The prevention of reading difficulties" *supra* note 59.

⁷⁸⁶ Sako, *supra* note 74; Zettler-Greeley, *supra* note 86; Jacobson, *supra* note 86.

⁷⁸⁷ Louisa C Moats, *Speech to print: Language essentials for teachers*, (Baltimore, MD: Paul H. Brookes Publishing Co, 2020); Louisa C Moats & B Rosow, *Speech to Print Workbook: Language Exercises for Teachers* (Baltimore, MD: Paul H. Brookes Publishing Co, 2020).

⁷⁸⁸ For example Lily Wong Fillmore & Catherine E Snow, "What Teachers Need to Know About Language" (January 2000), online (pdf): *Research Gate* [researchgate.net/publication/266478500_What_Teachers_Need_to_Know_About_Language](https://www.researchgate.net/publication/266478500_What_Teachers_Need_to_Know_About_Language); "The Science of Reading Implementation Guide" (last visited 26 January 2022), online (pdf): *EAB eab.com/research/district-leadership/toolkit/the-science-of-reading-implementation-guide/*; United States Department of Education, *Foundational Skills to Support Reading for Understanding in Kindergarten Through 3rd Grade* (July 2016), online (pdf): *International Dyslexia Association of Ontario idaontario.com/wp-content/uploads/2019/11/What-Works-Clearninghouse-2016-Foundational-skills-to-support-reading-for-understandingin-Kindergarten-through-3rd-grade.pdf*.

⁷⁸⁹ K L Carson et al, "Effectiveness of preschool-wide teacher-implemented phoneme awareness and letter-sound knowledge instruction on code-based school-entry reading readiness," (2019) 41:1 *Communication Disorders Quarterly* 42, DOI: <https://doi.org/10.1177/1525740118789061>.

⁷⁹⁰ In its executive summary, the National Reading Panel reported:

Instruction that taught phoneme manipulation with letters helped children acquire PA skills better than instruction without letters. Facilitation from letters was observed among at-risk readers and normally developing readers below 2nd grade. (2-28)

and

Teaching children to manipulate phonemes using letters produced bigger effects (on reading) than teaching without letters. Blending and segmenting instruction showed a much larger effect size on reading than multiple-skill instruction did (2-28 – 2-29).

and

Children who were taught to manipulate phonemes with letters benefited more in their spelling than children whose manipulations were limited to speech. (2-29)

NICHD: *National Reading Panel Report*, *supra* note 654.

⁷⁹¹ S A Brady, "Perspective on Research Findings on Alphabeticics (Phoneme Awareness and Phonics): Implications for Instruction (Expanded Version)," (2020) The Reading League Journal, online: *The Reading League* thereadingleague.org/wp-content/uploads/2020/10/Brady-Expanded-Version-of-Alphabeticics-TRLJ.pdf [Brady, "Perspective on Research Findings on Alphabeticics"]. For a full discussion of the research see: Fletcher et al, "A commentary on Bowers (2020)," *supra* note 676; J Buckingham, "Systematic phonics instruction belongs in evidence-based reading programs: A response to Bowers" (2020) 37:2 *The Educational and Developmental Psychologist* 105; Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching," *supra* note 650.

⁷⁹² R S Johnston & J E Watson, "Accelerating the development of reading, spelling and phonemic awareness skills in initial readers" (2004) 17:4 *Reading and Writing* 327; S de Graaff et al, "Benefits of systematic phonics instruction" (2009) 13:4 *Scientific Studies of Reading* 318; Susan A Brady, "Efficacy of phonics teaching for reading outcomes: Indications from post-NRP research" in Susan A Brady et al, eds, *Explaining individual differences in reading: Theory and evidence*, (Psychology Press, 2011) at 69–96; Brady, "Perspective on Research Findings on Alphabeticics," *supra* note 791; Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching," *supra* note 650.

⁷⁹³ Teaching blending with a continuous speech stream, or connected sounds, has been shown to be better than pronouncing disconnected sounds. That is, "Teach students to decode by sounding out graphemes and blending them to form words without breaking the speech stream (e.g.,ssuuuunnn rather

than ssss-uuuu-nnnn)." See the passage on Sight Word Learning Supported by Systematic Phonics Instruction, by Dr. Linnea Ehri in Tiffany K Peltier, "Dr. Linnea Ehri's List of Instructional Guidelines for Enhancing Orthographic Mapping and Word Learning" (18 April 2021), online (blog): *Understanding Reading* understandingreading.home.blog/2021/04/18/dr-linnea-ehris-list-of-instructional-guidelines-for-enhancing-orthographic-mapping-and-word-learning/.

⁷⁹⁴ S Graham & T Santangelo, "Does spelling instruction make students better spellers, readers, and writers? A meta-analytic review" (2014) 27:9 *Reading and Writing* 1703.

⁷⁹⁵ A P Goodwin, "Effectiveness of word solving: Integrating morphological problem-solving within comprehension instruction for middle school students" (2016) 29:1 *Reading and Writing* 91; A P Goodwin and S Ahn, "A meta-analysis of morphological interventions in English: Effects on literacy outcomes for school-age children" (2013) 17:4 *Scientific Studies of Reading* 257; J F Baumann et al, "Vocabulary tricks: Effects of instruction in morphology and context on fifth-grade students' ability to derive and infer word meanings" (2003) 40:2 *American educational research journal* 447.

⁷⁹⁶ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 20.

⁷⁹⁷ International Literacy Association, *Literacy Leadership Brief: Meeting the Challenges of Early Literacy Phonics Instruction* (2019) at 3, online (pdf): *Literacy World* literacyworldwide.org/docs/default-source/where-we-stand/ila-meeting-challenges-early-literacy-phonics-instruction.pdf [International Literacy Association, "Literacy Leadership Brief"].

⁷⁹⁸ *Ibid.*

⁷⁹⁹ NICHD: *National Reading Panel Report*, *supra* note 654; R F Hudson et al, "The complex nature of reading fluency: A multidimensional view," (2009) 25:1 *Reading & Writing Quarterly* 4 [Hudson et al, "The complex nature of reading fluency].

⁸⁰⁰ This example is based on experiences in an early reading classroom, where all children, regardless of skill level, were actively engaged and motivated throughout the lesson. The program was the Open Court Foundational Skills kit.

⁸⁰¹ Louisa Moats, "Teaching Decoding" (Spring/Summer 1998) *American Educator* 1, online: *American Federation of Teachers* aft.org/sites/default/files/periodicals/moats.pdf.

⁸⁰² W Blevins, "A Fresh Look at Phonics" (2020) 100:2 *Principal*, online: *NAESP* naesp.org/resource/a-fresh-look-at-phonics/.

⁸⁰³ N J Fien & H Fien "Incorporating Evidence-Based Instructional Practices in Tier 1 to Support At-Risk Readers" (2021) 2 *The Reading League Journal* 13.

⁸⁰⁴ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 22.

⁸⁰⁵ *Ibid* at 21.

⁸⁰⁶ D C Parker et al, "A brief report of the diagnostic accuracy of oral reading fluency and reading inventory levels for reading failure risk among second-and third-grade students" (2015) 31:1 *Reading & Writing Quarterly* 56 [Parker et al, "A brief report"].

⁸⁰⁷ M Seidenberg, *Language at the Speed of Sight: How we Read, Why so Many Can't, and what can be done about it* (Basic Books, 2017).

⁸⁰⁸ Erin K Washburn et al, "Teacher knowledge of basic language concepts and dyslexia" (2011) 17:2 *Dyslexia* 165 [Washburn et al, "Teacher knowledge"].

⁸⁰⁹ A E Cunningham et al, "Disciplinary knowledge of K-3 teachers and their knowledge calibration in the domain of early literacy" (2004) 54 *Annals of Dyslexia* 139; E Binks-Cantrell et al, "Peter Effect in the preparation of reading teachers" (2012) 16 *Scientific Studies of Reading* 526; L C Moats, "The missing foundation in teacher education: Knowledge of the structure of spoken and written language" (1994) 44 *Annals of Dyslexia* 81.

⁸¹⁰ E K Washburn et al, "Preservice teacher knowledge of basic language constructs in Canada, England, New Zealand, and the USA" (2016) 66:1 *Annals of dyslexia* 7.

⁸¹¹ Joshi R Malatesha et al, "Why elementary teachers might be inadequately prepared to teach reading," (2009) 42:5 *Journal of Learning Disabilities* 392 at 392.

⁸¹² *Ibid.*

⁸¹³ Michael J Feuer et al, "Evaluation of Teacher Preparation Programs: Purposes, Methods and Policy Options" (Washington, DC: National Academy of Education, 2013) at 1.

⁸¹⁴ NICHD, *National Reading Panel Report*, *supra* note 654.

⁸¹⁵ See for example "Making a difference through research and teaching excellence" (last visited 27 January 2022), online: *Western Education* edu.uwo.ca/about-us/index.html.

-
- ⁸¹⁶ Exceptions were two, possibly three faculties, where there was brief coverage in half-courses.
- ⁸¹⁷ "The Balanced Literacy Diet: A Framework for Understanding and Teaching Literacy" (last visited 27 January 2022), online: *The Melissa Institute Literacy Website* oise.utoronto.ca/balancedliteracydiet/Home/index.html; not to be confused with the most frequent use of the term Balanced Literacy.
- ⁸¹⁸ J Bainbridge et al, "Constructing meaning: Teaching language and literacy K-8" (2019) Access and Diversity, Drane Library, University of British Columbia.
- ⁸¹⁹ Brady, "Strategies used in education for resisting the evidence," *supra* note 650 at 34; Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching," *supra* note 650.
- ⁸²⁰ K S Goodman, "Reading: A psycholinguistic guessing game" (1967) 6:4 Literacy Research and Instruction 126; K S Goodman & Y M Goodman, *Making sense of learners making sense of written language: The selected works of Kenneth S. Goodman and Yetta M. Goodman*, (Routledge, 2014).
- ⁸²¹ F Smith, *Unspeakable acts, unnatural practices: Flaws and fallacies in "scientific" reading instruction*, (Heinemann Educational Books, 2003) [Smith, *Unspeakable acts*].
- ⁸²² L M Calkins, *The art of teaching reading* (Prentice Hall, 2001). However, Dr. Calkins may be changing her opinion: "The group headed by Lucy Calkins, a leading figure in the long-running fight over how best to teach children to read, is admitting that its materials need to be changed to align with scientific research. In an [internal document](#) obtained by APM Reports, the Teachers College Reading and Writing Project at Columbia University, where Calkins has served as founding director for more than 30 years, says it has been poring over the work of reading researchers and has determined that aspects of its approach need rebalancing." E Hanford, "Influential literacy expert Lucy Calkins is changing her views," *AM Reports* (16 October 2020), online: *AM Reports* apmreports.org/story/2020/10/16/influential-literacy-expert-lucy-calkins-is-changing-her-views.
- ⁸²³ Fountas & Pinnell, *Guided Reading*, *supra* note 702.
- ⁸²⁴ Smith, *Unspeakable acts*, *supra* note 821.
- ⁸²⁵ Brady, "Strategies used in education for resisting the evidence," *supra* note 650; Moats, *Whole Language Lives On*, *supra* note 704; Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching," *supra* note 650.
- ⁸²⁶ Moats, *Whole-Language High Jinks*, *supra* note 461.
- ⁸²⁷ C J Lonigan & T Shanahan, *Developing Early Literacy: Report of the National Early Literacy Panel. Executive Summary. A Scientific Synthesis of Early Literacy Development and Implications for Intervention*, (National Institute for Literacy, 2009).
- ⁸²⁸ Lesaux & Siegel, "The development of reading in children who speak English as a second language," *supra* note 711; Partanen & Siegel, "Long-term outcome of the early identification and intervention of reading disabilities," *supra* note 65.
- ⁸²⁹ Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201. Ontario Ministry of Education
- ⁸³⁰ S Graham & M Hebert, "Writing to read: A meta-analysis of the impact of writing and writing instruction on reading" (2011) 81:4 Harvard Educational Review 710; A Gillespie & S Graham, "A meta-analysis of writing interventions for students with learning disabilities" (2014) 80:4 Exceptional children 454.
- ⁸³¹ C Tovani, *I read it, but I don't get it: Comprehension strategies for adolescent readers*, (Stenhouse Publishers, 2000).
- ⁸³² Courses are also offered by colleges, teachers federations, principals' organizations, school boards, subject organizations and community organizations; see: "Additional Qualifications" (last visited 27 January 2022), online: *Ontario College of Teachers* oct.ca/members/additional-qualifications.
- ⁸³³ Teachers can also take Additional Basic Qualification courses. These courses give teachers the certification needed to teach in another division (Primary, Junior, Intermediate, etc.) or another subject area.
- ⁸³⁴ Ontario College of Teachers, "Additional Qualifications: Extending Professional Knowledge – Professional Advisory" (last visited 27 January 2022), online: *Ontario College of Teachers* oct.ca/Home/Resources/Advisories/Additional%20Qualifications.
- ⁸³⁵ Pre-requisites are a certification of Qualification and Registration from the OCT and basic qualifications in Primary or Junior divisions or Intermediation or Senior divisions.
- ⁸³⁶ Reading Part 1 and one year of teaching experience are pre-requisites.
- ⁸³⁷ Reading Part 1 and 2 and two years of teaching experience are pre-requisites.

⁸³⁸ Pre-requisites are a certificate of Qualification and Registration from the OCT and basic qualifications in Primary or Junior divisions or Intermediation or Senior divisions.

⁸³⁹ Teachers must have Special Education, Part 1 and one year of teaching experience to take this course.

⁸⁴⁰ Teachers must have completed Special Education, Part 2 and have 388 days of successful teaching experience, with at least one year with special education students under direct supervision that is certified by a supervisory officer (some superintendents require that one year of teaching be in a supervisory role); see: "Special Education, Specialist" (last visited 27 January 2022), online: *ETFO etfo-aq.ca/courses/special-education-specialist*.

⁸⁴¹ See for example Facebook Group "Ontario Science of Reading – What I should have learned in College" <https://www.facebook.com/groups/765753767374651/members> – with 2.9k members.

⁸⁴² Jean Stockard et al, *All Students Can Succeed: A Half Century of Research on the Effectiveness of Direct Instruction*, (Lexington Books, 2020) at 147–48 [Stockard, *All Students Can Succeed*].

⁸⁴³ PA Kirschner et al, "Why Minimal Guidance During Instruction Does Not Work: An Analysis of the Failure of Constructivist, Discovery, Problem-Based, Experimental, and Inquiry-Based Teaching" (2006) 42:2 Educational Psychologist; Greg Ashman, *Power of Explicit Teaching and Direct Instruction*, (Sage Publications, 2020); R E Clark et al, "Putting Students on the Path to Learning: The Case for Fully Guided Instruction," (2012) 36:1 American Educator 6; see also NICHD: *National Reading Panel Report*, *supra* note 654.

⁸⁴⁴ Stockard et al, *All Students Can Succeed*, *supra* note 842 at 149; see also: J Stockard et al, "The effectiveness of direct instruction curricula: A meta-analysis of a half century of research" (2018) 88:4 Review of Educational Research 479.

⁸⁴⁵ EQAO, *Elementary School Report 2018-2019*, *supra* note 319 at 2.

⁸⁴⁶ Hawken, *Foundations for Literacy*, *supra* note 647 at 13.

⁸⁴⁷ The New London Group, "A Pedagogy of Multiliteracies: Designing Social Futures" (Spring 1996) 66:1 Harvard Educational Review, online: *Simon Fraser University sfu.ca/~decaste/newlondon.htm*.

⁸⁴⁸ "Expanding the scope of Literacy pedagogy" (last visited 27 January 2022), online: *New Learning Online newlearningonline.com/multiliteracies*.

⁸⁴⁹ Stockard et al, *All Students Can Succeed*, *supra* note 842 at 152–53.

⁸⁵⁰ Brady, "Strategies used in education for resisting the evidence," *supra* note 650; Johnston et al, "Long-term effects of synthetic versus analytic phonics teaching," *supra* note 650.

⁸⁵¹ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 12.

⁸⁵² Universities Canada, News Release, "Statement on Academic Freedom," (25 October 2011), online: *Universities Canada univcan.ca/media-room/media-releases/statement-on-academic-freedom/*.

⁸⁵³ ILO/UNESCO, *Recommendation concerning the Status of Teachers* (1966) and *The UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel* (1997) (2008) at recommendation 22(c), online: *Right to Education right-to-education.org/sites/right-to-education.org/files/resource-attachments/ILO_UNESCO_Recommendation_Concerning_the_Status_of_Teachers_1966_En.pdf*.

⁸⁵⁴ *Ibid.*

⁸⁵⁵ *Ibid.* at recommendation 28.

⁸⁵⁶ OTCC, *supra* note 768.

⁸⁵⁷ *Ibid* at para 144.

⁸⁵⁸ In O Reg 347/02 under the *Ontario College of Teachers Act, 1996*, SO 1996, c 12.

⁸⁵⁹ Moats, *Teaching Reading is Rocket Science*, *supra* note 22 at 5.

⁸⁶⁰ Stockard et al, *All Students Can Succeed*, *supra* note 842 at 149.

⁸⁶¹ *Ibid* at 158–60.

⁸⁶² *Ibid* at 159.

⁸⁶³ International Literacy Association, "Literacy Leadership Brief," *supra* note 797.

⁸⁶⁴ Sarah Schwartz, "Lucy Calkins Says Balanced Literacy Needs 'Rebalancing,'" (19 October 2020), online: *Education Week* www.edweek.org/teaching-learning/lucy-calkins-says-balanced-literacy-needs-rebalancing/2020/10.

⁸⁶⁵ The curriculum should also lay out expectations for other important skills that were largely beyond the scope of this review, such as handwriting, oral vocabulary and syntax, oral language comprehension, and

knowledge required in different school subjects, all of which are necessary to comprehend increasingly complex and multicultural texts.

