

Ministry of Education  
% Deputy Minister, Student Support Field Services Division  
315 Front Street  
Toronto, Ontario  
M7A 0B8

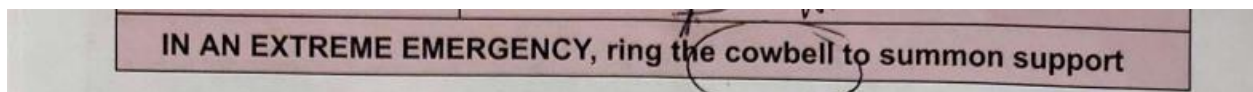
By email only to: [nancy.naylor@ontario.ca](mailto:nancy.naylor@ontario.ca)

January 31, 2023

Dear Deputy,

I am writing this email to you to express my shock and disgust at the blatant audism that occurred at ECD Elementary during the week of January 24, 2023. This occurred in a space where Deaf students and staff are supposed to be safe from audism, or at least where there are supposed to be steps and precautions to ensure that no Deaf person on any PDSB campus will experience audism (Ministry of Education's Anti-Audism Policy, 2011). To see this happen in 2023, despite major technological advancements, removed barriers, and steps at reducing discrimination since the 1900's, is a huge disappointment.

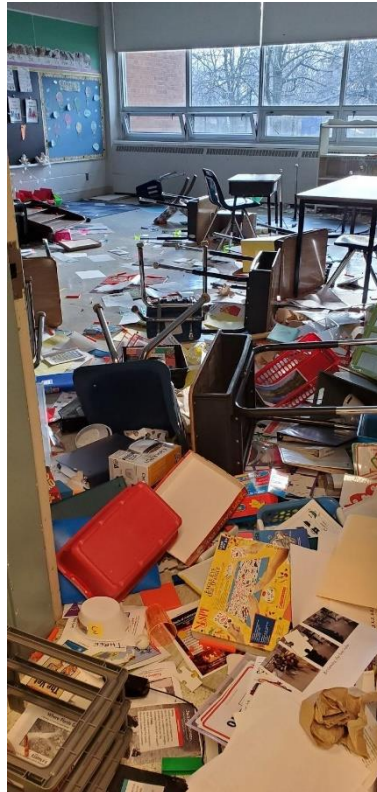
An interim solution to the communication system issues at ECD Elementary, in case of emergencies and/or to summon help, as suggested by the managers and as documented in a student's safety plan (without any input from any Deaf staff), is to use cowbells:

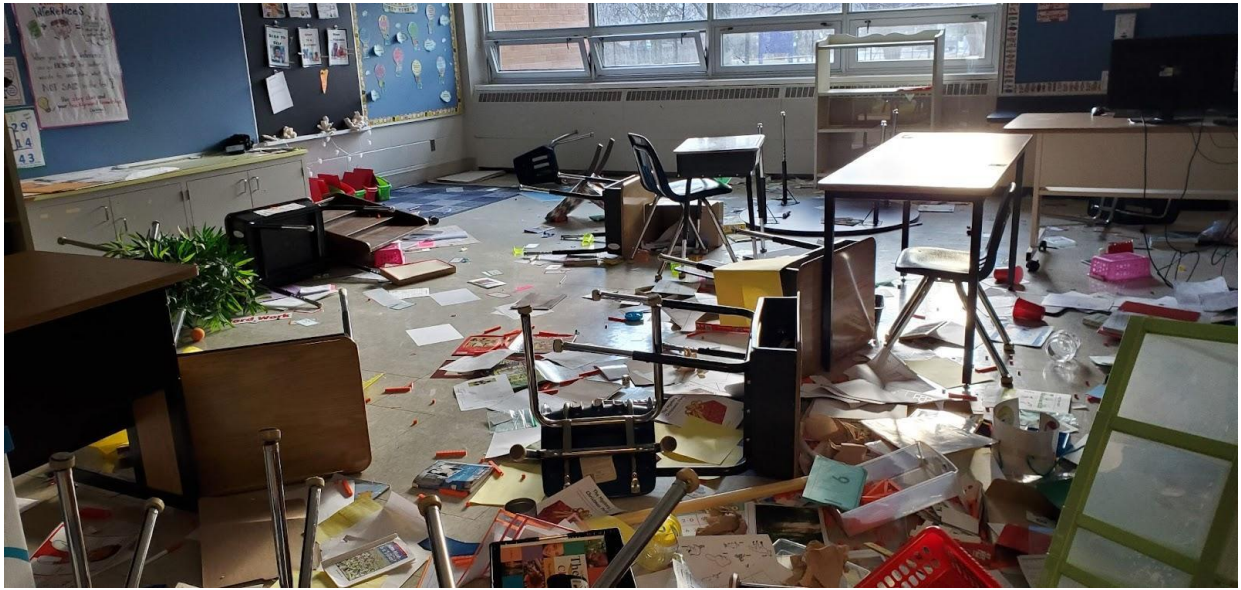


To provide some background with events that lead up to this, I will share some details:

