THE EXPERIENCES OF PARENTS SEEKING INTEGRATED PLACEMENTS IN ONTARIO SCHOOLS FOR THEIR CHILDREN WITH DISABILITIES

by

Frances Marinic-Jaffer

A thesis submitted in conformity with the requirements for the degree of Doctor of Education
Graduate Department of Curriculum, Teaching and Education
Ontario Institute for Studies in Education
University of Toronto

© Copyright by Frances Marinic-Jaffer 2015
Abstract

A series of ethnographic interviews were conducted to explore the experiences of parents seeking integrated placements for their children in Ontario schools. The scope of the study was dual in nature. Firstly, it set out to examine parental activism as a response to the historical exclusion of disability in the educational system. Secondly, the study sought to examine whether the intent and letter of the special education practice was operative in respondent experiences which included nine parents, who reported on 8 children; 6 students had Down Syndrome, while the other 2 students also had visible disabilities. The parental responses were recorded, transcribed, and evaluated utilizing the constant comparison method defined by Glaser. Following the transcription of these narratives, thematic comparisons were drawn between respondents. The experiences of the respondents were then compared to the legislative framework established by Ontario’s Education Act (Education Act, R.S.O., 1990) associated regulations, and the onus for service provision in the Human Rights Code (Human Rights Code, R.S.O., 1990) in Ontario. Findings indicated that while the letter and intent of the legislation appeared specific, it was rarely occurring in practice. Flaws inherent within the legislation served as a barrier to integrated classroom placements. The study demonstrated that the presence of negative attitudes combined with legislative inadequacies impeded advocacy efforts for integration, while the presence of positive attitudes, support integrated placements. This research
study suggests that legislative reforms are required to meet the intent of the letter of the law to ensure the provision of integrated placements for students with disabilities in Ontario.
Acknowledgements

I wish to acknowledge the support of my thesis supervisor, Dr. Rinaldo Walcott, and my committee members, Dr. Tanya Titchkosky and Dr. Clare Brett, whose guidance has been invaluable for the completion of this work. I also wish to recognize the invaluable support, guidance and encouragement provided to me by my editor, Meryl Greene. I offer thanks as well to the support of my husband, Azim, and my sons Ashif, Faisel, Adam, Azeem, and Aly-Jette in these endeavors. I would like to thank all of the families who participated in this study. May each of them continue in their efforts to access quality of education and life for not only their own children, but those families who are fortunate to be guided by them in their own struggles.
Dedication

This work is dedicated to my mother, Elizabeth Marinic, and also dedicated in loving memory to my late father, Boris Marinic. May his courage always run through my veins, and may his light guide my way to unrelentingly pursue justice for the forgotten children. This work is further dedicated to the memory of my late son, baby Azeem Jaffer, sadly missed and always with me.
# Table of Contents

Abstract ........................................................................................................................................... ii
Acknowledgements ........................................................................................................................ iv
Dedication ....................................................................................................................................... v

Chapter One Background Factors as an Impetus to the Present Study ......................... 1
   Historical Underpinnings of Social Construction and Disability in Canada ................. 7
   The Eugenics Movement as an Impetus to Mass Institutionalization .............................. 8
   The Discovery of Mendelian Genetics and the Rise of the Creation of Eugenics ........... 9
   Treatment of Individuals with Designated Disabilities in the Mid-19th Century in Canada ................................................................................................................................... 11
   The Culmination of the Labeling Process in Mass Institutionalization ....................... 14
   The Use of Labeling in Canadian Legislation as a Catalyst to Mass Institutionalization ..................................................................................................................... 15
   Use of Jurisdiction to Establish Proximity .................................................................. 17
      Committal and Release .............................................................................................. 17
   Proximity Established Through Financial Control ..................................................... 31
      Committees to survey inventory .......................................................................... 31
      Surveillance of family finances during incarceration ........................................... 32
      Creation of work programs to secure wages from inmates .................................. 33
   Proximity to the Management and Control of Financial Affairs .................................. 33
   The Implications of Institutional Containment and the Allocation of Impairment Labels ......................................................................................................................... 34
   The Rise of the Testing Movement and the Allocation of Anomaly in Education .......... 35
   The Construction of Anomaly Established by the Medical Model ............................... 37
   The Social Construction of Disability ......................................................................... 40
   The Evolution of Parental Activism ............................................................................. 42
      Phase 1: Passive Acceptance .................................................................................. 42
         Growth in awareness of education as the right of all citizens for future welfare ...... 45
      Phase 2: A Period of Awakening .......................................................................... 46
      Phase 3: Active Engagement as Change Agents ................................................... 47
   Legislative Changes and the Presence of Rights to Secure Education ......................... 50
   Importance of the Present Study ............................................................................... 53
Chapter Two Ontario’s Special Education Legislative Framework ............................................. 55  
Canada’s Historical Development in the Right to Education for all Citizens ......................... 55  
Ontario’s Legislative Framework .............................................................................................. 60  
Definitions of Exceptional Pupils, Special Education Program, and Special Education Services and Rights to Programs without Charge ................................................................. 61  
Provision of Programs and Services .......................................................................................... 63  
Process for Identification and Placement .................................................................................. 67  
Right of Parents to Appeal......................................................................................................... 70  
Disclosure .................................................................................................................................. 73  