⁸⁶⁶ Although beyond the scope of this report, the scientific studies of reading have also shown Kindergarten is also an important time to have specific oral vocabulary and knowledge expectations. Informative teacher resources: Neuman & Wright, *All about words*, *supra* note 713; Tanya S Wright, *A Teacher's Guide to Vocabulary Development Across the Day: The Classroom Essentials Series*, (Heinemann, 2020); S B Neuman and T S Wright, "The Magic of Words: Teaching Vocabulary in the Early Childhood Classroom," (2014) 38:2 American Educator 4, online (pdf): *ERIC files.eric.ed.gov/fulltext/EJ1043526.pdf*; S B Neuman et al, "Building background knowledge," *supra* note 713; JoAnne M West, Tanya S Wright, and Amelia W Gotwals, "Supporting Scientific Discussions: Moving Kindergartners' Conversations Forward," (2021) The Reading Teacher.

⁸⁶⁷ Levelled readers from prepackaged programs have not been shown to advance reading skills in later grades; see: Karen Vaites, "Leveled Reading Groups Don't Work. Why Aren't we Talking About it?" (2 November 2019), online (blog): [Eduvaites.org/2019/11/02/leveled-reading-groups-dont-work-why-arent-we-talking-about-it#](https://eduvaites.org/2019/11/02/leveled-reading-groups-dont-work-why-arent-we-talking-about-it/#:~:text=It%20gives%20the%20kids%20in,texts%20lead%20to%20leveled%20lives.%E2%80%9D); Robert Pondiscio and Kevin Mahnken, "Leveled reading: the making of a literacy myth," (24 September 2014), online: *Fordham Institute* fordhaminstitute.org/national/commentary/leveled-reading-making-literacy-myth; Catherine Schmidt, "Leveled Texts are 'Exhibit A' for the Soft Bigotry of Low Expectations," (22 July 2020), online: *Education Post* educationpost.org/leveled-texts-are-exhibit-a-for-the-soft-bigotry-of-low-expectations/.

⁸⁶⁸ As well, these guides should outline approaches and materials to support teaching the expectations for other important skills that were largely beyond the scope of this review, such as handwriting, oral vocabulary, oral grammar or syntax, oral language comprehension, and the explicit links to school domain expectations related to knowledge acquisition necessary to comprehend increasingly complex and multicultural texts.

⁸⁶⁹ The Curriculum and Resources website, "Curriculum and Resources," online: *Government of Ontario* <https://www.dcp.edu.on.ca/en/>.

⁸⁷⁰ A Ministry website for Ontario educators from provincially funded schools.

⁸⁷¹ See *Education Act*, ss 8(1)(4-7, 23) (powers of Minister of Education), 264(1)(k)(i) (duties of teacher); 265(1)(h) (duties of principal). See also RRO 1990, Reg 298, s 7 and Ontario Ministry of Education, *Guidelines for Approval of Textbooks*, (2008), online: *Trillium List* trilliumlist.ca/files/Textbook_Guide_English_2008.pdf.

⁸⁷² As was done to support Ontario's Four-Year Math Strategy: Ontario, "First Year Investment," *supra* note 751.

⁸⁷³ *Ontario College of Teachers Act, 1996*, SO 1996, c 12, O Reg. 176/10.

⁸⁷⁴ Pre-service teachers will better understand how these tools support whole-class, small-group and individual instruction when they have learned the fundamentals of how word reading and spelling skills develop and best instructional practices for students with reading disabilities/dyslexia.

⁸⁷⁵ A screening measure is "a brief assessment that provides predictive information about a child's development in a specific academic area." See G N Davis et al, "Children at risk for reading failure; constructing an early screening measure" (2007) 39:5 *Teaching Exceptional Children* 32 at 33 [Davis, "Children at risk"].

⁸⁷⁶ P Nevills & P Wolfe, *Building the reading brain, PreK-3* (2nd ed.). (Thousand Oaks, CA: Corwin Press, 2009).

⁸⁷⁷ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22.

⁸⁷⁸ S Vaughan & Lynn S Fuchs, "Redefining Learning Disabilities as Inadequate Response to Instruction: The Promise and Potential Problems" 18:3 *Learning Disabilities Research & Practice* 137 at 139 [Vaughan & Fuchs, "Redefining Learning Disabilities"].

⁸⁷⁹ Vaughan & Fuchs, "Redefining Learning Disabilities," *supra* note 878.

⁸⁸⁰ Linda Siegel, "A case study of successful early screening and intervention" (2018) 44:3 *Perspectives on Language and Literacy* 29; O Ozernov-Palchik & DE Gabrieli, "Neuroimaging, early identification and personalized intervention for developmental dyslexia" (2018) 44:3 *Perspectives on Language and Literacy* 15; Louisa Moats, "When older students can't read" (2002) 58:6 *Educational Leadership: Journal of the Department of Supervision and Curriculum Development* 36.

⁸⁸¹ Vaughan & Fuchs, "Redefining Learning Disabilities," *supra* note 878 at 137.

⁸⁸² IES defines strong as moderate to high.

⁸⁸³ R Gersten et al, *Assisting Students Struggling with Reading: Response to Intervention (RtI) and MultiTier Intervention in the Primary Grades: A Practice Guide* NCEE 2009-4045 (Washington, DC: National Center for Education Evaluation and Regional Assistance, Institute of Education Sciences, U.S. Department of Education, 2008), online: *Institute of Education Sciences* https://ies.ed.gov/ncee/wwc/docs/practiceguide/rti_reading_pg_021809.pdf [Gersten et al, *Assisting Students Struggling with Reading*].

⁸⁸⁴ *Ibid* at 6—11.

⁸⁸⁵ **Strong** refers to consistent and generalizable evidence that a program causes better outcomes.

Moderate refers to evidence from studies that allow strong causal conclusions but cannot be generalized with assurance to the population on which a recommendation is focused (perhaps because the findings have not been widely replicated) or to evidence from studies that are generalizable but have more causal ambiguity than offered by experimental designs (such as statistical models of correlational data or group comparison designs for which equivalence of the groups at pretest is uncertain). **Low** refers to expert opinion based on reasonable extrapolations from research and theory on other topics and evidence from studies that do not meet the standards for moderate or strong evidence. See Table 1 for details of the criteria used to determine the level of evidence for each recommendation. Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 883.

⁸⁸⁶ Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 883 at 6—11. The report further outlines screening for early language and background knowledge of students that may interfere with developing reading comprehension. Specifically, it is important to screen the areas of receptive and productive vocabulary, grammar sensitivity, and background or word knowledge; however, they also note that these screening measures are not yet well developed or readily accessible.

⁸⁸⁷ Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 883 at 13: "Source: Authors' compilation based on Fuchs, Fuchs, Thompson, Al Otaiba, Yen, Yang, Braun & O'Connor (2001b), Speece et al. (2003b); Schatschneider (2006); O'Connor & Jenkins (1999); and Baker & Baker (2008) for letter-naming fluency. For phoneme segmentation, O'Connor & Jenkins (1999). For non-words word fluency, Speece et al. (2003b); Good, Simmons & Kame'enui (2001). For word identification, Fuchs, Fuchs & Compton (2004); Compton et al. (2006). For oral reading fluency, Fuchs, Fuchs, Hosp & Jenkins (2001a); Fuchs, Fuchs & Maxwell (1988); Schatschneider (2006); Speece & Case (2001); Gersten, Dimino & Jayanthi (2008); Baker, Gersten, Haager & Dingle (2006)."

⁸⁸⁸ For the DIBELS measures alternative-form reliability estimate for grade 1 letter-naming fluency; .86 for grade 1 non-word fluency; .83 and .90 for grade 2 oral reading fluency. R H Good & R Kaminski, *Dynamic indicators of basic early literacy skills* (Longmont, CO: Sopris West Educational Services, 2003).

⁸⁸⁹ Coefficient alpha estimates are .92 and .91 for six- and seven-year-old children on the elision measure, and .89 and .86 for six- and seven-year-old children on the sound-matching measure on the Comprehensive Test of Phonological Processing. See JK Torgesen et al, "Prevention and remediation of severe reading disabilities: Keeping the end in mind" (1997) 1:3 *Scientific Studies of Reading* 217. Alternate test-form and stability coefficients exceed .90 in Grade 1 for the word identification fluency task. See D L Compton et al, "Selecting at-risk readers in first grade for early intervention: a two-year longitudinal study of decision rules and procedures" (2006) 98:2 *Journal of Educational Psychology* 394.

⁸⁹⁰ Coefficient alpha estimates are .84 for Grade 1 letter sound knowledge, .80 for Grade 1 phoneme blending, and .85 and .83 for Grade 1 and 2 word reading on the Texas Primary Reading Inventory (1999). Children's Learning Institute, University of Texas-Houston Health Science Center, *Technical report: Texas primary reading inventory*, 1999 ed. (Houston: Texas Institute for Measurement, Evaluation and Statistics, 1999).

⁸⁹¹ M L Farrall, *Reading Assessment: Linking Language, Literacy, and Cognition* (Hoboken, NJ: Wiley, 2012).

⁸⁹² Davis, "Children at risk", *supra* note 875.

⁸⁹³ Fletcher et al, *Learning disabilities*, *supra* note 59.

⁸⁹⁴ S Brady, "The 2003 IDA definition of dyslexia: A call for changes" (2019) 45:1 *Perspectives on Language and Literacy* 15.

⁸⁹⁵ B F Pennington & R K Olson, "Early reading development in children at family risk for dyslexia" (2005) 72:3 *Child Development* 816.

-
- ⁸⁹⁶ D Hartas, "Families' social backgrounds matter: Socioeconomic factors, home learning and young children's language, literacy and social outcomes" (2011) 37 *British Educational Research Journal* 893.
- ⁸⁹⁷ J E Herbers et al, "Early reading skills and academic achievement trajectories of students facing poverty, homelessness, and high residential mobility" (2012) 41:9 *Educational Researcher* 366.
- ⁸⁹⁸ K G Noble et al, "Socioeconomic background modulates cognition-achievement relationships in reading" (2006) 21:3 *Cognitive Development* 349.
- ⁸⁹⁹ C A Denton, "Response to intervention for reading difficulties in the primary grades: Some answers and lingering questions." 45:3 *Journal of learning disabilities* (2012) 232.
- ⁹⁰⁰ Other educators such as early childhood educators may also have a role in assessing students and identifying their needs. See section 4, Context for the inquiry – Inquiry scope.
- ⁹⁰¹ Royal Commission on Learning, *For the Love of Learning* (Toronto: Queen's Printer for Ontario, 1994) at 2, online: *Queen's University* https://qspace.library.queensu.ca/bitstream/handle/1974/6880/rcol_short_version.pdf?sequence=5&isAllowed=y.
- ⁹⁰² Moats, *Teaching Reading is Rocket Science*, *supra* note 22.
- ⁹⁰³ See for example "Screening for Reading Impairments" (last visited 27 January 2022), online: *Gaab Lab* gaablab.com/screening-for-reading-impairments.
- ⁹⁰⁴ "Policy 209: Student Assessment" (last reviewed 28 May 2013), online: *North Vancouver School District* sd44.ca/Board/PoliciesProcedures/Series200/Policy209/Pages/default.aspx#/=.
- ⁹⁰⁵ See for example "School Plan for 2011-2012" (2011), online: *North Vancouver School District* sd44.ca/Board/Achievement/SchoolPlans/Documents/2011_12/UpperLynnSchoolPlan2011_12.pdf
- ⁹⁰⁶ *Inclusive Education 44 Learning Services Handbook* (2020), online: *North Vancouver School District* sd44.ca/ProgramsServices/InclusiveEducation/Documents/NVSD%20Inclusive%20Education%20Handbook%202020.pdf.
- ⁹⁰⁷ *Ibid.*
- ⁹⁰⁸ *Ibid.*
- ⁹⁰⁹ K Smolkowski & K D Cummings, "Evaluation of the DIBELS diagnostic system for the selection of native and proficient English speakers at risk of reading difficulties" (2016) 34:2 *Journal of Psychoeducational Assessment* 103. R Kaminski et al, "Best practices in using Dynamic Indicators of Basic Early Literacy Skills for formative assessment and evaluation" (2008) 4 Best practices in school psychology 1181.
- ⁹¹⁰ "DIBELS® 8th Edition Materials," (last visited 27 January 2022), online: *University of Oregon: DIBELS* <https://dibels.uoregon.edu/materials>.
- ⁹¹¹ Jennifer Palma "North Vancouver Tests for Dyslexia Early," *Global News* (8 November 2017), *Global News*, online: <https://globalnews.ca/video/3851769/north-vancouver-tests-for-dyslexia-early>.
- ⁹¹² U.K. Department of Education, "National Curriculum assessments at key stage 1 and phonics screening checks in England, 2018," (2019), online: *UK Government* www.gov.uk/government/statistics/phonics-screening-check-and-key-stage-1-assessments-england-2018/national-curriculum-assessments-at-key-stage-1-and-phonics-screening-checks-in-england-2018 [U.K. Department of Education, "National Curriculum assessments"]; U.K. Department of Education, *Assessment framework for the development of the Year 1 phonics screening check: for test developers*, (2017), online: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/628842/Y1_Phonics_assessment_framework_PDF_V3.pdf.
- ⁹¹³ U.K. Department of Education, *Phonics screening check: administration guidance* (2019), online: *UK Government* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/798235/2019_phonics_screening_check_administration_guidance.pdf; U.K. Department of Education, "The phonics screening check: responding to the results: Departmental advice for reception and key stage 1 teachers" (2013), online: *U.K. Government* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/285349/The_phonics_screening_check_responding_to_the_results--.pdf.
- ⁹¹⁴ S Machin et al, "Changing how literacy is taught: evidence on synthetic phonics" (2018) 10:2 *American Economic Journal: Economic Policy* 217. This study reports that phonics helps close the achievement gap.
- ⁹¹⁵ U.K. Department of Education, *English programmes of study: key stages 1 and 2: National curriculum in England* (2013), online: *U.K. Government*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/335186/PRIMARY_national_curriculum - English 220714.pdf.

916 U.K. Department of Education, *Key stage 1 assessment and reporting arrangements* (2019), online: *U.K. Government*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/838959/2020_KS1_assessment_and_reporting_arrangements.pdf [U.K. Department of Education, *Key stage 1 assessment and reporting arrangements*].

917 U.K. Department of Education, “Guidance: Key stage 1 teacher assessment guidance” (2022), online: *UK Government* gov.uk/government/publications/key-stage-1-teacher-assessment-guidance/key-stage-1-teacher-assessment-guidance.

918 U.K. Department of Education, *Key stage 1 assessment and reporting arrangements*, *supra* note 916.

919 As measured by eligibility for free school meals.

920 U.K. Department of Education, “National Curriculum assessments,” *supra* note 912.

921 Ann-Louise Hordacre et al, *Evaluation of the Trial of the UK Phonics Screening Check in South Australian Schools* (2017), online: *South Australia Department of Education* education.sa.gov.au/sites/default/files/evaluation-uk-phonics-screening-check-sa.pdf?acsf_files_redirect [Hordacre et al].

922 “Year 1 Phonics Screening Check begins” (18 August 2020), online: *Steven Marshall, Premier of South Australia* premier.sa.gov.au/news/media-releases/news/year-1-phonics-screening-check-begins.

923 “2022 Phonics screening check: Information for parents/carers, families and the general community” (last visited 28 January 2022), online (pdf): *South Australia Department of Education* education.sa.gov.au/sites/default/files/phonics-screening-check-fact-sheet.pdf.

924 “About the Literacy Hub” (last visited 28 January 2022), online: *Literacy Hub* <https://literacyhub.edu.au/about-the-literacy-hub/>; “Phonics Check: Year 1” (last visited 28 January 2022), online: *Literacy Hub* <https://literacyhub.edu.au/phonics-check.html>.

925 “Year 1 Phonics Screening Check” (last modified 12 January 2022), online: *New South Wales Government* <https://education.nsw.gov.au/teaching-and-learning/curriculum/literacy-and-numeracy/assessment-resources/phonics-screening-check>.

926 Hordacre et al, *supra* note 921.

927 Alabama, Arizona, Arkansas, California, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wyoming. See also: “Dyslexia in other countries: Dyslexia and Reading Instruction in the U.S.” (last visited 28 January 2022), online: *International Dyslexia Association Ontario* idaontario.com/dyslexia-in-other-countries/; “State Dyslexia Laws” (last modified 24 October 2021), online: *Dyslegia: A Legislative Information Site* dyslegia.com/state-dyslexia-laws/.

928 See for example Connecticut State Department of Education, *SLD/Dyslexia Assessment Resource Guide* (October 2016), online (pdf): *IDA Ontario* idaontario.com/wp-content/uploads/2018/02/Connecticut-SLD-Dyslexia-Assessment-Resource-Guide-2016.pdf and Alabama State Board of Education, *Alabama Dyslexia Resource Guide* (last modified 27 October 2016), online (pdf): *IDA Ontario* idaontario.com/wp-content/uploads/2017/06/Alabama-dyslexia-resource-guide.pdf. See also “Universal Screening for Reading Difficulties: Screening Tools – Selection and Use” (last visited 29 January 2022), online: *Decoding Dyslexia Canada* <https://decodingdyslexiaca.org/universal-screening/screening-tools-selection-use>.

929 See for example *The Dyslexia Handbook: Procedures concerning dyslexia and related disorders* (2018), online: *Texas Education Agency* https://tea.texas.gov/sites/default/files/2018-Dyslexia-Handbook_Approved_Accommodated_12_11_2018.pdf.

930 “Screening and identifying characteristics of dyslexia” (19 August 2019), online: *Minnesota Department of Education*

https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=MDE086773&RevisionSelectionMethod=latestReleased&Rendition=primary.

931 “Section 3323.251: Dyslexia Screening” (12 April 2021), online: *Ohio Legislative Services Commission* <https://codes.ohio.gov/ohio-revised-code/section-3323.251>. For the 2022–2023 school year, all students in Grades 1 through 3 must receive a “tier one dyslexia screening measure” before the end of the school year. Kindergarten students enrolled for the 2022–2023 school year must be screened with the same

measure sometime between January 1, 2023 and January 1, 2024. For all school years thereafter, all Kindergarten students must receive a “tier one dyslexia screening measure” between January 1 of their first school year and the following January 1. Other students in Grades 1 through 6 can receive screenings if their parent or teacher requests it.

⁹³² “Answers to frequently asked questions about Ohio’s dyslexia support laws now available online” (5 May 2021), online: *Ohio Department of Education* <http://education.ohio.gov/Media/Ed-Connection/May-10-2021/Answers-to-frequently-asked-questions-about-Ohio%20%80%99s>.