In December 2022, a PSAT member refused work due to unsafe working conditions after a violent incident involving a student occurred the day before (see pictures below). A student had trashed her classroom, despite the managers being warned by the student lodgings staff before the start of the school day that the student had uttered threats against another student, to keep an eye on the student, and the student having a history of violent incidents; the student was allowed to come to school and begin classes without any monitoring or checking in by the

managers to ensure the student's safety as well as the safety of other students and staff. The member asked management that morning on what steps to take with regards to following up with the student about the threat; she was told by management to check in with the student to find out what transpired in student lodgings the night before. The rest of the day was a series of incidents, including the student leaving the classroom, the student showing signs of behaviour that he was not ready to learn, and, finally, the classroom being destroyed by the student.





**PHOTOS: ECD Elementary, December 19, 2022**

The member's work refusal triggered an investigation by the Ministry of Labour. Two other work refusals had occurred before: one was not investigated, and the other was delayed by employer's failure to respond promptly.

From that day in December to now, many of the recommendations by the Ministry of Labour for the Employer from the initial meeting were not put into action. Two more work refusals occurred after the winter break: one by the same PSAT member and one by another PSAT member due to unsafe working conditions.

From the Ministry of Labour's investigations between December 2022 and January 2023, several violations were discovered. One of the violations was that the safety plans for several students, including others not mentioned in this letter, have not been updated for a few years, up until December 2022, despite having had a number of violent incidents since the last time the safety plans were updated. Managers put the blame on members for not "looking in the students' OSRs and reading their safety plans there", although the safety plans were not updated. There was no acceptance of accountability, no acknowledgment that the managers failed to update the safety plans as required, and when they did update the safety plans, it was with little to no input from the current teachers as required. There was also no compassion or support towards the teachers, classroom assistants, and other students who were traumatized by the recent violent incidents.

When cowbells were added to a safety plan and shared with the teachers and staff at a meeting to discuss and review the plan, several Deaf staff raised concerns about the use of cowbells. The teachers and staff were also not given a copy of the safety plan before the meeting, to

allow for time and space to read and review it. However, when staff shared their concerns about using cowbells, their concerns were trivialized and dismissed, and the cowbells remained on the student's safety plan.

Of important note is that students' safety plans were not updated because the Special Education Resource Teacher (SERT) of the school was repeatedly pulled out of her SERT duties to cover classes of absent teachers, due to lack of supply teachers, which we made you aware of. This issue has been ongoing for a long time, since at least September 2022, so what is the Employer's solution to this long-standing issue? The Employer has been aware of this issue (via union grievances that have been filed and from meetings with PSAT), why has nothing been done to confront this issue and resolve it? Why allow this issue to wallow and become bigger, creating other issues such as these violent incidents involving students and staff, safety plans that have not been updated, and creating dangerous working conditions? Working conditions are also learning conditions.

Furthermore, the managers at the ECD elementary school decided that their card system for communication to summon immediate help was effective; however, staff informed them that they did not find the card system effective. To use the card system, the idea was to pass on the card to the nearest staff member or a designated responsible student. There was a recent situation in particular where two teachers were in a team teaching a class of 11 students. When no one was nearby and available, one of the teachers had to leave the other teacher with the class and walk, with her physical disability, to a room down to the end of the hall, to find the team of managers and several staff sitting together in a meeting. She held up the card at them. Despite sharing with the managers why the card system was ineffective, and despite the fact that the Ministry of Labour rejected this as a means for summoning immediate assistance, the managers still insisted it was effective, including it in the student's updated safety plan.

The inclusion of cowbells (audism) and cards (ableism) as support for calling immediate assistance in one of the safety plans was done so unilaterally, without any input from Deaf and disabled staff. And when staff shared their concerns about continuing to use an ineffective system with the cards and cowbells, their concerns were dismissed by the managers, insisting that they would still use them.