Chapter Three Method .................................................................................................................. 77  
Participants ................................................................................................................................ 79  
The Interview ............................................................................................................................. 80  

Chapter Four Results..................................................................................................................... 87  
Respondent #1’s Profile ............................................................................................................ 87  
Respondent #1’s Narrative ........................................................................................................ 88  
Summary .................................................................................................................................. 107  
Respondent #2’s Profile .......................................................................................................... 109  
Respondent #2’s Narrative ...................................................................................................... 110  
Summary .................................................................................................................................. 132  
Respondent #3’s Profile .......................................................................................................... 133  
Respondent #3’s Narrative ...................................................................................................... 134  
Summary .................................................................................................................................. 147  
Respondent #4’s Profile .......................................................................................................... 148  
Respondent #4’s Narrative ...................................................................................................... 149  
Summary .................................................................................................................................. 167  
Respondent #5’s Profile .......................................................................................................... 168  
Respondent #5’s Narrative ...................................................................................................... 169  
Summary .................................................................................................................................. 183  
Respondent #6’s Profile .......................................................................................................... 185  
Respondent #6’s Narrative ...................................................................................................... 186  
Summary .................................................................................................................................. 198  
Respondent #7’s Profile .......................................................................................................... 199
Respondent #7’s Narrative ...................................................................................................... 200
Summary.......................................................................................................................... 230
Respondent #8’s Profile ...................................................................................................... 232
Respondents #8’s Narrative.............................................................................................. 233
Summary.......................................................................................................................... 257

Chapter Five Discussion ..................................................................................................... 267

The Social Construction of “Disability” as Excludable:
A Continued Trend in Education ....................................................................................... 267
Social Construction of Disability in Educational Placement ............................................. 269
Foundational Principles of the Special Education Framework ......................................... 270
Emergent Respondent Themes .......................................................................................... 273
Conclusions ...................................................................................................................... 289
Limitations of the Research .............................................................................................. 294
Implications for Future Research ..................................................................................... 295

References........................................................................................................................ 298
List of Tables

Table 1 Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 1: Definition of Exceptional Pupil, Special Education Programs, Special Education Services, and Ministerial Onus to Provide Such Programs and Services .......................................................... 61

Table 2 Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 2: Provision of Programs and Services ........................................ 63

Table 3 Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 3: Process for Identification and Placement ....................... 68

Table 4 Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 4: Parental Right to Appeal Identification and Placement Decisions .............................................................................................................. 71

Table 5 Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 5: Disclosure ........................................................................ 74

Table 6 Summary of Emergent Observations From Respondents’ Profiles ......................... 259
List of Appendices

Appendix A Ethical Review Protocol ......................................................................................... 305
Appendix B Invitation to Parents or Guardians to Participate in the Study ............................... 308
Appendix C Question Probes for Interviews .............................................................................. 310
Chapter One  
Background Factors as an Impetus to the Present Study

I have embarked upon this thesis as a result of my personal experiences with disability that have spanned approximately 40 years of my life. At the age of 12, I began working as a volunteer at a segregated preschool designated for the “mentally retarded.” It was 1972, a time when children with such labels had no legal entitlement to education in Canada. By 1973, I was a volunteer at a respite care facility for children with cognitive and physical disabilities and the memories of this place have forever haunted my thoughts. These experiences provided me with the insight into a world that would be typically unknown to a young teenager living in the “normal” world. In retrospect, it is these early contacts that led me to an understanding of two parallel worlds. I came to understand that this seemingly normal balance was not the natural disposition of the world, but rather the social arrangement of those in power who constructed a reality for those who they considered normal, and an alternative and hidden space for people with disabilities who were placed on its periphery. I was completely oblivious at that time to the invaluable lesson that I was learning, one that would be my savior in years to come. I continued to occasionally volunteer with disabled children, however my concern over their welfare and specifically their educational opportunities became poignant when my first son was born with Down Syndrome.