⁹³³ “Mayor de Blasio and Chancellor Porter announce academic recovery plan for pivotal school year ahead” (last modified 13 July 2021), online: *New York City Department of Education schools.nyc.gov/about-us/news/announcements/contentdetails/2021/07/09/mayor-de-blasio-and-chancellor-porter-announce-academic-recovery-plan-for-pivotal-school-year-ahead*; Alex Zimmerman, “Caranza wants to assess NYC students throughout the year, but critics decry overtesting” (27 September 2019), online: *Chalkbeat New York* <https://ny.chalkbeat.org/2019/9/27/21121783/carranza-wants-to-assess-nyc-students-throughout-the-year-but-critics-decrys-overtesting>; Claire Hunt, “Department of Education implements mandatory literacy screenings for kindergarten to second grade students in New York City” (14 October 2021), online: *Columbia Spectator columbiaspectator.com/news/2021/10/14/department-of-education-implements-mandatory-literacy-screenings-for-kindergarten-to-second-grade-students-in-new-york-city/*

⁹³⁴ Alex Zimmerman & Yoav Gonen, “NYC plans to screen nearly 200,000 students in the early grades to uncover struggling readers. Then what?” (1 September 2021), online: *Chalkbeat New York* <https://ny.chalkbeat.org/2021/9/1/22652793/literacy-screening-nyc-schools> [Zimmerman & Gonen, “NYC plans to screen”].

⁹³⁵ Jennifer Buckingham & Kevin Wheldall, “Why all states and territories should follow SA’s lead and introduce the Year 1 Phonics Check” (11 June 2020), online: *Nomanis* nomanis.com.au/single-post/why-all-states-and-territories-should-follow-south-australia-s-lead-and-introduce-the-year-1-phonics; Zimmerman & Gonen, “NYC plans to screen,” *supra* note 934.

⁹³⁶ Auditor General, 2020 *Value for Money Audit: Curriculum*, *supra* note 328 at 3.

⁹³⁷ *Education Act*, s8(3).

⁹³⁸ Wilsa Audet et al, *Evaluation report: the impact of the Literacy and Numeracy Secretariat: changes in Ontario’s Education System* (Canadian Language and Literacy Research Network: 2009), online: *Internet Archive* https://web.archive.org/web/20190621095755/www.edu.on.ca/eng/document/reports/ome_report09_en.pdf at 63.

⁹³⁹ M J Gallagher et al, “Achieving Excellence: Bringing Effective Literacy Pedagogy to Scale in Ontario’s Publicly-Funded Education System” (November 2016) 17:4 *Journal of Educational Change* 477 [Gallagher et al, “Achieving Excellence”].

⁹⁴⁰ R Childs with M Herbert et al, *A Study About Policy/Program Memorandum (PPM 155: Diagnostic Assessment In Support of Student Learning)* (12 May 2014), prepared for the Ontario Ministry of Education, at p 6–7, online: *Research Gate* https://www.researchgate.net/publication/320707367_A_Study_about_PolicyProgram_Memorandum_PPM_155_Diagnostic_Assessment_in_Support_of_Student_Learning_Final_Report [Childs Report].

⁹⁴¹ *Growing Success: Assessment, Evaluation and Reporting in Ontario schools* (2010), online: *Ontario Ministry of Education* <http://www.edu.on.ca/eng/policyfunding/growsuccess.pdf> [Ontario Ministry of Education, *Growing Success*].

⁹⁴² Lynne Hollingshead, “Teacher Professionalism Constructed in Policy” (last visited 29 January 2022), online: *Quest Conference* questconference.ca/wp-content/uploads/2019/01/2014HollingsheadArticle.pdf.

⁹⁴³ *Childs Report*, *supra* 940 at p 5, 26.

⁹⁴⁴ Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at Forward.

⁹⁴⁵ *PPM 11*, *supra* note 209.

⁹⁴⁶ The Auditor General recommended changes to the main policy document on assessment, *Growing Success*, to “take into account changing knowledge about assessment and new commitments to early childhood learning, equity, inclusion, special educational needs, culturally relevant and responsive pedagogy and the use of technology.” Auditor General, 2020 *Value for Money Audit: Curriculum*, *supra* note 328 at 43.

947 Geva & Wade-Woolley, "Issues in the assessment of reading disability in second language children," *supra* note 458; D'Angiulli et al, "Schooling," *supra* note 764.

948 PPM 8, *supra* note 209.

949 The Ministry notes that monitoring is currently on hold to minimize reporting burden during COVID-19.

950 *Policy/Program Memorandum No 155: Diagnostic Assessment in Support of Student Learning* (7 January 2013), online: Ontario Ministry of Education ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-155 [PPM 155].

951 *Childs Report*, *supra* note 940 at 24. According to the *Childs Report*, "formal" may have been used to mean "purchased, as opposed to teacher developed, assessment tools", or perhaps to mean "board-mandated," *ibid*.

952 Ontario Ministry of Education, *Growing Success*, *supra* note 941 at 144.

953 Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 58 at 4.

954 S D Martin & E S Shapiro, "Examining the accuracy of teachers' judgements of DIBELS performance" (2011) 48:4 Psychology in the Schools 343.

955 Special Education Assessments and province-mandated assessments are outside the scope of PPM 155. Also, the Ministry has powers under the *Education Act*, see ss 8(1), 8(3)(a) and s 11.1.

956 "Policy and Program Memorandum 155 (PPM 155): Diagnostic Assessment in support of student learning – Advice for members" (last modified December 2018), online: *Elementary Teachers Federation of Ontario*

<https://members.etfo.ca/SupportingMembers/Employees/PDF%20Versions/Policy%20and%20Program%20Memorandum%20155.pdf>.

957 Vivian McCaffrey et al, *It's Elementary: A brief history of Ontario's public elementary teachers and their federations* (2018) at 12, online: *Elementary Teachers Federation of Ontario*

https://www.etfo.ca/getmedia/832d2c35-916a-4450-9cd3-0b4768e9360d/181204_HistoryETFO2018.pdf.

958 Gallagher et al, "Achieving Excellence," *supra* note 939 at 486.

959 *Ibid*.

960 Central Agreement Articles, "Part A" at C10(d), online:

[https://sp.ltc.gov.on.ca/sites/mol/drs/ca/Education%20and%20Related%20Services/611-42062-17%20\(801-0371\).pdf](https://sp.ltc.gov.on.ca/sites/mol/drs/ca/Education%20and%20Related%20Services/611-42062-17%20(801-0371).pdf).

961 *Childs Report*, *supra* note 940 at 16.

962 *Ibid* at 18.

963 *Ibid* at 19: "While at the board level there is concern about the lack of consistency, the elementary teacher sees the introduction of PPM 155 as showing that teachers' professional judgment should be respected, 'something that has been ignored because of the data driven needs of the board.'"

964 *Childs Report*, *supra* note 940.

965 *Ibid* at 15.

966 *Ibid* at 22: "Before PPM 155, teachers were required to administer board-specified diagnostic assessment tools in September and additional 'anchor tasks' in February to measure progress."

967 *Brief submitted to the Ontario Ministry of Education regarding education assessment in Ontario* (January 2018), online: *Conseils ontariens des directrices et des directeurs de l'éducation de langue française* <https://codelf.ca/fichiers/pdf/codelf-brief-Jan8-2018.pdf>.

968 *Accessibility for Ontarians with Disabilities Act*, 2005, S.O. 2005, c. 11 [Accessibility for Ontarians with Disabilities Act].

969 K-12 Education Standards Development Committee, *Development of proposed Kindergarten to Grade 12 (K-12) education standards – 2021 initial recommendations report*, (30 November 2021) at Initial proposed long-term objective: Guiding principles statements, online: *Ontario* ontario.ca/document/development-proposed-kindergarten-grade-12-k-12-education-standards-2021-initial-recommendations [K-12 Education Standards Development Committee, *Development of proposed K-12 education standards*].

970 *Ibid* at Barrier area narratives and recommendations: s. 3.

971 Parker et al, "A brief report," *supra* note 806.

972 J E Spector, "How reliable are informal reading inventories?" (2005) 42 Psychology in the Schools 593 [Spector, "How reliable are informal reading inventories?"].

973 Parker et al, "A brief report," *supra* note 806.

974 *Ibid* at 64.

-
- 975 *Ibid* at 65. See also for support of poor psychometric properties of reading inventories, Spector, "How reliable are informal reading inventories?" *supra* note 972.
- 976 Ontario Ministry of Education, *A Guide to Effective Instruction in Reading*, *supra* note 730.
- 977 Ontario Ministry of Education, *The Kindergarten Program 2016*, *supra* note 707.
- 978 M M Clay, *An observation survey of early literacy achievement*, 4th ed, (Portsmouth, NH: Heinemann, 2019).
- 979 Ontario Ministry of Education, *A Guide to Effective Instruction in Reading*, *supra* note 730.
- 980 Jerome V D'Agostino et al, "The Generalizability of Running Record Accuracy and Self-Correction Scores" 42:2 Reading Psychology 111, DOI: <https://doi.org/10.1080/02702711.2021.1880177>.
- 981 "Fountas & Pinnell Apps" (last visited 27 January 2022), online: *Fountas & Pinnell Literacy: Elevating Teacher Experience* fountasandpinnell.com/apps/; "Running Records – Second Read" (last visited 27 January 2022), online: *Fountas & Pinnell Literacy: Elevating Teacher Experience* fountasandpinnell.com/forum/messages?TopicID=219. See also Fountas & Pinnell, *Guided Reading*, *supra* note 702.
- 982 Psychometric properties refer to the validity and reliability of the measurement tool.
- 983 Moats, *Teaching Reading Is Rocket Science*, *supra* note 22 at 22; Parker et al, "A brief report," *supra* note 806. See also, for support of poor psychometric properties of reading inventories: Spector, "How reliable are informal reading inventories?" *supra* note 972.
- 984 Shanahan, "What constitutes a science of reading instruction?" *supra* note 700 at S239.
- 985 Parker et al, "A brief report," *supra* note 806.
- 986 Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 883.
- 987 J R Jenkins & E Johnson, "Universal screening for reading problems: Why and how should we do this" (2018), online (pdf): *RTI action network*. RTI-Action-Network_Why_and_How.pdf (decodingdyslexiaca.org); J K Gilbert et al, "Early screening for risk of reading disabilities: Recommendations for a four-step screening system" (2012) 38:1 Assessment for effective intervention 6.
- 988 Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 883.
- 989 NICHD: *National Reading Panel Report*, *supra* note 654.
- 990 We include people who have experience in classroom settings: classroom teacher, teacher candidate, learning support teacher, principal, vice-principal, in-school literacy specialist, special education teacher, early childhood educator.
- 991 Included private and board SLPs.
- 992 R K Wagner et al, *Comprehensive test of phonological processing: CTOPP* (Austin, TX: Pro-ed, 1999).
- 993 *Regulated Health Professions Act*, 1991, S.O. 1991, c. 18; *Audiology and Speech-Language Pathology Act*, 1991, S.O. 1991, c. 19; *Personal Health Information Protection Act*, 2004, S.O. 2004, c.3, Sched. A; *Health Care Consent Act*, 1996, S.O. 1996, c.2, Sched. A; *Education Act*: for students under the age of 18, parents and guardians give written consent.
- 994 Louisa C Moats, "Can Prevailing Approaches to Reading Instruction Accomplish the Goals of RTI" (2017) 43:3 Perspectives on Language and Literacy 15 [Moats, "Can Prevailing Approaches to Reading Instruction Accomplish the Goals of RTI"]; Savage et al, "Preventative reading interventions," *supra* note 765.
- 995 Torgesen, "The prevention of reading difficulties" *supra* note 59; Moats, *Teaching Reading Is Rocket Science*, *supra* note 22; Partanen & Siegel, "Long-term Outcome of the Early Identification and Intervention of Reading Disabilities," *supra* note 65.
- 996 Stephanie Al Otaiba & Joseph Torgesen, "Effects from Intensive Standardized Kindergarten and First-Grade Interventions for the Prevention of Reading Difficulties" in Shane R Jimerson et al, eds, *Handbook of Response to Intervention* (Boston: Springer, 2007) 212.
- 997 NICHD: *National Reading Panel Report*, *supra* note 654.
- 998 Torgesen, "The prevention of reading difficulties" *supra* note 59; Moats, *Teaching Reading Is Rocket Science*, *supra* note 22; Partanen & Siegel, "Long-term Outcome of the Early Identification and Intervention of Reading Disabilities," *supra* note 65.
- 999 Moats, "Can Prevailing Approaches to Reading Instruction Accomplish the Goals of RTI," *supra* note 994; Moats, *Teaching Reading Is Rocket Science*, *supra* note 22; Jennifer Buckingham et al, "Why Jaydon Can't Read: The Triumph of Ideology over Evidence in Teaching Reading" (2013) 29:3 Policy: A Journal of Public Policy and Ideas 21; Louisa C Moats, "Structured Literacy: Effective Instruction for Students with Dyslexia and Related Reading Difficulties" (2019) 45:2 Perspectives on Language and

Literacy 9, online: *International Dyslexia Organization*

<https://mydigitalpublication.com/publication/?m=&l=1&i=583204&p=0&ver=html5>.

¹⁰⁰⁰ David L Sackett et al, *Evidence-Based Medicine: How to Practice and Teach EBM*, 2nd ed (London: Churchill Livingstone, 2000).

¹⁰⁰¹ Sharon E Straus et al, *Evidence-Based Medicine: How to Practice and Teach EBM*, 3rd ed (Edinburgh: Elsevier/Churchill Livingstone, 2005).

¹⁰⁰² Juel, *supra* note 65.

¹⁰⁰³ Cunningham & Stanovich, "Early reading acquisition and its relation to reading experience and ability 10 years later," *supra* note 73; Stanovich, "Matthew effects in reading," *supra* note 73. For a simple explanation of the Matthew Effect, see Rippel, *supra* note 73. See also Susan du Plessis, "'Matthew Effect' in Reading: Why Children with Reading Difficulties Fall Farther and Farther Behind" (26 August 2021), online: *Edublox Online Tutor* <https://www.edubloxtutor.com/matthew-effect-in-reading/>

¹⁰⁰⁴ Vellutino et al, "Response to intervention as a vehicle for distinguishing between children with and without reading disabilities", *supra* note 41; Scott Lingley, *supra* note 60.

¹⁰⁰⁵ M W Lovett et al, "Early intervention for children at risk for reading disabilities: The impact of grade at intervention and individual differences on intervention outcome" (2017) 109:7 *Journal of Educational Psychology* 889 [Lovett et al, "Early intervention"].

¹⁰⁰⁶ Hudson et al, "The complex nature of reading fluency: A multidimensional view," *supra* note 799.

¹⁰⁰⁷ Torgesen & Hudson, *Reading fluency*, *supra* note 31.

¹⁰⁰⁸ Ontario Ministry of Education, *Early Reading Strategy*, *supra* note 201.

¹⁰⁰⁹ Gersten et al, *Assisting Students Struggling with Reading*, *supra* note 58 at 4.

¹⁰¹⁰ Ontario, Ministry of Education, *Early Reading Strategy*, *supra* note 201 at 35.

¹⁰¹¹ Douglas Fuchs & Lynn S Fuchs, "Introduction to Response to Intervention: What, Why and How Valid is It?" (2006) 41:1 *Reading Research Quarterly* 93 [Fuchs & Fuchs, "Introduction to Response to Intervention"].

¹⁰¹² The Ministry of Education define scaffolding as: "The instructional approach that provides...support at the right times in the student's cognitive development – that is, at the times that the student is "ready to learn" – is called "scaffolding." In differentiated instruction, teachers scaffold and tailor instruction to individual students' needs and understanding, providing the emotional support and opportunities for practice they need." Ontario Ministry of Education, *Learning for All*, *supra* note 686 at 13.

¹⁰¹³ J K Torgesen, "Preventing early reading failure – and its devastating downward spiral" (2004), 28:3 *American Educator* 6.

¹⁰¹⁴ And will remain below the average range (below about the 26th–30th percentile).

¹⁰¹⁵ Geva, "Issues in assessment of reading disabilities in L2 children," *supra* note 453; Thompson et al, "Effectiveness of supplement reading instruction," *supra* note 691.

¹⁰¹⁶ R M Gersten & E Geva, "Teaching reading to early language learners" (April 2003) *Educational Leadership* 44.

¹⁰¹⁷ For a review of these issues, see E Geva, "Second-Language Oral Proficiency," *supra* note 693.

¹⁰¹⁸ Adelson et al, *Identification, Assessment and Instruction*, *supra* note 452.

¹⁰¹⁹ *Intervention Taxonomy Brief: Levelled Literacy Intervention* (September 2021), online: *National Center on Intensive Intervention at American Institute for Research intensiveintervention.org/sites/default/files/LLI-Brief-2021.pdf*; Carolyn R Ransford-Kaldon et al, *Implementation of Effective Intervention: An Empirical Study to Evaluate the Efficacy of Fountas & Pinnell's Leveled Literacy Intervention System* (Memphis, TN: Center for Research in Educational Policy, University of Memphis, 2010), online: *ERIC* eric.ed.gov/?id=ED544374; *What Works Clearinghouse Intervention Report: Leveled Literacy Intervention* (US Department of Education: 2017), online: *Institute of Education Sciences* ies.ed.gov/ncee/wwc/Docs/InterventionReports/wwc_leveledliteracy_091917.pdf; Savage et al, "Preventative Reading Interventions," *supra* note 765.

¹⁰²⁰ "Early reading intervention program proving very successful" (June 2013), online: *Pearson Canada* pearsoncanadaschool.com/index.cfm?locator=PS347t&gclid=EAIaIQobChMlmLq61ZLP8wIVi5yzCh3yJA3jEAYASAAEglq0vD_BwE.