From the Ministry of Education's Anti-Audism policy (2011):

#### 1.1 Definitions

Audism can be defined in various ways:

- The notion that one is superior based on one's ability to hear and/or speak;
- Behaving in a manner that intentionally or knowingly results in a negative stigma toward, limits, or excludes anyone who does not hear;
- A system of advantage based on hearing and speaking ability.

In all those meetings with the managers, the managers' focus had always been on the modifications to the classroom and/or placement of the violent students in the classroom and/or behaviour plans, but not once did the managers focus on the SAFETY of the teachers

who triggered the Ministry of Labour investigations or the safety of the other students who have to be in the same classrooms as the violent students. Several staff suggested that one of the violent students needed counselling, outside help, and/or mental health support, but that was not taken into consideration by the managers. The managers wanted to keep the status quo for the students with violent behaviours in the classrooms. Perhaps this is not the right school for these violent students, as the kinds of support the students seem to need cannot be provided by us.

For example, for one of the violent students, the behaviour/safety plan is fourteen pages long, with specific steps and action plans to follow for various situations, locations, and times of day. In my view, as a long-time educator, a behaviour/safety plan is effective only if it makes sense, is easy to remember in serious situations where quick thinking and responses are needed, and the plans are easy to follow. A fourteen page plan is not easy to remember or follow.

One of the orders from the Ministry of Labour was to develop an effective communication system that summons immediate assistance. Using a cowbell is not that. There was also no Deaf staff present at any of those meetings to provide input into that. In addition to being incredibly audist, a cowbell is not a reliable way to immediately summon help. Ringing a cowbell does not tell management what the issue actually is: is it a medical emergency or a violent student? And if it is a student having an outburst, the cowbell will not help to de-escalate the situation either.

Not only is it an ineffective communication tool, it is an insult steeped in audism and hearing privilege. Communication tools that work for Deaf people will also work for hearing people; however, some tools that work for hearing people will never work for Deaf people (e.g., cowbells). Using cowbells is also in conflict with the Ministry of Education's Anti-Audism Policy (2011) and Ontario Human Rights Commission's Policy on ableism and discrimination based on disability (2016). There are also other laws and acts that are applicable, to name a few of them: Ontario Human Rights Code, Canadian Charter of Rights and Freedoms, Accessibility For Ontarians with Disabilities Act, and United Nations' Convention on the Rights of Persons with Disabilities (which Canada has ratified in 2010).

Surely, we can come up with a better and more effective communication system than cowbells. We can look at what communication systems are used at other schools or buildings with children that have violent behaviours. There are visual alarms, pagers, emergency buttons, phones with internet connection (provided by the Employer), and other devices and systems that do not need to use something that is used on farm animals. We have come a long way from the farming days of the 1900's.

From the same Anti-Audism policy (2011), one of the principles is as follows:

#### 1.2 Workplace Discrimination and Harassment

The OPS Workplace Discrimination and Harassment Prevention (WDHP) Policy addresses the prevention, reporting, and resolution of workplace discrimination



and harassment and the restoration of workplaces affected by discrimination or harassment incidents and allegations. This policy applies to the Provincial Schools Branch and the Provincial Schools Authority. The principles outlined in this policy are:

- The needs of persons with disabilities are accommodated to enable full participation in prevention and resolution processes, in accordance with applicable statutes and policies.

I ask you, as someone who represents all PSAT members across all four Provincial schools, that you include several Deaf members from both PSAT and OPSEU:

- in any and all discussions on the development and installation of an effective communication system that will work for everyone at all Provincial schools; and
- in this process, their prep time will not be lost, the meetings will be during regular school/work hours, and the Employer will find supply teachers to cover their classes.

Parents need to know that their children are safe at school, that we have the best communication system that we can develop for them.

Sincerely,



Tamara Witcher, District 30 OSSTF President

CC:

*Stephen Lecce, Minister of Education*

*Chandra Pasma, Education Critic of the Official Opposition*

*Clayton LaTouche, Assistant Deputy Minister*

*Claudine Munroe, Chair PSA (A)*

*Scott Sincerbox, Executive Director (A), PDSB*

*Linda Wall, Superintendent*

*Mark Zonneveld, Superintendent*

*Sandy Case, PDSB Clinical Manager*

*Karen Littlewood, President OSSTF*

*John Wells, District 30 Secretariat*

*Jeff Denys, Provincial Executive Liaison OSSTF, Treasurer*

*Jennifer Seif, District 30 Political Action Liaison*

*Daryl O'Grady, OPSEU*

*Stephanie Antone-Hawking, PDSC Chair*

*Katherine Target, PDSC ECD*

*Tamara Cooper, PDSC ECD*