



ADMINISTRATIVE PROCEDURES

USE OF SUPPORT PERSON BY THE GENERAL PUBLIC (Policy Statement: Accessibility Standards)

Purpose

The Board will welcome all members of the school and broader community to our facilities by committing our staff and volunteers to providing services that respect the independence and dignity of people with disabilities. Such services incorporate measures that include but are not limited to the use of support persons.

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

A support person is an individual chosen by a person with a disability to provide services or assistance with communication, mobility, personal care, medical needs or with access to goods or services. Personal care needs may include, but are not limited to, physically transferring an individual from one location to another or assisting an individual with eating or using the washroom. Medical needs may include, but are not limited to, monitoring an individual's health, or providing medical support by being available in the event of a seizure.

The support person could be a paid professional, a volunteer, a friend, or a family member. He or she does not necessarily need to have special training or qualifications.

References

Canadian Charter of Rights and Freedom

Ontario Human Rights Code

Accessibility for Ontarians with Disabilities Act, 2005 (AODA)

Accessibility Standards for Customer Service, Ontario Regulation 429/07

Procedures

1. Responsibility

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

2. Access to Board Premises

- 2.1 Any person with a disability who is accompanied by a support person will be welcomed on Board and/or school premises with his or her support person. Access will be in accordance with normal security procedures.
- 2.2 This requirement only applies to those areas of the premises where the public or third parties customarily have access and does not include places or areas of the school or Board offices where the public does not have access.

3. Confidentiality

- 3.1 Where a support person is accompanying a person with a disability, who is the parent/guardian of a student, for the purpose of assisting in a discussion that may involve confidential information concerning the student, the superintendent, principal or other staff member must first secure the consent of the parent/guardian regarding such disclosure.
- 3.2 Consent to the disclosure of confidential information in the presence of the support person must be given in writing by the parent or guardian.
- 3.3 The support person must also provide assurance in writing to safeguard the confidentiality of information disclosed in the discussion.
- 3.4 A copy of the signed consent document will be retained at the school/Board office.
- 3.5 If the parent/guardian uses a different support person for subsequent meetings, a new signed consent will be required.

(A sample of a consent document is provided below)

4. Support Persons Accompanying a Person with a Disability at School Events for which there is an Admission Fee

- 4.1 Where an individual with a disability who is accompanied by a support person wishes to attend a school, family of schools or board-organized event for which a fee is charged, the notice of the event will include information as to whether support persons will be charged a fee and specifically the amount of the fee.

5. Where the Board may Require the Presence of a Support Person

- 5.1 The Board may require a person with a disability to be accompanied by a support person when on the premises, but only if a support person is necessary to protect the health or safety of the person with a disability or the health or safety of others on the premises.

(NOTE: this would be a highly rare situation and would only occur where, after consultation with the person with the disability, requiring a support person is the only means available to allow the person to be on the premises and, at the same time, fulfill the Board's obligations to protect the health or safety of the person with a disability or of others on the premises).

It is further noted that people with disabilities are free to accept a reasonable risk of injury to themselves just as other people do. Different individuals will have a different tolerance for risk. Risk should be weighed against any benefit for the person with a disability. It is not enough that the support person might help to protect health and safety; a support person must be necessary or essential to protect health and safety; a support person must be necessary or essential to protect health and safety before you can require one – the risk cannot be eliminated or reduced by other means. Any considerations on protecting health or safety should be based on specific factors and not on assumptions. Just because someone has a disability doesn't mean they're not capable of meeting health and safety requirements.)

SAMPLE CONSENT FORM

I, (parent/guardian) consent to the sharing of confidential information by (name of principal/teacher/other staff member) related to my child/ward (name) in the presence of my support person (name).

My support person (name) consents to safeguard the confidentiality of the information shared.

Affirmation of consent:

Parent/Guardian

Signature _____ Date _____

(Printed Name of Parent/Guardian) _____

I undertake to safeguard the confidentiality of information shared between (school staff) and (parent/guardian) for whom I am a support person.

Support Person

Signature _____ Date _____

(Printed Name of Support Person) _____

Signature of Witness –

Principal/Staff Member _____ Date _____

(Printed Name of Staff Member) _____

Approved: October 27, 2009

Updated: January 2022