¹⁰²¹ Deborah Bradford & Wai-Yin Wan, *Reading Recovery: A Sector-Wide Analysis* (Centre for Education Statistics and Evaluation, The New South Wales Department of Education, 2015), online: *Centre for Education Statistics and Evaluation* <https://www.cese.nsw.gov.au/evaluation-repository-search/reading-recovery-a-sector-wide-analysis>; Scott Baker et al, "Experts Say Reading Recovery Is Not Effective,

Leaves Too Many Children Behind: An Open Letter from Reading Researchers" (20 May 2002), online [Wrightslaw wrightslaw.com/info/read.rr.ltr.experts.htm](http://wrightslaw.com/info/read.rr.ltr.experts.htm); Tim Dodd, "\$50m Reading Recovery®Reading Recovery® program is ineffective, NSW Education Department study finds," *Financial Review* (6 September 2015), online: multilit-ecomm-media.s3.ap-southeast-2.amazonaws.com/wp-content/uploads/2019/10/18005050/50m-Reading-Recovery-program-is-ineffective-NSW-Education-Department-study-finds-afr.com.pdf; Jordan Baker, "F for fail: NSW Education dumps another reading program after review," *The Sydney Morning Herald* (12 September 2020), online: www.smh.com.au/national/f-for-fail-nsw-education-dumps-another-reading-program-after-review-20200911-p55urz.html; James W Chapman & William E Tunmer, "Is Reading Recovery an Effective Intervention for Students with Reading Difficulties? A Critique of the i3 Scale-Up Study" (2016) 37:7 *Reading Psychology* 1025; James W Chapman & William E Tunmer, "Reading Recovery: Does it Work" (2011) 37:4 *Perspectives on Language and Literacy* 21; William E Tunmer et al, "Why the New Zealand National Literacy Strategy has failed and what can be done about it: Evidence from the Progress in International Reading Literacy Study (PIRLS) 2011 and Reading Recovery monitoring reports" (2013) 18:2 *Australian Journal of Learning Difficulties* 139, online: *Research Gate* www.researchgate.net/publication/271757802_Why_the_New_Zealand_National_Literacy_Strategy_has_failed_and_what_can_be_done_about_it_Evidence_from_the_Progress_in_International_Reading_Literacy_Study_PIRLS_2011_and_Reading_Recovery_monitoring_re. Significant difficulties with the research include dropping students with the most severe reading difficulties from the program and research outcomes; teaching cueing systems for levelled book-reading rather than targeting foundational word-reading skills; comparing the one-on-one tutoring to a no-treatment comparison group rather than alternative treatment comparison groups; the high cost of the one-on-one program and fading effects over time for students with word-level reading difficulties like dyslexia and students at risk for word reading difficulties.

¹⁰²² Barbara R Foorman & Joseph Torgesen, "Critical Elements of Classroom and Small-Group Instruction Promote Reading Success in All Children" (2001) 16:4 *Learning Disabilities Research & Practice* 203, online: *University of Florida College of Education* <https://education.ufl.edu/patterson/files/2019/04/FoormanTorgesen-2001.pdf> [Foorman & Torgesen, "Critical Elements"].

¹⁰²³ Long-term studies typically follow students with reading disabilities for 1-2 years after the intervention. Torgesen and his colleagues, for example, showed good maintenance of gains at the two-year follow-up point: J K Torgesen et al, "Intensive remedial instruction for children with severe reading disabilities: Immediate and long-term outcomes from two instructional approaches" (2001) 34:1 *Journal of learning disabilities* 33 [Torgesen et al, "Intensive remedial instruction for children with severe reading disabilities]. Studies are largely absent over a 5–10-year period (but see Blachman et al, "Intensive reading remediation in grade 2 or 3: are there effects a decade later?" (2014) 106:1 *Journal of Educational Psychology* 46 (found small positive effects at the 10-year follow-up period on word decoding skills). See also Linda S Siegel, "Early Identification and Intervention to Prevent Reading Failure: A Response to Intervention (RTI) Initiative" (2020) 37:2 *The Educational and Developmental Psychologist* 140, online: *Research Gate* www.researchgate.net/publication/347127611_Early_identification_and_intervention_to_prevent_reading_failure_A_response_to_intervention_RTI_initiative [Siegel, "Early Identification and Intervention to Prevent Reading Failure]. In this latter study, "children were assessed in kindergarten and every year through to 7th grade for this study and as part of the progress-monitoring program. The study was a longitudinal one, beginning in kindergarten when the children entered formal schooling at age 5 and continued until the children were 13 years old in Grade 7. They were tested every year on reading, spelling, mathematical skills, and oral language and memory skills. The initial assessment was designed to determine the children who were at risk for reading difficulties." The rate of reading difficulties was significantly reduced up to and including Grade 7.

¹⁰²⁴ "Open Court Reading Foundational Skills and Word Analysis Kits" (last visited 31 January 2022), online: *McGraw Hill* mheducation.com/prek-12/program/open-court-reading-foundational-skills-word-analysis-kits/MKTSP-THT03M0.html?page=1&sortby=title&order=asc&bu=seq

¹⁰²⁵ Barbara R Foorman et al, "The Role of Instruction in Learning to Read: Preventing Reading Failure in At-Risk Children" (1998) 90:1 *Journal of Educational Psychology* 37; Foorman & Torgesen, "Critical Elements," *supra* note 1022.

¹⁰²⁶ Wilson Language Training® (last visited 31 January 2022), online: *Wilson Language Training®* <https://www.wilsonlanguage.com/programs/wilson-reading-system/> [Wilson Language Training,® Wilson Language Training®].

¹⁰²⁷ Joseph Torgesen et al, *National Assessment Of Title I Interim Report – Volume II: Closing the Reading Gap: First Year Findings from a Randomized Trial of Four Reading Interventions for Striving Readers: A Report Prepared for IES by the Corporation for the Advancement of Policy Evaluation* (Washington, DC: US Department of Education, Institute of Education Sciences, 2006), online: *U.S. Department of Education* www2.ed.gov/rschstat/eval/disadv/title1interimreport/vol2.pdf [Torgesen et al, *National Assessment of Title I Interim Report*; *What Works Clearinghouse Intervention Report: Wilson Reading System®* (U.S. Department of Education: 2017), online: *Institute of Education Sciences* ies.ed.gov/ncee/wwc/Docs/InterventionReports/WWC_Wilson_Reading_070207.pdf [IES, *What Works Clearinghouse Report: Wilson Reading System®*].

¹⁰²⁸ "North Vancouver School District Learning Resources" (last visited 31 January 2022), online: *North Vancouver School District* sd44.ca/District/Resources/Pages/default.aspx#/

¹⁰²⁹ Siegel, "Early Identification and Intervention to Prevent Reading Failure," *supra* note 1023.

¹⁰³⁰ "About" (last visited 31 January 2022), online: *Remediation Plus System* remediationplus.com/about-us/.

¹⁰³¹ Foorman & Torgesen, "Critical Elements," *supra* note 1022.

¹⁰³² Fuchs & Fuchs, "Introduction to Response to Intervention," *supra* note 1011.

¹⁰³³ Rhonda Martinussen & Kimberly Tsuhimoto, *Systemic Review of Research Leading to the Development of the Empower™ Program (Decoding and Spelling)* (Ontario Ministry of Education, May 2019).

¹⁰³⁴ *Ibid.*

¹⁰³⁵ Robin D Morris et al, "Multi-Component Remediation for Developmental Reading Disabilities: IQ, Socioeconomic Status and Race as Factors in Remedial Outcome" (2012) 45:2 Journal of Learning Disabilities 151, online: *Research Gate*

[researchgate.net/publication/44575790_MultipleComponent_Remediation_for_Developmental_Reading_Disabilities_IQ_Socioeconomic_Status_and_Race_as_Factors_in_Remedial_Outcome](http://www.researchgate.net/publication/44575790_MultipleComponent_Remediation_for_Developmental_Reading_Disabilities_IQ_Socioeconomic_Status_and_Race_as_Factors_in_Remedial_Outcome) [Morris et al, "Multi-Component Remediation"].

¹⁰³⁶ *Ibid.*

¹⁰³⁷ *Ibid.*

¹⁰³⁸ Maureen W Lovett et al, "Interventions for Reading Difficulties: A Comparison of Response to Intervention by ELL and EFL Struggling Readers" (2008) 41:4 Journal of Learning Disabilities 333, online: *Research Gate*

www.researchgate.net/publication/5296743_Interventions_for_Reading_Difficulties_A_Comparison_of_Response_to_Intervention_by_ELL_and_EFL_Struggling_Readers.

¹⁰³⁹ Lovett et al, "Early Intervention," *supra* note 1005. (The Empower™ program was formerly known as the Phonological and Strategy Training Program – PHAST).

¹⁰⁴⁰ Jean Stockard & Kurt Engelmann, "The Development of Early Academic Success: The Impact of Direct Instruction's Reading Mastery" (2008) 1:1 Journal of Behavior Assessment and Intervention in Children 2; Kerry Hempenstal, "Corrective Reading: An Evidence-Based Remedial Reading Intervention" (2008) 32:1 Australasian Journal of Special Education 23, online: *Research Gate*

www.researchgate.net/publication/313538350_Corrective_Reading_An_EvidenceBased_Remedial_Reading_Intervention.

¹⁰⁴¹ McGraw Hill, "Pre-K to 12 SRA Reading Interventions", online: mheducation.com/prek-12/segment/intervention/reading.

¹⁰⁴² *What Works Clearinghouse Intervention Report: Corrective Reading* (U.S. Department of Education: 2017), online: *Institute of Education Sciences* ies.ed.gov/ncee/wwc/Docs/InterventionReports/WWC_Corrective_Reading_070207.pdf.

¹⁰⁴³ "SpellRead: Every Student Reading Efficiently" (last visited 31 January 2022), online: *Pro-Ed Inc* [https://www.proedinc.com/Downloads/SpellRead_ResearchFoundations.pdf](http://www.proedinc.com/Downloads/SpellRead_ResearchFoundations.pdf).

¹⁰⁴⁴ Carol A Rashotte, Kay MacPhee & Joseph K Torgesen, "The Effectiveness of a Group Reading Instruction Program with Poor Readers in Multiple Grades" (2001) 24:2 Learning Disability Quarterly 119. Torgesen et al, *National Assessment of Title I Interim Report*, *supra* note 1027; Jamie L Metsala & Margaret D David, "The Effects of Age and Sublexical Automaticity on Reading Outcomes for Students

with Reading Disabilities" (2007) 40:S1 Journal of Research in Reading 209, online: *Wiley Online Library* onlinelibrary.wiley.com/doi/full/10.1111/1467-9817.12097; [Metsala & David, "The Effects of Age and Sublexical Automaticity"]; Jamie L Metsala & Margaret D David, "Improving English Reading Fluency and Comprehension for Children with Reading Fluency Disabilities" (2021) *Dyslexia*, online: *Wiley Online Library* onlinelibrary.wiley.com/doi/10.1002/dys.1695?af=R [Metsala & David, "Improving English Reading Fluency and Comprehension"]; Metsala et al, "An examination of reading skills and reading outcomes for youth involved in a crime prevention program," *supra* note 66.

¹⁰⁴⁵ "Just Words®" (last visited 31 January 2022), online: *Wilson Language Training®* wilsonlanguage.com/programs/just-words/.

¹⁰⁴⁶ Wilson Language Training,® *Wilson Language Training*,® *supra* note 1026.

¹⁰⁴⁷ "What is the Orton-Gillingham Approach?" (last visited 31 January 2022), online: *Orton-Gillingham Academy* <https://www.ortonacademy.org/resources/what-is-the-orton-gillingham-approach/>

¹⁰⁴⁸ IES, *What Works Clearinghouse Report: Wilson Reading System®*, *supra* note 1027.

¹⁰⁴⁹ "Evidence-Based Programs" (last visited 31 January 2022), online: *Lindamood-Bell Learning Processes* lindamoodbell.com/program/lindamood-phoneme-sequencing-program.

¹⁰⁵⁰ Joseph K Torgesen, "Computer-Assisted Instruction To Prevent Early Reading Difficulties In Students At Risk For Dyslexia: Outcomes From Two Instructional Approaches" (2010) 60:1 Annals of Dyslexia 40, online: *Research Gate* www.researchgate.net/publication/40851382_Computer-assisted_instruction_to_prevent_early_reading_difficulties_in_students_at_risk_for_dyslexia_Outcomes_from_two_instructional_approaches; Joseph Torgesen et al, *Summary of Outcomes from First Grade Study with Read, Write, and Type and Auditory Discrimination in Depth Instruction and Software with At-Risk Children: FCRR Technical Report No 2* (Tallahassee, FL: Florida Center for Reading Research, 2003), online: *ERIC* files.eric.ed.gov/fulltext/ED587689.pdf.

¹⁰⁵¹ Torgesen et al, "Intensive remedial instruction for children with severe reading disabilities, *supra* note 1023.

¹⁰⁵² "Early Literacy Tool" (last visited 31 January 2022), online: *Concordia University, Centre for the Study of Learning and Performance* concordia.ca/research/learning-performance/tools/learning-toolkit/abracadabra.html.

¹⁰⁵³ Philip C Abrami et al, "The Effects of ABRACADABRA on Reading Outcomes: A Meta-Analysis of Applied Field Research Data" (2015) 26:4 *Journal of Interactive Learning Research* 337 [Abrami et al, "The Effects of ABRACADABRA"]; Phil C Abrami et al, "Using Technology to Assist Children Learning to Read and Write" in Teena Willoughby & Eileen Wood, eds, *Children's Learning in a Digital World* (Oxford, UK: Blackwell Publishing, 2008) 129; Monique Brodeur et al, (2011). "L'analphabétisme crée l'obligation d'agir" in Miriam Fahmy, ed, *L'état du Québec 2011* (Montreal : Boréal and Institut du Nouveau Monde, 2012) 373; Geoffrey Hipps et al, "ABRACADABRA: The Research, Design and Development of Web-Based Early Literacy Software" in S Pierre, ed, *Développement, intégration et évaluation des technologies de formation et d'apprentissage (DIVA): Innovations et tendances en technologies de formation et d'apprentissage* (Montreal : Presse Internationale Polytechnique, 2005) 89; Robert Savage et al, *ABRACADABRA : A Study in the Development, Implementation, and Effectiveness of a Web-Based Literacy Resource* (Canadian Council on Learning, 2009), online: *COPIAN* en.copian.ca/library/research/ccl/abracadabra/abracadabra.pdf.

¹⁰⁵⁴ Noella A Piquette et al, "A Cluster Randomized Control Field Trial of the ABRACADABRA Web-Based Reading Technology: Replication and Extension of Basic Findings" (4 December 2014) 5 *Frontiers in Psychology* 1413, online: frontiersin.org/articles/10.3389/fpsyg.2014.01413/full.

¹⁰⁵⁵ Abrami et al, "The Effects of ABRACADABRA," *supra* note 1053; Joanne Arciuli & Benjamin Bailey, "Efficacy of ABRACADABRA Literacy Instruction in a School Setting for Children with Autism Spectrum Disorders" (2019) 85:1 *Research in Developmental Disabilities* 104 [Arciuli & Bailey]; Erin M Comaskey et al, "A Randomised Efficacy Study of Web-Based Synthetic and Analytic Programmes Among Disadvantaged Urban Kindergarten Children" (2009) 32:1 *Journal of Research in Reading* 92.

¹⁰⁵⁶ Jennifer R Wolgemuth et al, "ABRACADABRA aids Indigenous and non-Indigenous early literacy in Australia: Evidence from a multisite randomized controlled trial" (2013) 67 *Computers and Education* 250, online: *Research Gate* https://www.researchgate.net/publication/257171406_ABRACADABRA_aids_Indigenous_and_non-Indigenous_early_literacy_in_Australia_Evidence_from_a_multisite_randomized_controlled_trial.

¹⁰⁵⁷ "Play Roly free Mini Readers program" (last visited 31 January 2022), online: *Play Roly* playroly.org/.

¹⁰⁵⁸ Stephen Parker, *Reading Instruction and Phonics: Theory and Practice for Teachers: 2nd Edition* (Boston, MA: Royce-Kotran Publishing, 2019), online: [Stephen Parker parkerphonics.com/books](http://StephenParkerphonics.com/books).

¹⁰⁵⁹ Paul O'Callaghan et al, "A Randomized Controlled Trial of An Early-Intervention, Computer-Based Literacy Program to Boost Phonological Skills in 4-6 Year Old Children" (2016) 86:4 British Journal of Educational Psychology 546, online: *Queen's University Belfast* pureadmin.qub.ac.uk/ws/portalfiles/portal/119903347/a_randomized_controlled_trial.pdf.

¹⁰⁶⁰ Rachel Schecter et al, "Exploration of a Blended Learning Approach to Reading Instruction for Low SES Students in Early Elementary Grades" (2015) 32:3-4 Computers in Schools 183, online: *Research Gate* https://www.researchgate.net/publication/284197421_Exploration_of_a_Blended_Learning_Approach_to_Reading_Instruction_for_Low_SES_Students_in_Early_Elementary_Grades.

¹⁰⁶¹ The Ontario Ministry of Education does not mandate the tiered approach but recommends it as a guiding principle in its resource guide: Ontario, Ministry of Education, *Learning for All*, *supra* note 686 at 22.

¹⁰⁶² Ontario Ministry of Education, *Learning for All*, *supra* note 686 at 22.

¹⁰⁶³ Kyle Allen Robinson & Nancy Lynn Hutchinson, "Tiered Approaches to the Education of Students with Learning Disabilities" (2014), online: *Research Gate* [researchgate.net/publication/266143004_Tiered_Approaches_to_the_Education_of_Students_with_Learning_Disabilities](https://www.researchgate.net/publication/266143004_Tiered_Approaches_to_the_Education_of_Students_with_Learning_Disabilities).

¹⁰⁶⁴ D'Angiulli et al, "Schooling," *supra* note 764; Heisz et al, *supra* note 121; Caroline Alphonso & Tavia Grant, "A Tale of Two Schools: The Correlation Between Income and Education in Toronto" (16 November 2013) *The Globe and Mail*, online: [theglobeandmail.com/news/national/time-to-lead/a-tale-of-two-schools-the-correlation-between-income-and-education/article15463950/](https://www.theglobeandmail.com/news/national/time-to-lead/a-tale-of-two-schools-the-correlation-between-income-and-education/article15463950/).

¹⁰⁶⁵ The Ontario Ministry of Education extended the pilot to further evaluate the program and in response to labour relations and COVID-19 disruptions.