Upon his birth, my previous experiences with disabled children prepared me to anticipate societal rejection and stereotypical perceptions about my son which would have essentially relegated him to a life and future outside of mainstream society. I was bound and determined that my son would live a life that provided him with the fullest extent of opportunity possible. By the time he was 7 weeks old, I came across a group of parental advocates who sought integration for
their sons and daughters. I became a board member in their organization and participated in similar types of advocacy groups, gaining a considerable insight into barriers to integrated education and parental struggle involved in doing so.

Within the first few weeks of his birth, I decided to commence a Master’s Degree in Special Education, Adaptive Instruction, as a means to become an informed advocate. As part of this program, I did independent specialized research in the area of brain dysmorphology, the abnormal development of neurological structures, and its resultant cognitive impact caused by Trisomy 21 Down Syndrome. I wanted to understand cognitive effects of this syndrome on various aspects of learning so that I could experiment with adaptive teaching methods and provide my son with accommodation of his learning style and a means of process for accessibility. Most of all, the memories of all the forgotten children that I witnessed in the institution haunted my thoughts and I was determined that my son would have a quality life and the best education possible. I knew that this choice would cost me the next 30 years of my life in advocacy. Accessibility to elementary, high school and university were the goal for education and I knew that his presence into these establishments in a regular classroom would be unwelcome and a constant struggle. In pursuit of integrated educational placement, I used my research to experiment with adaptive teaching strategies as a means for my son to access all aspects of regular curriculum.

At the onset of my son’s educational experience I was well equipped with the memories of all of the victimized children that I had seen in my youth, memories which would serve as an impetus to resist society’s predestined social and educational compartmentalization. Our struggles provided me with an opportunity to meet with other parent advocates who also sought inclusion for their children; however I became acutely aware of the splintering of focus even
within this seemingly similar group of parents. While some were ready to pursue legal remedies for their children, others were not prepared for this kind and level of commitment. Reay (1996) has also noted that, “parental choice cannot be adequately conceptualized in isolation from localized issues of history and geography, understandings of the psychological impact of social class, and the influences of differential access to social power and material resources” (p. 581). I became fully aware of the conflict between choice for some parents who were confronted with these collateral challenges that disempowered them in their advocacy.

In the course of these activities, I entered into private practice, focusing on two major areas of advocacy. The first area involved the practical issue of developing adaptive teaching methods based on individual student needs to facilitate their placement into regular classroom placements. The secondary aspect included consultation over issues of inclusion and accessibility that involved advocacy at Identification, Placement and Review Committees, the Special Education Tribunal of Ontario as well as the Ontario Human Rights Commission. On a federal level, I gained substantive knowledge concerning the “inadmissible” status of persons with disabilities seeking immigration to Canada, assisting legal counsel in the compilation of expert opinion and future care reports, with subsequent testimony regarding the content of these compilations. These endeavors have consolidated and complimented my understanding about disability on both a cultural and international level.

I became increasingly aware of the disjuncture between policy that was directed at inclusion and the reality of educational environments that failed to put policy into practice. I was also aware that these observations were also articulated within the academic literature. Rioux and Pinto (2010) indicate that while there are “some key developments in moving towards the recognition of education as a universal right” their research “raises issues relating to why there
are still millions of people with disabilities with no access to education in 2010” (p. 623). Gabel and Danforth (2008) have further articulated the disjuncture between the vision for inclusion and the actuality of its implementation, indicating that,

The result in countries such as the United States, the United Kingdom, and others has been a creative and confounding effort to defend the status quo practices of often segregating disabled students while simultaneously embracing a new rhetoric of inclusive education. (p. 17)

I came to question how such contradictions could exist in educational environments that had an obligation to accommodate the needs of students, pursuant to the legislation.

