Recommendations Regarding Bill 101: *Putting Student Achievement First Act, 2026*

Under Ontario's *Human Rights Code*, students with disabilities, including autism, are entitled to meaningful access to education and, where systemic barriers impact their education, accommodation to the point of undue hardship. System level changes that weaken flexibility, local recourse, or transparency increase the risk of rights violations and undermine Ontario's commitments to inclusive education.

1. **Restore Meaningful Consultation to Improve Outcomes**

    - **Context:** Bill 101 is being introduced on an accelerated timeline, with significant proposed changes to governance, assessment, and teacher education.

    - **Concern:** These changes will directly impact students, families, educators, and school boards, yet opportunities for meaningful consultation with those most affected appear limited.

    - **Recommendation:** Commit to structured, transparent, accessible, and ongoing consultation with students, families, educators, school boards, SEACs, unions, and community organizations before and throughout the development and implementation of legislative amendments.

    - **Why It Matters:** Policies informed by lived experience are more responsive, reduce unintended harm, and better support student success. Without meaningful consultation, changes may create unintentional barriers, particularly for students with disabilities or for those who receive special education services. For example, requiring attendance and participation to be components of grading could negatively impact academic outcomes for students with disabilities if student voice is excluded from policy development.

2. **Preserve Local Voice While Clarifying Governance Changes**

    - **Context:** Bill 101 proposes further restructuring of school board governance, including reduced authority for trustees and increased provincial oversight.

    - **Concern:** Diminishing local structures, which provide critical community insight and accessible problem-solving pathways for families, risks silencing the voices most in need of amplifying.

- **Recommendation:** Clearly define decision-making authority, accountability structures, and appeal pathways. Ensure that trustees and SEACs retain meaningful advisory roles, particularly in decisions that impact autistic students' access to programs and services.

- **Why It Matters:** Local governance structures provide important community and lived-experience perspectives. When local voice is reduced, students and families may have fewer accessible pathways to raise concerns, and system-level issues may be harder to identify and address early.

3. **Ensure Student Achievement Measures Reflect Autistic Needs**

- **Context:** Bill 101 introduces mandatory exams for Grades 9 to 12 and increases emphasis on standardized assessment and measurable outcomes. Attendance and participation may also be included as part of final grades.

- **Concern:** Standardized approaches to achievement may not reflect the diverse strengths, needs, and learning pathways of autistic students.

- **Recommendation:** Adopt an individualized, rights-based approach to assessment that:

    - Ensures full access to accommodations and modifications

    - Recognizes various evidence-informed ways of demonstrating learning

    - Separates academic achievement from factors such as attendance (see below)

    - Includes clear guidance for boards on recognizing and addressing systemic barriers to education and implementing accommodations consistently

- **Why It Matters:** When assessment systems are not individualized, they can create barriers rather than measure success and risk violating the human rights of autistic students, and other students with disabilities. Differentiated assessment practices based on rigorous yet individualized practices support engagement and achievement, promote well-being, and lead to more accurate understanding of student knowledge.

4. **Protect Student Well-Being in Attendance and Evaluation Practices**

    - **Context:** Bill 101 proposes linking attendance and participation to final grades.
    - **Concern:** Attendance is often influenced by factors beyond a student's control, including disability, systemic barriers, health and mental health needs, and whether appropriate supports (including human resources) are available at school.
    - **Recommendation:** Ensure that attendance policies:
        - Are grounded in student well-being and access to education
        - Do not penalize students for disability- or system-related absences due to undertrained or underqualified staff availability
        - Are paired with proactive supports to address barriers to attendance
        - Include clear guidance for accommodations and exemptions
    - **Why It Matters:** For many autistic students, absence is not a choice. Linking attendance to grades without addressing underlying barriers can increase exclusion, anxiety, and disengagement. Education policy must distinguish between engagement and compliance. Attendance-based penalties applied without a well-being lens risk worsening outcomes for autistic students the system is legally obligated to support.

5. **Strengthen Educator Preparation to Support Inclusive Classrooms**

    - **Context:** Bill 101 proposes changes to teacher education, including a shorter training pathway to address staffing pressures.
    - **Concern:** Reducing training time may limit opportunities for educators to build the knowledge and skills needed to support diverse learners, including autistic students and those with complex disability-related needs.

- **Recommendation:** Ensure that teacher education reforms:
    - Maintain and advance strong preparation in inclusive and special education practices
    - Include training on autism, accommodations, Universal Design for Learning, differentiated instruction, and disability- and neurodiversity-affirming practices
    - Are paired with mandatory ongoing professional learning and mentorship
- **Why It Matters:** Educators impact student success. Strong preparation and ongoing support help create inclusive classrooms where all students feel they belong so they can participate, learn and thrive.

6. **Centre Student Need and Rights in System-Wide Changes**

- **Context:** Bill 101 emphasizes accountability, consistency, and measurable outcomes across the education system.
- **Concern:** A narrow focus on standardized achievement may overlook the broader conditions that support learning, including well-being, belonging, and access to appropriate supports.
- **Recommendation:** Adopt a needs-based, rights-focused approach that:
    - Prioritizes access to education for all students
    - Recognizes the legal right to accommodation where negative impacts linked to disability exist
    - Balances accountability with flexibility and inclusion
    - Includes input from families, students, and advocacy organizations

- **Why It Matters:** Student success is not only measured by standardized outcomes. When systems focus on meeting student needs, outcomes improve across academic, social, and emotional areas.

7. **Strengthen the Role of Special Education Advisory Committees (SEACs) in a Changing System**

    - **Context:** With increased centralization and changes to governance, SEACs should play an even more important role in identifying impacts on students who receive special education services.

    - **Concern:** SEACs bring critical expertise and community perspective.

    - **Recommendation:** Ensure SEACs are:

        - Actively consulted on development of proposed changes, and invited to co-create draft amendments

        - Provided with clear information and data on impacts

        - Supported to raise system-level concerns

        - Connected to provincial discussions where needed

    - **Why It Matters:** Strengthening the SEAC role helps ensure that system changes consider the needs of autistic students, students with disabilities, and the increased barriers they face.

8. Elimination of School Climate Survey Requirements

- **Context**: Bill 101 removes requirements and ministerial authority related to the administration of school climate surveys.

- **Concern**: Autistic students (and particularly those who are also Black, racialized, Indigenous, or 2SLGBTQIA+) experience disproportionately high rates of bullying, social exclusion, and discipline related to disability-associated behaviours. Climate surveys are one of the few systemic tools that collect anonymous data on safety, belonging, and school culture. Their elimination reduces visibility into ableism, unsafe environments, and systemic issues affecting students least able to self-advocate.

- **Recommendation**: Mandate procedures and policies for the development and implementation of information-gathering systems, including the engagement of students, families, educators and communities.

- **Why This Matters:** What is not measured is often not addressed. Without system-level data, patterns of exclusion and feeling like one does not belong in school buildings may persist unchallenged, undermining student safety, achievement, and well-being.