¹⁰⁶⁶ See the report for a complete picture of the number of participants with co-existing disabilities (e.g. language and attention disabilities, etc.).

¹⁰⁶⁷ Lovett et al, "Early Intervention," *supra* note 1005.

¹⁰⁶⁸ Taken from Rhonda Martinussen et al, "Update to the LD reference Group on LD Pilot" (27 May 2020).

¹⁰⁶⁹ *Ibid.*

¹⁰⁷⁰ Arciuli & Bailey, *supra* note 1055; Lovett et al, "Early Intervention," *supra* note 1005; Morris et al, "Multi-Component Remediation," *supra* 1035.

¹⁰⁷¹ *Ibid.*

¹⁰⁷² Torgesen, "The prevention of reading difficulties" *supra* note 59; Moats, *Teaching Reading Is Rocket Science*, *supra* note 22; Partanen & Siegel, "Long-term Outcome of the Early Identification and Intervention of Reading Disabilities," *supra* note 65.

¹⁰⁷³ EQAO, *Literacy Highlights 2017-2018*, *supra* note 346.

¹⁰⁷⁴ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 19.

¹⁰⁷⁵ Catts & Hogan, "Dyslexia," *supra* note 708; Savage et al, "Preventative Reading Interventions," *supra* note 765. Lesaux & Siegel, "The development of reading in children who speak English as a second language," *supra* note 711; Partanen & Siegel, "Long-term Outcome of the Early Identification and Intervention of Reading Disabilities," *supra* note 65.

¹⁰⁷⁶ This can over-estimate the student's foundational word-reading skills or put the focus on poorly developed language skills, at the expense of also addressing word-decoding difficulties. Further, fluency is not defined in a way consistent with making solid judgements about students' increasing automaticity with word reading. Without measures of foundational word-reading skills, students who need early interventions will not be identified.

¹⁰⁷⁷ Morris et al, "Multi-Component Remediation," *supra* note 1035; Maureen W Lovett, et al, "Putting Struggling Readers on the PHAST Track: A Program to Integrate Phonological and Strategy-Based Remedial Reading Instruction and Maximize Outcomes" (2000) 33:5 Journal of Learning Disabilities 458; Fletcher et al, *Learning disabilities*, *supra* note 59; Jeremy Miciak et al, "Patterns of cognitive strengths and weaknesses: Identification rates, agreement, and validity for learning disabilities identification," (2014) 29:1 School Psychology Quarterly 21, online: *Research Gate* [researchgate.net/publication/258920850_Patterns_of_Cognitive_Strengths_and_Weaknesses_Identification_Rates_Agreement_and_Validity_for_Learning_Disabilities_Identification](https://www.researchgate.net/publication/258920850_Patterns_of_Cognitive_Strengths_and_Weaknesses_Identification_Rates_Agreement_and_Validity_for_Learning_Disabilities_Identification) [Miciak et al, "Patterns of cognitive strengths and weaknesses"]; Jack M Fletcher et al, "Assessment of reading and learning disabilities a research-based intervention-oriented approach," (2002) 40:1 Journal of School

Psychology 27, online: *Research Gate*

www.researchgate.net/publication/222400798 *Assessment of Reading and Learning Disabilities A Research-Based Intervention-Oriented Approach* [Fletcher et al, "Assessment of reading and learning disabilities"].

¹⁰⁷⁸ Geva & Wade-Woolley, "Issues in the assessment of reading disability in second language children," *supra* note 458.

¹⁰⁷⁹ Some boards mentioned DIBELS assessment, but it was unclear in the documentation how and when these measures were used in the MTSS framework, and how widespread they were.

¹⁰⁸⁰ Sound symbol test, sound combination test, keyword test, transfer word test, and challenge word test.

¹⁰⁸¹ For example, a student who finishes the Empower™ program with standard scores below 91–92 on word-reading accuracy and fluency will need further programming to address these skills, and accommodations to help them have equitable access to the curriculum.

¹⁰⁸² Boards either explicitly noted they do not track outcomes from interventions at a system level, or it became apparent from examining their program evaluation reports.

¹⁰⁸³ Special education programs (often in a different school than the student's home school) typically deliver a particular intervention in a self-contained classroom.

¹⁰⁸⁴ Elaine A Cheesman et al, "First-Year Teacher Knowledge of Phonemic Awareness and Its Instruction" (2009) 32:3 Teacher Education and Special Education; Kristin L Sayeski et al, "Teacher Candidates' Mastery of Phoneme-Grapheme Correspondence: Massed versus Distributed Practice in Teacher Education" (2017) 67:1 Annals of Dyslexia 26; Washburn et al, "Teacher Knowledge," *supra* note 808; Erik Washburn et al, "Are Preservice Teachers Prepared to Teach Struggling Readers?" (2011) 61:1 Annals of Dyslexia 21.

¹⁰⁸⁵ See for example J F Carlisle et al, "Literacy coaching as a component of professional development" (2011) 24:7 Reading and Writing 773.

¹⁰⁸⁶ R Martinussen et al, *Learning Disabilities Project Final Report* (2021), Ministry of Education.

¹⁰⁸⁷ Respondents were able to select more than one option.

¹⁰⁸⁸ Li Feng & Tim Sass, "What Makes Special-Education Teachers Special? Teacher Training and Achievement of Students with Disabilities" (2013) 36 Economics of Education Review 122.

¹⁰⁸⁹ Roddy Theobald et al, *Special Education Teacher Preparation, Literacy Instructional Alignment, and Reading Achievement for Students with High-Incidence Disabilities: CALDER Working Paper No 253-0621* (National Center for Analysis of Longitudinal Data in Education Research: 2021), online: *Calder Center* caldercenter.org/publications/special-education-teacher-preparation-literacy-instructional-alignment-and-reading

¹⁰⁹⁰ *Ibid.*

¹⁰⁹¹ As noted in OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at 83: "Education providers have a legal duty to accommodate students with disabilities to the point of undue hardship. Some degree of hardship may be expected – it is only if the hardship is "undue" that the accommodation will not need to be provided." (citing to: *Central Okanagan School District No 23 v Renaud*, [1992] 2 SCR 970 at para 984).

¹⁰⁹² Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at part E.

¹⁰⁹³ See OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7; also see OHRC, *Policy on ableism and discrimination based on disability*, *supra* note 1.

¹⁰⁹⁴ The inquiry heard this from a concerned educator – in particular related to EQAO testing, as the use of AT for EQAO testing does not lead to an accurate representation of the effectiveness of reading instruction. See also: IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 12.

¹⁰⁹⁵ For a discussion of factors related specifically to AT accommodations, see David Mitchell & Dean Sutherland, *What Really Works in Special and Inclusive Education: Using Evidence-Based Teaching Strategies*, 3rd ed (London and New York: Routledge, Taylor & Francis Group, 2020) at 313–325 [Mitchell & Sutherland, *What Really Works*].

¹⁰⁹⁶ More research is needed to determine the value and potential drawbacks of each type of accommodation for reading disabilities. Some accommodations – such as providing extra time for tests and assignments – are widely implemented and evidence-based. See for example Christina Schneider et al, "Testing Accommodations for Students with Dyslexia: Key Opportunities to Understand Student Thinking" (last visited 31 January 2022), online (pdf): *National Center for the Improvement of Educational Assessment* nciea.org/sites/default/files/publications/Testing-Accommodations-for-Students-with-Dyslexia.pdf

[Dyslexia.pdf](#). Academic studies have also concluded that accommodations that involve presenting some or all material to students in an auditory way (read-aloud accommodations) are valuable for students with reading disabilities. See for example:

- Michelle Giusto & Linnea C Ehri, "Effectiveness of a Partial Read-Aloud Test Accommodation to Assess Reading Comprehension in Students with a Reading Disability" (Dissertation for the Doctor of Philosophy at the City University of New York, 2015), online (pdf): *CUNY Academic Works* https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1958&context=gc_etds
- Jack M Fletcher et al., "Effects of accommodations on high-stakes testing for students with reading disabilities" (2006) 72:2 Exceptional Children 136, online: *Research Gate* https://www.researchgate.net/publication/284680614_Effects_of_Accommodations_on_High-Stakes_Testing_for_Students_with_Reading_Disabilities
- Allison G Gandhi et al, "Enhancing Accessibility for Students with Decoding Difficulties on Large-Scale Reading Assessments" (2018) 51:6 J of Learn Disabil 540, online: *Research Gate* https://www.researchgate.net/publication/317595851_Enhancing_Accessibility_for_Students_With_Decoding_Difficulties_on_Large-Scale_Reading_Assessments.

¹⁰⁹⁷ Integra, "A Handbook on Learning Disabilities," *supra* note 94 at 23.

¹⁰⁹⁸ Małgorzata & da Cosa, *supra* note 95.

¹⁰⁹⁹ Technology alone does not lead to good outcomes in student writing. For example, studies have shown variable results in the effects of word processing on writing. One analysis noted: "In summary, word processing had a moderate impact on the writing of students in Grades 4–12, but there was also considerable variability from one study to the next." S Graham & D Perin, "A meta-analysis of writing instruction for adolescent students" (2007) 99:3 Journal of educational psychology 445 at 464, DOI: <https://doi.org/10.1037/0022-0663.99.3.445>.

¹¹⁰⁰ Kristin Stanberry & Marshall H Raskind, "Assistive Technology for Kids with Learning Disabilities: An Overview" (2009) at *What is assistive technology for LD?*, online: *Reading Rockets* <readingrockets.org/article/assistive-technology-kids-learning-disabilities-overview>. See also: Karen Erickson, "Reading and Assistive Technology: Why the Reader's Profile Matters" (2013) 38:4 Perspectives on Language and Literacy, Technology and Dyslexia Part 1 at 11, online (pdf): *IDA Florida* <fl.dyslexiaida.org/wp-content/uploads/sites/33/2017/09/Technology-and-Dyslexia-Part-1-by-Jennifer-Topple-Kim-Pastavridis-on-09-23-2017.pdf>.

¹¹⁰¹ David H Roose et al, "Theme Editors' Introduction: Technology and Dyslexia – Part 1" (2013) 38:4 Perspectives on Language and Literacy, Technology and Dyslexia Part 1 at 7, online (pdf): *IDA Florida* <fl.dyslexiaida.org/wp-content/uploads/sites/33/2017/09/Technology-and-Dyslexia-Part-1-by-Jennifer-Topple-Kim-Pastavridis-on-09-23-2017.pdf>.

¹¹⁰² Marla J Lohmann et al, "Using Assistive Technology Tools to Support Learning in the Inclusive Preschool Classroom" (2019) 8:2 The Journal of Special Education Apprenticeship 1. See also Idor Svensson et al, "Effects of assistive technology for students with reading and writing disabilities" (2021) 16:2 *Disabil Rehabil Assist Technol* 196, DOI: <https://doi.org/10.1080/17483107.2019.1646821>.

¹¹⁰³ *Annual Follow-Up on Value for Money Audits: 1.12 School Boards – IT Systems and Technology in the Classroom* (2020) at 181–82, online (pdf): *Office of the Auditor General* www.auditor.on.ca/en/content/annualreports/arreports/en20/FU_112en20.pdf. [Auditor General, 2020 *Follow-up on Value for Money Audit: IT Systems*].

¹¹⁰⁴ *Ibid.*

¹¹⁰⁵ Full criteria are:

- Instruction has been differentiated and appropriate accommodations have been consistently implemented
- Targeted interventions to close skills gaps have been ongoing and progress has been documented
- Formal assessment has been completed to investigate academic achievement (i.e. WIAT) and results have been considered with respect to language skills and thinking and reasoning skills
- Learning Coordinator supports discussion at a Program Development Team (PDT) meeting when modified programming is being considered
- Recommendation for modified program is supported by TVDSB professional services staff (i.e. Psychology Services, Speech and Language Services)

-
- Parents are informed of the impact of program modification on pathway planning and credit accumulation
 - Decisions regarding program modification are documented in the Program Development Team (PDT) meeting summary.

¹¹⁰⁶ Department of Education: Service Delivery Model for Students with Exceptionalities, Professional Learning Package, Fall 2011 (2011), online (pdf): Government of Newfoundland and Labrador gov.nl.ca/education/files/k12_studentsupportservices_publications_service_delivery_model.pdf.

¹¹⁰⁷ See Special Education Funding Guidelines: Special Equipment Amount (SEA) 2020-21 (2020), online (pdf): Ontario Ministry of Education <http://edu.gov.on.ca/eng/funding/2021/2020-21-sea-guidelines-en.pdf> [Ontario Ministry of Education, SEA Guidelines 2020-21].

¹¹⁰⁸ Ibid.

¹¹⁰⁹ The Ontario Ministry of Education clarifies that school boards may purchase software that increases access to the Ontario curriculum to support students with special education needs, through the SEA Per-Pupil Amount. This can include reading intervention software.

¹¹¹⁰ Ontario Ministry of Education, SEA Guidelines 2020-21, *supra* note 1107 at 4.

¹¹¹¹ Ibid.

¹¹¹² See Special Education Funding Guidelines: Special Equipment Amount (SEA), 2017-18 (2017), online (pdf): Ontario Ministry of Education http://edu.gov.on.ca/eng/funding/1718/2017_18_sea_guidelines_en.pdf. Compare with: Special Education Funding Guidelines: Special Equipment Amount (SEA), 2018-19 (2018), online (pdf): Ontario Ministry of Education <http://edu.gov.on.ca/eng/funding/1819/2018-19-sea-guidelines-en.pdf>.

¹¹¹³ Ontario Ministry of Education, SEA Guidelines 2020-21, *supra* note 1107 at 2.

¹¹¹⁴ ARCH, *If Inclusion Means Everyone, WHY NOT ME?*, *supra* note 17.

¹¹¹⁵ Auditor General, 2017 Annual Report, *supra* note 183, at s. 3.08, 439.

¹¹¹⁶ Ibid, at s. 3.08, 441.

¹¹¹⁷ See, for example, the State of Minnesota's resource on assistive technology: "Types of Assistive Technology" (last visited 31 January 2022), online: Minnesota <http://mn.gov/admin/at/getting-started/understanding-at/types/> [Minnesota, "Types of Assistive Technology].

¹¹¹⁸ 18% said all; 39% said most; 30% said some; 6% said few.

¹¹¹⁹ 40% said the school provided accommodation, another 40% said the school provided accommodation but only after the family requested it, and 9% of respondents said the school did not provide accommodation even though the family requested it.

¹¹²⁰ 19% somewhat agreed.

¹¹²¹ See OHRC, Policy on accessible education for students with disabilities, *supra* note 7 at 28.

¹¹²² OECTA cited: What Makes a School? Annual Report on Ontario's Publicly Funded Schools 2019 (2019), online: People for Education peopleforeducation.ca/report/2019-annual-report-on-schools-what-makes-a-school/; Michelle McQuigge, "Ontario students with special needs increasingly asked to stay home: report" *The Globe and Mail* (26 June 2018); Kristin Rushowy & Rob Ferguson, "Special ed cuts to hit most Ontario boards" *Toronto Star* (12 March 2015).

¹¹²³ In *Kahn v Upper Grand District School Board*, 2019 HRTO 1137, the Human Rights Tribunal of Ontario (HRTO) considered the case of a student with autism, who was enrolled in a French Immersion program but was offered accommodation in an English program against the parent's wishes. The HRTO found the school board's accommodation to be reasonable. However, it is notable that the HRTO also stated at para 264 that "accommodation **without undue hardship** at the French Immersion school could no longer be provided by the respondent." [emphasis added].

¹¹²⁴ This is consistent with ARCH, *If Inclusion Means Everyone, WHY NOT ME?*, *supra* note 17 at 18, which found: "A theme that emerged from the interviews was parents having to take on a leadership role in the relationship with schools. Parents who had good relationships with their child's school, as well as parents in conflict with the school, discussed how it was often up to them to initiate communication and information sharing. Further, parents discussed how often the onus was on them to request meetings regarding academic accommodations and the development of IEPs."

¹¹²⁵ 9% said all; 29% said most; 35% said some; 15% said few.

¹¹²⁶ 4% said always; 35% said sometimes; 50% said never. When educator survey respondents were asked if a psychoeducational assessment is typically required now, 6% said always; 38% said

sometimes; 32% said never. When student survey respondents were asked if psychoeducational assessments were required to receive their accommodations, 72% said yes and 21% said no.

¹¹²⁷ 7% said always; 26% said sometimes; 57% said never. When educator survey respondents were asked if an IPRC is typically required now, 7% said always; 31% said sometimes; 37% said never. When student survey respondents were asked if an IPRC was required to receive their accommodation, 52% said yes and 33% said no.

¹¹²⁸ When educators and other professionals were asked whether accommodations are included on IEPs, 45% said always; 40% said sometimes; 2% said never. When asked if accommodations SHOULD be identified in a student's IEP, 69% said always; 23% said sometimes; 3% said never.

¹¹²⁹ "Students of any age or ability must be directly involved in providing input into the development of their Individual Education Plan (IEP)...": see Provincial Advocate for Children and Youth, *We Have Something to Say: Young people and their families speak out about special needs and change* (2016) at 79, rec. 8, online (pdf): [Ontario Child Advocate Archive ocaarchives.files.wordpress.com/2019/01/we-have-something-to-say-report-en.pdf](http://ocaarchives.files.wordpress.com/2019/01/we-have-something-to-say-report-en.pdf) [Provincial Advocate for Children and Youth, *We Have Something to Say*].

¹¹³⁰ See Auditor General, *2008 Annual Report*, *supra* note 183 at s. 3.14, 374: "encourage school boards to ensure that information useful in preparing IEPs – such as summaries of information obtained from consultations with parents and psychologists and other professionals, strategies and accommodations tried by previous teachers, the results of educational diagnostic tests, and minutes of in-school support team meetings – is available to and used by the preparers."

¹¹³¹ "[A school principal must establish] a plan, including a timetable, for evaluating and monitoring the student's progress towards achieving his or her learning expectations": Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E59. The guide also notes at E74 that a school principal "ensures that a student's IEP is implemented and that, as part of implementation, the student's achievement of the learning expectations is evaluated at least once every reporting period in which a Provincial Report Card is issued, and that the expectations are reviewed and updated at the beginning of every reporting period...." The guide further explains at E59 that an IEP checklist includes "[r]eporting dates for evaluations and an indication of the way in which student progress will be reported to parents."

