

**Ministry of Education**

Special Education Policy  
and Programs Branch  
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Toronto ON M7A 1L2

**Ministère de l'Éducation**

Direction des politiques et des programmes  
de l'éducation de l'enfance en difficulté  
18<sup>e</sup> étage, édifice Mowat  
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**MEMORANDUM TO:** Directors of Education  
Supervisory Officers and Secretary-Treasurers of School  
Authorities  
Director of Provincial Schools Branch  
Superintendent of Centre Jules-Léger

**FROM:** Barry Finlay  
Director  
Special Education Policy and Programs Branch

**DATE:** December 19, 2011

**SUBJECT:** **Categories of Exceptionalities**

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The purpose of this memorandum is to assist in the application of the categories of exceptionalities set out in subsection 1(1) of the Education Act (the "Act") and as elaborated upon in *Special Education: A Guide for Educators* (October 2001) (the "Guide"). The Guide is intended to be interpreted broadly, and not in a manner that excludes any barriers to learning apparent upon individual assessment.

The broad categories of exceptionalities set out in subsection 1(1) of the Act (Behaviour Communication, Intellectual, Physical and Multiple) are designed to address the wide range of conditions that may affect a student's ability to learn, and do not exclude any medical condition, whether diagnosed or not, that can lead to particular types of learning difficulties. All students with demonstrable learning based needs are entitled to appropriate accommodations in the form of special education programs and services, including classroom based accommodations.

Inclusion of some medical conditions (e.g., autism) in the Guide's definitions of the five categories of exceptionalities is not intended to exclude any other medical condition that may result in learning difficulties, such as (but not limited to) Attention Deficit Disorder/Attention Deficit Hyperactivity Disorder (ADD/ADHD), Fetal Alcohol Syndrome, Tourette Syndrome, Myalgic Encephalomyelitis, Chronic Fatigue Syndrome, and Fibromyalgia Syndrome

For example, a student with ADD/ADHD may present learning needs in many ways in the school setting and the student may be identified as exceptional within one or more of the categories of exceptionalities (including, Behaviour, Communication, Intellectual, Physical and/or Multiple)

depending on the presentation, and the degree of the impact that ADD/ADHD has on that student's learning. Some of the areas in which a student with ADD/ADHD may have demonstrable learning needs include (but are not limited to) attention/focus, organization, processing speed, working memory, executive functioning weaknesses, mathematical processes and skills, and expressive and receptive language. A student who presents with such learning needs can be identified within the Communication (learning disability) exceptionality category, regardless of whether the medical criteria for a Learning Disability are met. In other cases involving students with ADD/ADHD where other learning needs present, consideration can be given to identification under other categories (e.g., Behaviour, Physical and/or Multiple).

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.

The wide range of conditions that the Ministry's categories cover can be seen from the sample Individual Education Plans (IEPs) that the Ministry has developed, available on the website of the Council of Ontario Directors of Education (<http://www.ontariodirectors.ca/IEP-PEI/index.html> <http://www.ontariodirectors.ca>). These samples are intended to show how IEPs can be used to support students with various education needs and strengths: the approach to developing an IEP is to focus on the functional or learning challenges faced by the individual student. IEPs are not to be static; rather, they are intended to evolve in order to take into account the changing strengths and needs of each student for whom an IEP has been developed.

The sample IEPs do not represent a closed list but are intended as examples only. A student's IEP should address his or her individually-assessed learning needs and IEPs will vary from student to student. The Ministry welcomes feedback to assist in the continuous improvement of the development and implementation of effective IEPs.

Thank you for your on-going support.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Finlay', with a small dot at the end of the signature.

Barry Finlay