¹¹³² There are three reporting periods in elementary schools (ending with the issuance of an Elementary Progress Report Card between October 20 and November 20, an Elementary Provincial Report card between January 20 and February 20 and an Elementary Provincial Report card towards the end of June). In a normal school year, there are two reporting periods for secondary school semester courses, and three reporting periods for secondary non-semester courses (due to COVID, some schools have moved to a quad-mester system with four reporting periods). For more information see Ontario Ministry of Education, *Growing Success*, *supra* note 941 at 54.

¹¹³³ For example: whether it continues to be used, whether it is helping the student reach learning expectations, what additional accommodations might be considered.

¹¹³⁴ [The teacher is responsible for] "reviews and updates [to] learning expectations at the beginning of each reporting period; [and] maintains ongoing communication with the student's parents, other teachers, and other professionals and support staff involved with the student." See Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E75.

¹¹³⁵ 8% said always; 30% said often; 51% said sometimes and 3% said never.

¹¹³⁶ 11% said always; 19% said often; 44% said sometimes; 5% said never.

¹¹³⁷ 24% said always; 32% said often; 27% said sometimes; 1% said never.

¹¹³⁸ C S Murray et al, "First-grade student retention within a 3-tier reading framework" (2010) 26:1 Reading & Writing Quarterly: Overcoming Learning Difficulties 26, DOI:

<https://doi.org/10.1080/10573560903396934>; A P Huddleston, "Achievement at whose expense? A literature review of test-based grade retention policies in U.S. schools" (2014) 22:18 Education Policy Analysis Archives 1, DOI: <https://doi.org/10.14507/epaa.v22n18.2014>; A L Reschly & S L Christenson "Grade retention: Historical perspectives and new research" (2013) 51:3 Journal of School Psychology 319; S E Moser & S G West, "Trajectories of math and reading achievement in low-achieving children in elementary school: Effects of early and later retention in grade 1" (2012) 104:3 Journal of Educational Psychology 603; M Abbott et al., "The combined effects of grade retention and targeted small group intervention on students' literacy outcomes" (2010) 26:1 Reading & Writing Quarterly 4; J N Hughes et al., "Effect of early grade retention on school completion: A prospective study" (2018) 110:7 Journal of

Educational Psychology 974, DOI: <https://doi.org/10.1037/edu0000243>; L J Bowman-Perrott, “Introduction to grade retention among struggling readers” (2010) 26:1 Reading & Writing Quarterly: Overcoming Learning Difficulties 1; H McGrath, “To repeat or not to repeat?” (2006) 26:2 Words 39, online (pdf): St Ambrose Primary School Pottsville <http://successprimary.wa.edu.au/wp-content/uploads/2019/08/To-repeat-or-not-to-repeat-article.pdf>

¹¹³⁹ SO 2005, c 11.

¹¹⁴⁰ K-12 Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 3.

¹¹⁴¹ *Ibid*, at Barrier area narratives and recommendations: s. 6, rec. 64:

As a part of efforts to educate the entire school community about inclusion of students and school community members with disabilities, all school boards will develop and implement workshops to educate on and address bullying and cyberbullying in schools and the impacts that they can have on students' physical and mental health. These workshops need to be informed and facilitated by young persons with disabilities. The workshops are to be presented to all members of the school community.

¹¹⁴² The Ministry can build upon its existing expertise to do this work. For example, see Ontario Ministry of Education, *Policy/Program Memorandum No 151: Professional Activity Days devoted to provincial education priorities* (18 August 2021), online (pdf): *Government of Ontario*

<https://ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-151>: “With the help of experts in identified topics, the ministry has developed customizable materials to support school boards in delivering professional learning to teachers. School boards are encouraged to adapt these materials for specific audiences and purposes, depending on the local context. These materials, as well as resources such as School Mental Health Ontario’s Mentally Healthy Return to School Toolkit, are available in the ministry’s Virtual Learning Environment (VLE).”

¹¹⁴³ OHRC recommendations to the Ontario College of Teachers, arising from its *Policy on accessible education for students with disabilities*, *supra* note 7, included that the Government of Ontario should:

13. Work with the Ontario College of Teachers to review all aspects of the curriculum for teachers’ colleges to ensure that prospective teachers and administrators have sufficient and practical instruction on disability issues (including specific training on common disabilities such as autism, ADHD, learning disabilities including dyslexia, mental health disabilities, etc.), the requirements of the Code, and UDL.

14. Work with the Ontario College of Teachers to provide regular and ongoing mandatory professional development opportunities for all teachers and administrators on how to fulfil their human rights obligations.

¹¹⁴⁴ For related recommendations, that the Ontario College of Teachers (i) “revise the guideline for accreditation of faculties of education” to “add more credits on teaching students with disabilities in the pre-service program,” (ii) “add training on the duty to accommodate all students with disabilities,” and (iii) create and distribute a professional advisory to certified teachers on accommodating students with disabilities, see: K-12 Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, rec 53.7 and 53.8.

¹¹⁴⁵ The OHRC has previously recommended that the Ontario Ministry of Education should “Evaluate existing funding structures and levels to ensure adequate resources are provided to school boards to meet the identified needs of all primary and secondary students with disabilities, provide timely and appropriate accommodation, and provide effective and current training for teachers and staff” (OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at appendix 1, rec 11.) The Auditor General in 2017 recommended that the Ministry should “conduct a comprehensive external review of the funding formula, including all grant components and benchmarks, as recommended by the Education Equity Funding Task Force in 2002 [and] regularly review the formula and update all benchmarks to reflect the province’s changing demographics and socioeconomic conditions” (Auditor General, *2017 Annual Report*, *supra* note 183 at s. 3.08, 441). For a related recommendation, that the Ministry provide sufficient long-term funding through its Grants for Student Needs (GSN) program to support boards in getting AT, hardware and software to improve accessibility, see: K-12 Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 4, rec 36.

¹¹⁴⁶ Reporting can be completed through a new or existing process. For example, boards are required to “report on the provision by the board of special education programs and special education services” every two years; RRO 1990, Reg 306, s3.

¹¹⁴⁷ Auditor General, 2020 *Follow-up on Value for Money Audit: IT Systems*, *supra* note 1103 at 181–82; see also Provincial Advocate for Children and Youth, *We Have Something to Say*, *supra* note 1129 at 78: “The government of Ontario must ensure that all children who need it can get timely access to effective assistive learning technology and that this technology be kept in good repair and up to date.”

¹¹⁴⁸ See for example Minnesota, “Types of Assistive Technology,” *supra* note 1117. For detailed recommendations about how the Ontario Ministry of Education and boards can develop procurement procedures to meet accessible, barrier-free standards, see: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 3, rec 11 & s. 4, rec 38.2.

¹¹⁴⁹ For further discussion of AT training see: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 2, rec 8.

¹¹⁵⁰ Under section 15 of the *Accessibility for Ontarians with Disabilities Act*, Reg. 191/11 (*Integrated Accessibility Standards*), institutions governed by the *Education Act* must provide educational or training resources or materials in “accessible or conversion ready electronic format”. The service provider cannot attempt to receive an exemption from this requirement by arguing that it would cause undue hardship.

¹¹⁵¹ The OHRC has previously called upon boards to “Provide timely and effective accommodation (e.g. by providing early assessment, early intervention or interim accommodation while waiting for a professional assessment), and refrain from obstructing or delaying the accommodation process by rigidly insisting on formalities, unnecessary professional assessments, or diagnosis information.” See: OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at appendix A, rec 17.

¹¹⁵² For more details of how boards can develop AT training and create a “Digital and Technology Action Plan” to remove digital barriers, see: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 4, rec 32-35.

¹¹⁵³ For a related recommendation, that the “District School Boards shall... ensure that students with a disability who move from school board to school board, or school to school, have the right to an individual education plan with same or comparable programs, services and accommodations...” see: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, rec 49.17.

¹¹⁵⁴ See also: OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at appendix A, rec 16.

¹¹⁵⁵ See: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 3, rec 24: “The ministry and Boards require current and newly developed special programs, for example, French Immersion and Extended French, be open, fully accessible and barrier free for students with disabilities and that the programs be reviewed, monitored and developed utilizing open, transparent processes that provide for timely communication, accessibility and participation by students with disabilities.”

¹¹⁵⁶ For a similar recommendation, that “no proposed services, supports or accommodations that the school board is prepared to offer shall be withheld from a student pending a review,” see: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, rec 49.15.

¹¹⁵⁷ See Auditor General, 2008 *Annual Report*, *supra* note 183 at s. 3.14, 379: “To help ensure that students with special education needs receive timely support as outlined in their Individual Education Plans (IEPs), the Ministry of Education should compare procedures and practices at a sample of school boards where the IEP deadlines are routinely met with those where they are usually not met, and include examples of timelines and effective practices in the IEP guide.”

¹¹⁵⁸ The Ontario Ministry of Education’s *Special Education in Ontario* guide currently states: “If a student regularly requires accommodations (including specialized equipment) for instructional or assessment purposes, it is **advisable** to develop an IEP: (*supra* note 198 at E11).

¹¹⁵⁹ In 2008, the Auditor General called on the Ministry of Education to “encourage school boards to ensure that information useful in preparing IEPs – such as summaries of information obtained from

consultations with parents and psychologists and other professionals, strategies and accommodations tried by previous teachers, the results of educational diagnostic tests, and minutes of in-school support team meetings – is available to and used by the preparers” (Auditor General, *2008 Annual Report*, *supra* note 183 at s. 3.14, 374). See also: Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, “Individual education plans recommendations.”

¹¹⁶⁰ “While the ministry does not mandate a particular management system for the IEP, most boards use an electronic management system.” See Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E1.

¹¹⁶¹ [Principals must instruct] the staff member assigned to coordinate the development and implementation of the IEP...[to] ensure that everyone involved in providing programs and services for the student is aware of the IEP’s contents. See Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E59.

¹¹⁶² There are three reporting periods in elementary schools (ending with the issuance of an Elementary Progress Report Card between October 20 and November 20, an Elementary Provincial Report card between January 20 and February 20, and an Elementary Provincial Report card towards the end of June). There are two reporting periods for secondary school semester courses and three reporting periods for secondary non-semester courses. For more information, see Ontario Ministry of Education, *Growing Success*, *supra* note 941 at 54.

¹¹⁶³ See Auditor General, *2008 Annual Report*, *supra* note 183 at s. 3.14, 378: “school boards should ensure that schools set measurable learning goals and measurable learning expectations in IEPs.”

¹¹⁶⁴ [The teacher is responsible for] “reviews and updates learning expectations at the beginning of each reporting period; [and] maintains ongoing communication with the student’s parents, other teachers, and other professionals and support staff involved with the student.” See Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E75.

¹¹⁶⁵ See Provincial Advocate for Children and Youth, *We Have Something to Say*, *supra* note 1129 at 79: “Students of any age or ability must be directly involved in providing input into the development of their Individual Education Plan (IEP)...”

¹¹⁶⁶ Educators and schools can build upon, and improve upon, existing processes. According to the Ministry’s *Special Education in Ontario* guide: a school principal must establish “a plan, including a timetable, for evaluating and monitoring the student’s progress towards achieving his or her learning expectations” (Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at E75); a school principal must ensure “that a student’s IEP is implemented and that, as part of implementation, the student’s achievement of the learning expectations is evaluated at least once every reporting period in which a Provincial Report Card is issued, and that the expectations are reviewed and updated at the beginning of every reporting period...” (*ibid* at E74); and an IEP checklist should be used and should include “[r]eporting dates for evaluations and an indication of the way in which student progress will be reported to parents” (*ibid*, at E59). For a discussion of how individual education plans can be improved, see Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, “Individual education plans recommendations.”

¹¹⁶⁷ PPM 8, *supra* note 209.

¹¹⁶⁸ RJ McGill et al, “Cognitive profile analysis in school psychology: History, issues, and continued concerns” (2018) 71 Journal of School Psychology 108 [McGill et al, “Cognitive profile analysis”]; Fletcher et al, “Assessment of reading and learning disabilities,” *supra* note 1077; RJ McGill et al, “Critical issues in specific learning disability identification: What we need to know about the PSW model” (2016) 39:3 Learning Disability Quarterly 159 [McGill et al, “Critical issues in specific learning disability identification”]; Miciak et al, “Patterns of cognitive strengths and weaknesses,” *supra* note 1077; RJ McGill & RT Busse, “When theory trumps science: A critique of the PSW model for SLD identification” (2017) 21:1 Contemporary School Psychology 10 [McGill & Busse, “When theory trumps science”]; L S Siegel, “IQ-discrepancy definitions and the diagnosis of LD: Introduction to the special issue” (2003) 36:1 Journal of Learning Disabilities 2 [Siegel, “IQ discrepancy definitions and the diagnosis of LD”]; Linda S Siegel, “IQ is irrelevant to the definition of learning disabilities” (1989) 22:8 Journal of learning disabilities 468 [Siegel, “IQ is irrelevant to the definition of learning disabilities”].

¹¹⁶⁹ J K Torgesen et al, "Principles of fluency instruction in reading: Relationships with established empirical outcomes" in M Wolf, ed, *Dyslexia, fluency, and the brain* (Parkton, MD: York Press, 2001) 333; Metsala & David, "The Effects of Age and Sublexical Automaticity," *supra* note 1044; Metsala & David, "Improving English Reading Fluency and Comprehension," *supra* note 1044.

¹¹⁷⁰ Reading, writing and math are all looked at because it is important to analyze whether the reading difficulties affect other areas, and academic difficulties in writing and math can co-exist with reading disabilities.

¹¹⁷¹ OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at 25, 78. For a discussion of the issues with requiring a diagnosis for accommodation in the post-secondary context, see: OHRC, *With Learning in Mind*, *supra* note 6.

¹¹⁷² PPM 8, *supra* note 209 at 4.

¹¹⁷³ PPM 8, *supra* note 209.

¹¹⁷⁴ *Ibid* at 2.

¹¹⁷⁵ OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents and Adults with Learning Difficulties*, *supra* note 35. The Association of Psychology Leaders in Ontario Schools (APLOS) *Recommended Guidelines for the Diagnosis of Children with Learning Disabilities* also follow this approach; see: Bill Colvin et al, "Recommended Guidelines for the Diagnosis of Children with Learning Disabilities" (updated September 2017), online (pdf): *The Association of Psychology Leaders in Ontario Schools*

static1.squarespace.com/static/56ba66df62cd9459e3f6a88f/t/59c900298fd4d2c4919234e9/1506345003448/Recommended+Guidelines+for+the+Diagnosis+of+Children+with+Learning+Disabilities-Sept2017.pdf.

¹¹⁷⁶ Bill Colvin et al, "Recommended Guidelines for the Diagnosis of Children with Learning Disabilities" (November 2016), online (pdf): *The Association of Psychology Leaders in Ontario Schools* <https://static1.squarespace.com/static/56ba66df62cd9459e3f6a88f/t/585033c4197aea04b25dc1f9/1481651141827/Guidelines+for+the+Diagnosis+of+LD+-+Draft+Nov+23+2016+.pdf> [Colvin et al, "Recommended Guidelines – 2016].

¹¹⁷⁷ McGill et al, "Cognitive profile analysis," *supra* note 1168; Fletcher et al, "Assessment of reading and learning disabilities," *supra* note 1077; McGill et al, "Critical issues in specific learning disability identification," *supra* note 1168; Miciak et al, "Patterns of cognitive strengths and weaknesses," *supra* note 1077; McGill & Busse, "When theory trumps science," *supra* note 1168; Siegel, "IQ discrepancy definitions and the diagnosis of LD," *supra* note 1168; Siegel, "IQ is irrelevant to the definition of learning disabilities," *supra* note 1168.

¹¹⁷⁸ K K Stuebing et al, "IQ is not strongly related to response to reading instruction: A meta-analytic interpretation" (2009) 76:1 Exceptional children 31; Morris et al, "Multi-Component Remediation," *supra* note 1035; K K Stuebing et al, "Validity of IQ-discrepancy classifications of reading disabilities: A meta-analysis" (2002) 39:2 American Educational Research Journal 469.

¹¹⁷⁹ LS Siegel, "Evidence that IQ scores are irrelevant to the definition and analysis of reading disability" (1988) 42:2 Canadian Journal of Psychology/Revue Canadienne de Psychologie 201.

¹¹⁸⁰ JM Fletcher, "The validity of discrepancy-based definitions of reading disabilities" (1992) 25 Journal of Learning Disabilities 555; LS Siegel, "An evaluation of the discrepancy definition of dyslexia" (1992) 25:10 Journal of Learning Disabilities 618.

¹¹⁸¹ H Tanaka et al, "The brain basis of the phonological deficit in dyslexia is independent of IQ" (2011) 22:11 Psychological Science 1442.

¹¹⁸² Fletcher et al, "Assessment of reading and learning disabilities," *supra* note 1077 at 27. For a discussion of how IQ does not seem to be relevant to the definition of a disability in mathematics, see Juan E Jiménez González & Ana I Garcia Espíñel, "Is IQ-Achievement Discrepancy Relevant in the Definition of Arithmetic Learning Disabilities?" (1999) 22:4 Learning Disability Quarterly 291, online *American Psychological Association APA PsycNet* <https://psycnet.apa.org/record/1999-08256-005>.

¹¹⁸³ KE Stanovich & LS Siegel, "Phenotypic performance profile of children with reading disabilities: A regression-based test of the phonological-core variable-difference model" (1994) 86:1 Journal of educational psychology 24; Siegel, "IQ is irrelevant to the definition of learning disabilities," *supra* note 1168; KE Stanovich, (1991) "Discrepancy definitions of reading disability: Has intelligence led us astray?" (1991) 26:1 Reading Research Quarterly 7.

¹¹⁸⁴ J M Fletcher & J Miciak “Comprehensive cognitive assessments are not necessary for the identification and treatment of learning disabilities” (2017) 32:1 Archives of Clinical Neuropsychology 2 [Fletcher & Miciak, “Comprehensive cognitive assessments”]; J Miciak et al, “Do processing patterns of strengths and weaknesses predict differential treatment response?” (2016) 108:6 Journal of Educational Psychology 898.

¹¹⁸⁵ Das et al, “Correlates of Canadian native children’s reading performance,” *supra* note 615; LS Siegel and N Himel, “Socioeconomic status, age and the classification of dyslexics and poor readers: The dangers of using IQ scores in the definition of reading disability,” (1998) 4:2 Dyslexia 90.

¹¹⁸⁶ Das et al, “Correlates of Canadian native children’s reading performance,” *supra* note 615

¹¹⁸⁷ OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*, *supra* note 35 at 14, 28. The OPA Guidelines also state that early assessments of students with reading difficulties “need not involve complex psychoeducational testing such as administration of IQ tests.”

¹¹⁸⁸ For example, the following monograph was authorized by the Council of National Psychological Associations for the Advancement of Ethnic Minority Interests (CNPAAEMI) and published by the American Psychological Association: *Testing and Assessment with Persons & Communities of Colour* (2016), online: *American Psychological Association* apa.org/pi/oema/resources/testing-assessment-monograph.pdf. See also *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*, *supra* note 35, which suggested adaptations for culturally and linguistically diverse individuals.

¹¹⁸⁹ PPM 8, *supra* note 209.

¹¹⁹⁰ OHRC, *Policy and guidelines on racism and racial discrimination*, *supra* note 246; Colvin et al, “Recommended Guidelines – 2016”, *supra* note 1176.

¹¹⁹¹ Miciak et al, “Patterns of cognitive strengths and weaknesses,” *supra* note 1077; W P Taylor et al, “Cognitive discrepancy models for specific learning disabilities identification: Simulations of psychometric limitations” (2017) 29:4 Psychological assessment 446; K K Stuebing et al, “Evaluation of the technical adequacy of three methods for identifying specific learning disabilities based on cognitive discrepancies” (2012) 41 School Psychology Review 3 [Stuebing et al, “Evaluation of the technical adequacy of three methods”]; Fletcher & Miciak, “Comprehensive cognitive assessments,” *supra* note 1184; Fletcher et al, *Learning disabilities*, *supra* note 59; McGill et al, “Cognitive profile analysis,” *supra* note 1168; J H Kranzler et al, “Cross-Battery Assessment pattern of strengths and weaknesses approach to the identification of specific learning disorders: Evidence-based practice or pseudoscience?” (2016) 4:3 International Journal of School & Educational Psychology 146; Fletcher et al, “Assessment of reading and learning disabilities,” *supra* note 1077; McGill et al, “Critical issues in specific learning disability identification,” *supra* note 1168; McGill & Busse, “When theory trumps science,” *supra* note 1168.

¹¹⁹² Stuebing et al, “Evaluation of the technical adequacy of three methods,” *supra* note 1191; J Miciak et al, “The effect of achievement test selection on identification of learning disabilities within a patterns of strengths and weaknesses framework” (2015) 30:3 School Psychology Quarterly 321.

¹¹⁹³ R Tannock, “Rethinking ADHD and LD in DSM-5: Proposed changes in diagnostic criteria” (2013) 46:1 Journal of learning disabilities 5.

¹¹⁹⁴ DSM-5, *supra* note 32

¹¹⁹⁵ *Ibid.*

¹¹⁹⁶ Association of Chief Psychologists with Ontario School Boards’ submission to the inquiry. See also: “What services do School Psychology Professionals offer?” (infographic poster), formerly online (pdf): *Ontario Psychological Association*.

¹¹⁹⁷ A M VanDerHeyden “Why do school psychologists cling to ineffective practices? Let’s do what works” (2018) 12:1 School Psychology Forum 44.

¹¹⁹⁸ PPM 8, *supra* note 209 at 2.

¹¹⁹⁹ C Knight “What is dyslexia? An exploration of the relationship between teachers’ understandings of dyslexia and their training experiences” (2018) 24:3 Dyslexia 207; J Worthy et al, “Teachers’ understandings, perspectives, and experiences of dyslexia” (2016) 65:1 Literacy Research: Theory, Method, and Practice 436.

¹²⁰⁰ See the International Dyslexia Association of Ontario’s website at idaontario.com/; the Dyslexia Canada website: dyslexiacanada.org/; SE Shaywitz, *Overcoming dyslexia: A new and complete science-based program for reading problems at any level*, (New York: Knopf, 2003).

¹²⁰¹ A Protopapas, "Evolving concepts of dyslexia and their implications for research and remediation" (2019) 10 *Frontiers in psychology* 2873; LS Siegel, *Understanding Dyslexia and other Learning Disabilities*, 1st ed, (Vancouver: Pacific Educational Press, 2013); V Johnston, "Dyslexia: What reading teachers need to know" (2019) 73:3 *The Reading Teacher* 339.

¹²⁰² "Declaration of Rights: Use the word 'Dyslexia'" (last visited 2 February 2022), online: *The Yale Center for Dyslexia and Creativity* dyslexia.yale.edu/dyslexia/declaration-of-rights/use-the-word-dyslexia/; "Use the term 'Dyslexia'" (last visited 2 February 2022), online: *International Dyslexia Association Ontario* <https://www.idaontario.com/use-the-term-dyslexia/>.

¹²⁰³ *Individuals with Disabilities Education Act*, 20 USC § 1400 (2004) s1401(30), online: *US Department of Education* sites.ed.gov/idea/statute-chapter-33/subchapter-i/1401/30.

¹²⁰⁴ U.S. Department of Education, *OSEP Dear Colleague Letter on Individuals with Disabilities Act (IDEA)/Individual Education Program (IEP) Terms*, (23 October 2015) at 1, online (pdf): *U.S. Department of Education* <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/guidance-on-dyslexia-10-2015.pdf> [U.S. Department of Education, *OSEP Dear Colleague Letter on Individuals with disabilities Act*].

¹²⁰⁵ *Ibid* at 3.

¹²⁰⁶ *Ibid* at 1

¹²⁰⁷ "Dyslexia in other countries," online: *International Dyslexia Association Ontario* www.idaontario.com/dyslexia-in-other-countries/.

¹²⁰⁸ National Center for Learning Disabilities, "NCLD, 13 Organizations Urge U.S. Department of Education to Tell States: It's Okay to Use Terms like 'Dyslexia' in IEP" (last visited 2 February 2022), online: *National Center for Learning Disabilities* ncld.org/news/policy-and-advocacy/hcl-13-organizations-urge-u-s-department-of-education-to-tell-states-its-okay-to-use-terms-like-dyslexia-in-iep/.

¹²⁰⁹ National Center for Learning Disabilities, "Getting Specific about SLD: A Conversation Guide for Using Terms like Dyslexia, Dyscalculia, and Dysgraphia" (26 June 2017), online: *National Center for Learning Disabilities* ncld.org/news/policy-and-advocacy/getting-specific-about-sld-a-conversation-guide-for-using-terms-like-dyslexia-dyscalculia-and-dysgraphia/.

¹²¹⁰ OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents and Adults with Learning Difficulties*, *supra* note 35 at 37.

¹²¹¹ *Ibid* at 38. Some jurisdictions in Canada use the DSM-5 diagnostic criteria and specify the type of learning disability; see for example "Department of Education Exceptionalities" (last visited 2 February 2022), online: *Newfoundland and Labrador*

<https://www.gov.nl.ca/education/k12/studentsupportservices/exceptionalities/>; see also: "Learning Disability" (last visited 2 February 2022) online: *Newfoundland and Labrador* gov.nl.ca/education/k12/studentsupportservices/learning/ which lists four domains of learning disabilities: oral language, reading, written language and mathematics. It also lists four specific learning disabilities: reading disorder, disorder of written expression, mathematics disorder and nonverbal learning disorder.

¹²¹² For three of the four boards, 24% or more of the students on the psychological services wait lists had been waiting for more than a year. Some students had been on the wait lists for more than two years; see: Auditor General, *2017 Annual Report*, *supra* note 183 at s. 3.12, 617.

¹²¹³ *Ibid*.

¹²¹⁴ People for Education, *The new basics for public education: People for Education annual report on Ontario's publicly funded schools 2018* (2018) at 17, online (pdf): *People for Education* peopleforeducation.ca/wp-content/uploads/2018/06/AnnualReport18_Web.pdf.

¹²¹⁵ *Ibid* at 16.

¹²¹⁶ Adam Carter, "Parents fuming after 2.5 year wait for learning disability test," *CBC News* (21 January 2015), online: *CBC* cbc.ca/news/canada/hamilton/headlines/parents-fuming-after-2-5-year-wait-for-learning-disability-test-1.2918462; Adam Carter, "Hamilton pediatrician says kids 'sinking' because of psych test wait times," *CBC News* (23 January 2015), online: *CBC* cbc.ca/news/canada/hamilton/headlines/hamilton-pediatrician-says-kids-sinking-because-of-psych-test-wait-times-1.2928150; Adam Carter, "Province and HWDSB at odds over who needs to fix psych test wait times," *CBC News* (26 January 2015), online: *CBC* cbc.ca/news/canada/hamilton/headlines/province-and-hwdbs-at-odds-over-who-needs-to-fix-psych-test-wait-times-1.2930196; Kas Roussy, "Undiagnosed and misunderstood, students with dyslexia face stigma and shame," *CBC News* (9 September 2016), online: *CBC* cbc.ca/news/health/dyslexia-students-ontario-education-ministry-schools-1.3752196.

-
- ¹²¹⁷ OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*, *supra* note 35 at 27.
- ¹²¹⁸ Policy/Program Memorandum 59 on the Psychological testing and assessment of pupils (11 October 1982), online: Ontario, Ministry of Education ontario.ca/document/education-ontario-policy-and-program-direction/policyprogram-memorandum-59.
- ¹²¹⁹ Ontario Ministry of Education, *English Language Learners ESL and ELD Programs and Services* at s. 2.3.3, 2.3.4, online: *Government of Ontario* edu.gov.on.ca/eng/document/esleldprograms/esleldprograms.pdf.
- ¹²²⁰ OHRC, "Policy and guidelines on racism and racial discrimination," *supra* note 246 at 29.
- ¹²²¹ Lesaux & Siegel, "The development of reading in children who speak English as a second language," *supra* note 711; see also Geva & Wiener, *Psychological assessment of culturally and linguistically diverse children*, *supra* note 455.
- ¹²²² Geva & Wiener, *Psychological assessment of culturally and linguistically diverse children*, *supra* note 455 at 2–3.
- ¹²²³ *Ibid* at 3.
- ¹²²⁴ *Ibid* at 1; OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*, *supra* note 35 at 29–32.
- ¹²²⁵ OPA, *Guidelines for Diagnosis and Assessment of Children, Adolescents, and Adults with Learning Disabilities*, *supra* note 35 at 28.
- ¹²²⁶ *Ibid*.
- ¹²²⁷ Auditor General, *2017 Annual Report*, *supra* note 183, at s. 3.12, 643.
- ¹²²⁸ *Ibid*.
- ¹²²⁹ *Ibid*.
- ¹²³⁰ Two large school boards had little information about psychoeducational assessments.
- ¹²³¹ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 29.
- ¹²³² *The Geography of Opportunity: What's Needed for Broader Student Success – Annual Report on Ontario's Publicly Funded Schools 2016* (Toronto: People for Education, 2016) at 6, online (pdf): *People for Education* peopleforeducation.ca/wp-content/uploads/2017/06/P4E-Annual-Report-2016.pdf [People for Education, *The Geography of Opportunity*].
- ¹²³³ See: "Funding education in Ontario – Time for a review," (4 February 2020), online: *People for Education* peopleforeducation.ca/our-work/funding-education-in-ontario-time-for-a-review/.
- ¹²³⁴ Auditor General, *2017 Annual Report*, *supra* note 183 at s. 3.12, 643.
- ¹²³⁵ Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 3, recommendation 17; s. 5, recommendation 51.7, 51.10.
- ¹²³⁶ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.10.
- ¹²³⁷ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.7.
- ¹²³⁸ *Ontario's Education Equity Action Plan* (2017) at 31–33, online (pdf): *Ontario Ministry of Education* http://www.edu.gov.on.ca/eng/about/education_equality_plan_en.pdf [Ontario Ministry of Education, *Equity Action Plan*].
- ¹²³⁹ *Anti-Racism Act, 2017*, SO 2017, c 15 [Anti-Racism Act].
- ¹²⁴⁰ Auditor General, *2017 Annual Report*, *supra* note 183 at s. 3.08, 429.
- ¹²⁴¹ See Auditor General, *2017 Annual Report*, *supra* note 183.
- ¹²⁴² *Education Act*, s 8(1)(2).
- ¹²⁴³ *Education Act*, Reg 306: Special Education Programs and Services.
- ¹²⁴⁴ "Education Funding, 2021-22" (last visited 2 February 2022), online: *Ontario Ministry of Education* <http://www.edu.gov.on.ca/eng/policyfunding/funding.html>.
- ¹²⁴⁵ "What We Do: The Auditor General's Role" (last visited 2 February 2022), online: *Office of the Auditor General* <https://www.auditor.on.ca/en/content/aboutus/whatwedo.html>.
- ¹²⁴⁶ Auditor General, *2017 Annual Report*, *supra* note 183 at s. 3.08, 429.
- ¹²⁴⁷ *Ibid* at s. 3.08, 430.
- ¹²⁴⁸ Auditor General, *2020 Value for Money Audit: Curriculum*, *supra* note 328 at 3.
- ¹²⁴⁹ *2018 Annual report* (2018) at s. 3.12, 557, 559, online (pdf): *Office of the Auditor General* auditor.on.ca/en/content/annualreports/arreports/en18/v1_312en18.pdf [Auditor General, *2018 Annual Report*].

¹²⁵⁰ Auditor General, *2008 Annual Report*, *supra* note 183 at s. 3.14, 366.

¹²⁵¹ *Ibid* at s. 3.14, 367.

¹²⁵² *Ibid* at s. 3.14, 370.

¹²⁵³ Carol Campbell et al, *Ontario: A Learning Province: Findings and Recommendations from the Independent Review of Assessment and Reporting* (2018) at 6, online (pdf): *Ontario Institute of Studies in Education* oise.utoronto.ca/preview/lhae/UserFiles/File/OntarioLearningProvince2018.pdf [Campbell, *Ontario: A Learning Province*].

¹²⁵⁴ *Ibid* at 66.

¹²⁵⁵ Donna Quan, *Unlocking Student Potential Through Data: Final Report* (February 2017) at 46, online (pdf): *York University* <https://news.yorku.ca/files/Feasibility-Study-Unlocking-Student-Potential-through-Data-FINAL-REPORT-Feb-2017.pdf> [Quan, *Unlocking Student Potential*].

¹²⁵⁶ People for Education, *The Geography of Opportunity*, *supra* note 1232 at 3.

¹²⁵⁷ *Ibid* at 14.

¹²⁵⁸ *Ibid* at 15.

¹²⁵⁹ *Ibid* at 3.

¹²⁶⁰ The Auditor General of Ontario defines boards north of North Bay as northern boards, Auditor General, *2017 Annual Report*, *supra* note 183 at s. 3.12, 624.

¹²⁶¹ SO 2005, c 11.

¹²⁶² "Guide to the Act" (last visited 21 October 2021), online: *Accessibility for Ontarians with Disabilities Act* <https://www.aoda.ca/guide-to-the-act/>.

¹²⁶³ Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969.

¹²⁶⁴ *Ibid* at Barrier area narratives and recommendations: ss. 3, 4, 5; recommendations 9, 35, 40, 43–48.

¹²⁶⁵ *Ibid* at Barrier area narratives and recommendations: s. 4, recommendation 39. The Committee said: Seventy-two school boards should not each have to duplicate efforts at studying the comparative accessibility of different virtual platforms available on the market.

¹²⁶⁶ *Ibid* at Barrier area narratives and recommendations: s. 4, recommendation 39.3:

The Ministry of Education should regularly monitor and have tested the accessibility of major virtual meeting platforms, shall make public the results of its comparisons, and shall provide a list of approved accessible options for virtual platforms to school boards on a quarterly basis.

¹²⁶⁷ *Ibid* at Barrier area narratives and recommendations, "Section 5 recommendations".

¹²⁶⁸ Including requiring they contain:

- Processes to identify accessibility barriers, including complaints/reports from schools, students and community members
- Plans for removing and preventing accessibility barriers
- Clear assignment of responsibilities for action
- Performance measures for monitoring progress
- Requirements to report to school board trustees regularly
- Requirements for seeking input from the school board's SEAC.
- An annual report on progress towards eliminating accessibility barriers
- Feedback mechanisms to collect and review input from school accessibility committees, staff, students and the community
- Requirements to publicly report on the accessibility plan and progress to implementation, as well as a summary of feedback on accessibility barriers and strategies.

See Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, recommendations 52.1–52.5.

¹²⁶⁹ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 52.11.

¹²⁷⁰ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 52.7.

¹²⁷¹ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 52.8.

¹²⁷² *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 52.9.

¹²⁷³ This includes the Ontario Ministry of Education annually analyzing the accessibility barriers identified by each school board's accessibility committee (and the actions identified or proposed for corrective action); posting a public report that identifies the recurring barriers experienced in Ontario school boards;

and sharing corrective actions that should be taken, that are being taken, and that have been proposed; *ibid* at Barrier area narratives and recommendations: s. 5, recommendation 52.10.

¹²⁷⁴ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 42.1.

¹²⁷⁵ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 42.5.

¹²⁷⁶ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 42.3.

¹²⁷⁷ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 42.2.

¹²⁷⁸ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 42.6.

¹²⁷⁹ *Ibid* at Barrier area narratives and recommendations: s. 9, recommendation 194. The committee noted that the Ontario College of Teachers should have the same reporting requirements.

¹²⁸⁰ *Ibid* at Barrier area narratives and recommendations: s. 3, recommendation 29.5. The committee indicated that this process should be “informed by accessible curriculum, assessment and instruction practices.”

¹²⁸¹ *Ibid* at Barrier area narratives and recommendations: s. 9, recommendation 185.

¹²⁸² *Ibid* at Barrier area narratives and recommendations: s. 9, recommendation 195.

¹²⁸³ *Ibid* at Barrier area narratives and recommendations: s. 9, recommendation 196.

¹²⁸⁴ RRO 1990, Reg 306: Special Education Programs and Services.

¹²⁸⁵ Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198 at B2.

¹²⁸⁶ *Ibid*.

¹²⁸⁷ *Ibid* at 81-82.

¹²⁸⁸ Matthew Walker et al, *Phonics screening Check Evaluation: Final Report* (2015) at 13, online (pdf): National Foundation for Educational Research <https://www.nfer.ac.uk/publications/yopc03/yopc03.pdf>; *District Literacy Plan* (2014) at 11, online (pdf): North Vancouver School District https://www.sd44.ca/Board/Literacy/Documents/DistrictLiteracyPlan2014_15.pdf.

¹²⁸⁹ See the following for an overview of state dyslexia laws as of 2018: Martha Youman et al (International Dyslexia Association), “Dyslexia Laws in the USA: A 2018 Update” (Spring 2018), 44:2 Perspectives on Language and Literacy 27, online (pdf): IDA Ontario idaontario.com/wp-content/uploads/2018/06/Youman-Mather-2018-Dyslexia-Laws-in-the-USA-A-2018-Update.pdf.

¹²⁹⁰ Ontario Human Rights Commission, *Count me in! Collecting human rights based data* (2009), online (pdf): *Ontario Human Rights Commission* ohrc.on.ca/sites/default/files/attachments/Count_me_in%21_Collecting_human_rights_based_data.pdf. [OHRC, *Count me in!*]

¹²⁹¹ OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at 103.

¹²⁹² OHRC, *Count me in!*, *supra* note 1290 at 8-9.

¹²⁹³ OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at 102.

¹²⁹⁴ *Ibid* at Appendix A.

¹²⁹⁵ *Ibid* at recommendations 5, 6 and 23.

¹²⁹⁶ OHRC submission regarding the Government consultation on the education system in Ontario (2018) at recommendation 3, online: *Ontario Human Rights Commission* ohrc.on.ca/en/ohrc-submission-regarding-government-consultation-education-system-ontario.

¹²⁹⁷ Independent Teacher Workload Review Group, *Eliminating unnecessary workload associated with data management* (2016) at 4, online (pdf): *Government of the UK* https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/511258/Eliminating-unnecessary-workload-associated-with-data-management.pdf.

¹²⁹⁸ Auditor General, *2008 Annual Report*, *supra* note 183.

¹²⁹⁹ *Ibid* at s. 3.14, 384.

¹³⁰⁰ *Ibid* at s. 3.14, 384-385.

¹³⁰¹ Ontario, Office of the Auditor General, *2009 Annual Report* (2009) at s. 3.07, 191, online (pdf): *Office of the Auditor General* www.auditor.on.ca/en/content/annualreports/arreports/en09/2009AR_en_web_entire.pdf [Auditor General, *2009 Annual Report*].

¹³⁰² *Ibid* at s. 3.07, 199-200.

¹³⁰³ See, for example, *ibid* at s. 3.07, 200–201.

¹³⁰⁴ Ontario, Office of the Auditor General, *2011 Annual Report* (2011) at s. 3.13, 278, online (pdf): www.auditor.on.ca/en/content/annualreports/arreports/en11/2011ar_en.pdf [Auditor General, *2011 Annual Report*].

¹³⁰⁵ *Ibid* at s. 3.13, 271.

¹³⁰⁶ *Ibid*.

¹³⁰⁷ *Ibid* at s. 3.13, 276.

¹³⁰⁸ Auditor General, 2017 Annual Report, *supra* note 183 at s. 3.08, 444.

¹³⁰⁹ Auditor General, 2018 Annual Report, *supra* note 1249 s. 3.12, 568.

¹³¹⁰ Auditor General, 2020 Follow-up on Value for Money Audit: IT Systems, *supra* note 1103 at 195.

¹³¹¹ Achieving Excellence: A Renewed Vision for Education in Ontario (2014) at 19, online (pdf): Ontario, Ministry of Education oise.utoronto.ca/atkinson/UserFiles/File/Policy_Monitor/ON_01_04_14_-renewedVision.pdf. [Ontario Ministry of Education, *Achieving Excellence*].

¹³¹² Ontario Ministry of Education, *Equity Action Plan*, *supra* note 1238 at 17-18.

¹³¹³ *Ibid* at 19 and 31.

¹³¹⁴ *Ibid* at 19.

¹³¹⁵ *Ibid* at 32.

¹³¹⁶ *Ibid* at 19.

¹³¹⁷ Anti-Racism Act.

¹³¹⁸ The executive summary explains the genesis of the study:

In December 2015, the Ontario Ministry of Education (hereinafter referred to as the “Ministry”) announced a partnership with York University to support a joint research project aimed at improving the future of students across the province. The project explored the feasibility of the Ministry and school boards collecting additional student and educator data to gain a better understanding of Ontario student populations and school communities and to identify and address barriers to student success.

Quan, *Unlocking Student Potential*, *supra* note 1255 at 7.

¹³¹⁹ Since the *Unlocking Student Potential* report was released in 2017, some school climate surveys have started collecting this data.

¹³²⁰ Quan, *Unlocking Student Potential*, *supra* note 1255 at 46.

¹³²¹ *Ibid* at 68, recommendation 10.

¹³²² *Ibid* at 68, recommendation 13.

¹³²³ *Ibid* at 74, recommendation 21.

¹³²⁴ *Ibid* at 74, recommendation 22.

¹³²⁵ *Ibid* at 77, recommendation 25.

¹³²⁶ *Ibid* at 77, recommendation 26-28.

¹³²⁷ Royal Commission on Learning, *For the Love of Learning* (Toronto: Queen’s Printer for Ontario, 1994) at recommendations 50, 52, online: Queen’s University

https://qspace.library.queensu.ca/bitstream/handle/1974/6880/rcol_short_version.pdf?sequence=5&isAllowed=y.

¹³²⁸ *Ibid* at recommendations 51, 55, 56.

¹³²⁹ EQAO: Ontario’s Provincial Assessment Program: Its History and Influence (2013) at 5, online (pdf): Education Quality and Accountability Office eqao.com/wp-content/uploads/EQAO-history-influence.pdf.

¹³³⁰ Campbell, Ontario: A Learning Province, *supra* note 1253 at 7, 41.

¹³³¹ *Ibid* at 42.

¹³³² *Ibid* at 69.

¹³³³ *Ibid* at 70.

¹³³⁴ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 29.

¹³³⁵ This means students who achieved a level 3 or 4, in other words who met the provincial standard.

¹³³⁶ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 14.

¹³³⁷ See the discussion of the Simple View of Reading at section 8, Curriculum and instruction.

¹³³⁸ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59 at 13.

¹³³⁹ *Ibid* at 33.

¹³⁴⁰ *Ibid* at 3.

¹³⁴¹ Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, recommendations 52.1–52.5; *ibid* at Barrier area narratives and recommendations: s. 5, “Data Collection Recommendations”.

¹³⁴² *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.1.

¹³⁴³ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.2.

¹³⁴⁴ This includes data about “timely access to required materials, and potential gaps needing attention” and “what is working and required for ongoing individual student learning;” Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations, at s. 3, recommendation 11.5.

¹³⁴⁵ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.4.

¹³⁴⁶ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.5.

The committee also recommended that the boards “publicly report on an annual basis data related to disability, exclusions, modified day, wait times for professional assessments, and the number and types of staff who instruct students with disabilities.” *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.7.

¹³⁴⁷ 5, recommendation 51.7.

¹³⁴⁸ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.8.

¹³⁴⁹ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.9.

¹³⁵⁰ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.10.

¹³⁵¹ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendations 51.11 and 51.12.

¹³⁵² *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.11.

¹³⁵³ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.12.

¹³⁵⁴ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 51.13.

¹³⁵⁵ The Ontario Ministry of Education advised that all school boards have had access to their own self-identification data as well as regional and provincial aggregate data for several years (including breakdowns of self-identification data and achievement data) through the Indigenous Education Analytical Profile Tool.

¹³⁵⁶ A board noted the data asked for in the inquiry was not consistent with existing monitoring efforts or aligned with the methodology used by the Student Success/Learning to 18 Branch of the Ontario Ministry of Education.

¹³⁵⁷ Auditor General, *2018 Annual Report*, *supra* note 1249 at s. 3.12, 553.

¹³⁵⁸ EQAO, *Secondary School Report 2018-2019*, *supra* note 341 at 3.

¹³⁵⁹ Peel, Grades 4–6; Hamilton-Wentworth, Kindergarten–Grade 4; Ottawa-Carleton, JK–Grade 6; Thames Valley, Kindergarten–Grade 6.

¹³⁶⁰ The inquiry heard that this may be due to requirements in Ontario’s Anti-Racism Data Standards for community input which may result in inconsistencies across boards; see Ontario Anti-Racism Directorate, *Data Standards for the Identification and Monitoring of Systemic Racism* (last modified 4 November 2021), online: Government of Ontario ontario.ca/document/data-standards-identification-and-monitoring-systemic-racism.

¹³⁶¹ Quan, *Unlocking Student Potential*, *supra* note 1255.

¹³⁶² As measured by eligibility for free school meals.

¹³⁶³ U.K. Department of Education, *National curriculum assessments*, *supra* note 912.

¹³⁶⁴ Individual school data is also collected, but not posted publicly likely for privacy reasons.

¹³⁶⁵ Auditor General, *2018 Annual Report*, *supra* note 1249 at s. 3.12, 559.

¹³⁶⁶ Ottawa-Carleton, “Valuing Voices” *supra* note 366 at 57.

¹³⁶⁷ *Ibid* at 57.

¹³⁶⁸ See, for example, Lindsay Read et al, “Information for Accountability: Transparency and Citizen Engagement for Improved Service Delivery in Education Systems” (January 2017) at 8, *Global Economy & Development Working Paper 99*, online (pdf): Brookings Institution brookings.edu/wp-content/uploads/2017/01/global_20170125_information_for_accountability.pdf [Read, “Information for Accountability”].

¹³⁶⁹ *Parents in partnership: A Parent Engagement Policy for Ontario Schools* (2010) at 26, online (pdf): *Ontario Ministry of Education* http://www.edu.gov.on.ca/eng/parents/involvement/pe_policy2010.pdf.

¹³⁷⁰ Ontario Ministry of Education, *Parents Matter* (last visited 2 February 2022), online (pdf): *Ministry of Education* edu.gov.on.ca/eng/multi/english/ParentsMatterEN.pdf.

¹³⁷¹ *Ibid*.

¹³⁷² Ontario Ministry of Education, *Equity Action Plan*, *supra* note 1238 at 16, 17.

¹³⁷³ Ontario Ministry of Education, *Equity and Inclusive Education in Ontario Schools: Guidelines for Policy Development and Implementation* (2014) at 54, online (pdf): *Ministry of Education* edu.gov.on.ca/eng/policyfunding/inclusiveguide.pdf.

¹³⁷⁴ Ontario Ministry of Education, *Shared Solutions: A Guide to Preventing and Resolving Conflicts Regarding Programs and Services for Students with Special Education Needs* (2007) at 17 and 18, online (pdf): *Ministry of Education* www.edu.gov.on.ca/eng/general/elemsec/speced/shared.pdf [Ontario Ministry of Education, *Shared Solutions*].

¹³⁷⁵ *Ibid* at 13.

¹³⁷⁶ *Ibid* at 20.

¹³⁷⁷ *Ibid* at 44–45.

¹³⁷⁸ See, for example, Read, “Information for Accountability”, *supra* note 1368: at 13; Mitchell & Sutherland, *What Really Works*, *supra* note 1095 at 181–182.

¹³⁷⁹ See, for example Read, “Information for Accountability”, *supra* note 1368 at 3.

¹³⁸⁰ *Ibid* at 33.

¹³⁸¹ Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 3, recommendations 12, 18, 19 and s. 5, recommendations 46, 47, 48, 49.

¹³⁸² *Ibid* at s. 3, recommendations 9.3, 11.6; s. 5, recommendations 42, 49.7 and 52.6.

¹³⁸³ *Ibid* at s. 5, recommendation 49.11.

¹³⁸⁴ *Ibid* at s. 3, recommendation 20; s. 5, recommendation 53.11.

¹³⁸⁵ CRPD, General Comment No 4, *supra* note 258 at para 31.

¹³⁸⁶ See Ontario Ministry of Education, *Special Education in Ontario*, *supra* note 198.

¹³⁸⁷ O Reg 464/97: Special Education Advisory Committees.

¹³⁸⁸ Ontario Ministry of Education, *Shared Solutions*, *supra* note 1374 at 44–45.

¹³⁸⁹ Ontario Ministry of Education, *Growing Success*, *supra* note 941 at chapter 6;

See also: Yael Ginsler et al (Ontario Ministry of Education), Memorandum to Directors of Education et al. re “Guidance on Assessment, Evaluation and Reporting” (October 2, 2020), online (pdf): *Catholic Principals’ Council* https://cpc.o.ca/files/1716/0165/0869/Ministry_of_Education_-_Guidance_on_Assessment_Evaluation_and_Reportin - October 2, 2020.pdf.

¹³⁹⁰ Ontario Ministry of Education, *An Introduction to special education in Ontario* (last viewed 22 October 2021), online: *Ministry of Education* edu.gov.on.ca/eng/general/elemsec/speced/ontario.html.

¹³⁹¹ Ontario Ministry of Education, Special Education in Ontario, *supra* note 198 at E6.

¹³⁹² “Highlights of Regulation 181/98” (last viewed 2 February 2022), online: *Ontario Ministry of Education* <http://edu.gov.on.ca/eng/general/elemsec/speced/hilites.html> [Ontario Ministry of Education, “Highlights of Reg 181/98”].

¹³⁹³ *Ibid*.

¹³⁹⁴ *Ibid*.

¹³⁹⁵ “The Identification, Placement and Review Committee” (last modified 26 July 2007), online: *Ontario, Ministry of Education* edu.gov.on.ca/eng/general/elemsec/speced/identifi.html.

¹³⁹⁶ Ontario Ministry of Education, Special Education in Ontario, *supra* note 198 at D7.

¹³⁹⁷ Ontario Ministry of Education, *Reg 181/98*, *supra* note 1392. See also “Supporting the Ontario Leadership Strategy” (February 2012) Issue 12: Principals Want to Know, online: *Ontario Ministry of Education* edu.gov.on.ca/eng/policyfunding/leadership/pdfs/issue12.pdf.

¹³⁹⁸ Ontario Ministry of Education, Special Education in Ontario, *supra* note 198 at D26.

¹³⁹⁹ *Ibid* at D33.

¹⁴⁰⁰ *Ibid* at G5.

¹⁴⁰¹ *C v Simcoe County District School Board*, 2003 ONSET 3 (CanLII).

¹⁴⁰² Ontario Ministry of Education, Special Education in Ontario, *supra* note 198 at D12.

¹⁴⁰³ Ontario Ministry of Education, *Reg 181/98*, *supra* note 1392.

¹⁴⁰⁴ *Ibid*.

¹⁴⁰⁵ Persons under age 18 need a litigation guardian, usually a parent or legal guardian, to file an application at the Human Rights Tribunal of Ontario. See Tribunals Ontario “Practice direction on litigation guardians before Social Justice Tribunals Ontario” (17 October 2017), online:

<https://tribunalsontario.ca/documents/sjto/Practice%20Directions/Litigation%20Guardians%20before%20SJTO.html>.

¹⁴⁰⁶ Ontario Ministry of Education, *Equity Action Plan*, *supra* note 1238 at 17, 28.

¹⁴⁰⁷ *Ibid* at 28, 30.

¹⁴⁰⁸ Nancy Naylor (Ontario Ministry of Education), Memorandum to Directors of Education et al. re “2019–20 Priorities and Partnerships Fund” (26 April 2019) at 8, online: *Government of Ontario* https://efis.fma.csc.gov.on.ca/faab/Memos/B2019/B15_EN.pdf.

¹⁴⁰⁹ See: O.Reg 191/11, Schedule 1.

¹⁴¹⁰ See also: O Reg. 191/11, Integrated Accessibility Standards at s. 80.50.

¹⁴¹¹ Auditor General, *2008 Annual Report*, *supra* note 183 at s. 3.14, 366–367.

¹⁴¹² On December 6, 2018, the Ontario government passed Bill 57 (the *Restoring Trust, Transparency and Accountability Act*), which eliminated the Office of the Provincial Advocate for Children and Youth. The Office was closed on May 1, 2019. See: *Ontario Child Advocate 2019 Report to the Legislature* (2019) at 2, online (pdf): *Office of the Provincial Advocate for Children and Youth ocaarchives.files.wordpress.com/2019/05/annualreporten.pdf*.

¹⁴¹³ Provincial Advocate for Children and Youth, *We Have Something to Say*, *supra* note 1129 at 77.

¹⁴¹⁴ ARCH, *If Inclusion Means Everyone, WHY NOT ME?*, *supra* note 17 at 16,18.

¹⁴¹⁵ *Ibid* at 18.

¹⁴¹⁶ *Ibid*.

¹⁴¹⁷ OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at 56.

¹⁴¹⁸ *Ibid* at 57.

¹⁴¹⁹ Chadha et al, *supra* note 283 at 36–37.

¹⁴²⁰ IDA, *Lifting the Curtain on EQAO Scores*, *supra* note 59.

¹⁴²¹ For more information on how to collect data in a way that is consistent with the *Code*, see OHRC, *Count me in!*, *supra* note 1290.

¹⁴²² OHRC, *Policy on accessible education for students with disabilities*, *supra* note 7 at appendix A, recommendation 1. See also: Ontario Ministry of Education, *Shared Solutions*, *supra* note 1374 at 20.

¹⁴²³ Education Standards Development Committee, *Development of proposed K-12 education standards*, *supra* note 969 at Barrier area narratives and recommendations: s. 5, recommendation 49.11(e).

¹⁴²⁴ *Ibid* at Barrier area narratives and recommendations: s. 5, recommendation 49.11.

¹⁴²⁵ *Ibid* at Barrier area narratives and recommendations: s. 3, recommendation 12. The recommendation states:

Students be instructed in self-assessment methods so that their observations and reflections on their own learning and the experiences and suitability of accessible resources can provide valuable feedback to teachers in refining their instructional plans.

¹⁴²⁶ *Ibid* at Barrier area narratives and recommendations: s. 3, recommendations 9.3, 11.6; s. 5, recommendations 42, 49.12, 49.13, 49.14, 52 and 52.6.