My personal and work related experiences lead me to a clear understanding that perceptions of normalcy created disability classifications for students who did not fit into standardized norms. I realized that the failure of educational establishments to recognize and value student diversity led to a failure to accommodate individual student needs. This lack of responsiveness was directly responsible for the creation of spaces of anomaly in segregated special education environments. I realized that allocation to these peripheral spaces was the socially constructed response of the educational establishments that created a barrier for access to regular education for students with disabilities. I realized that it was the barrier of failure to accommodate diverse student needs, rather than the diverse needs themselves that created these separate educational spaces. I recognized that my views were not only shared by my activist parent colleagues but also noted within the body of academic literature concerning the inclusion of students with disabilities debate. Both my son’s experiences and those of other families made me acutely aware of deficiencies in both educational and legal frameworks that facilitated the creation of this exclusionary and oppressive reality.
At the onset of my son’s education, I knew nothing about policy but had witnessed the victimization of children in institutional care, and, on moral grounds, made the decision that I would not permit my son to be identified in a system that labeled students with disabilities, setting them apart from mainstream society. Every step of the way presented consistent challenges, more specifically because I demanded that my son be provided with appropriate accommodations, while refusing at the same time to be part of the special education legislative process. I knew that this procedure was used by school boards to seemingly serve students but in reality marginalize them in a segregated educational system and diminish their future welfare.

I became immersed in a world of constant struggle to ensure that my son was educated in a regular classroom, receiving access to regular curriculum alongside his peers. He was raised not knowing that he had Down Syndrome, but instead treated the same as his brothers with the same expectation for success and academic achievement through hard work and diligence. We lived in direct conflict with the socially imposed construction of disability as excludable and devalued. Our vision of inclusion was maintained as my son proceeded through elementary and secondary schooling, culminating with acceptance to university on a scholarship. Within this environment, the same barriers were erected, resulting in ongoing litigation that currently moves through the court system.

My work as a board member to many advocacy groups also led me to an understanding of the diversity of parental advocacy and this focus served as an impetus to this study. I was interested in the experiences of parents who were advocating for inclusion for their children with disabilities. I wanted to find out whether their experiences were similar to mine. In a society that had progressed in terms of legislative changes towards inclusion, I was interested in knowing if educational environments had kept pace with these changes. Were these parents faced with a
preconceived notion of educational placement for their children because of disability that could only be staved off through resistance and advocacy? Were their experiences dissimilar? Did they indeed find placement and services for their children in integrated settings that Ontario law says should be the placement of first choice for students with disabilities? I embarked upon this study to discover the answers to these questions.

Chapter One of this thesis will provide readers with an historical understanding of how “disability” is a social construction formulated through the eugenics and testing movements, as a means to segregate those classified as “normal” from those classified as “deviants”. This understanding will provide a basis for understanding how the concept of special education in segregated enclaves developed in education, on the basis of defined characteristics of anomaly. The discussion will then move to the issue of the medical model of disability and its role in establishing exclusion on the basis of disability characteristics. This framework will be challenged by a counter-argument as to the emergence of the social model of disability that contests disability from within and places disability as a creation of society made by the barriers that it imposes on the lives of people with disabilities. The chapter will conclude with a description of incremental advancements made by parental advocates from passive acceptance of segregation, to activists demanding inclusion into regular classroom placements for their children, as a right enshrined within the law. Their activities will be analyzed as a direction refutation of the segregated educational system that separates students on the basis of characteristics of disability, constructing barriers to regular classroom placements. The press for inclusion will be discussed as a counter-movement to the social construction of disability in the educational system that erects barriers to regular class placement given how characteristics of perceived impairment are interpreted within and for the school system. Parental advocacy will be
characterized as an activity which aims to deconstruct the social construction of exclusion in education through inclusion. Chapter Two will commence with a description of international, federal and provincial documents that support inclusionary practice. The chapter will then focus on Ontario and its special education framework, the specific context for this study. This will provide readers with an understanding of the diversity of placements, programs, identification and services in place to support a diversity of education delivery options with the right to regular classroom placement as one of first choice. Chapter Three will present the methodology of the study. Chapter Four is the results section providing commentaries in addition to reflections on how the results relate to the special education framework. Chapter Five will provide a discussion of the results in relation to the literature and will provide readers with both a discussion of recommendations and commentary regarding limitations of the research. The compilation of the present thesis is grounded in the following theoretical framework.

The theoretical basis for my dissertation is a human rights integration model in education that seeks to replace the socially constructed norms of regular and special education with an inclusive educational environment that accommodates diversity. This view does not support assimilation of diversity into a singular world view but rather recognizes the right to education for all members of the community in a context that recognizes the richness of individual contribution. While the model sets out a view of education to accommodate students with disabilities, its scope is universal and advocates for the rights of all students to be accommodated for their cultural affiliations inclusive of race, ethnicity, gender and sexual orientation.

**Historical Underpinnings of Social Construction and Disability in Canada**

Societal attitudes towards people with disabilities occupy a dark place in Canada’s history. The tremendous authority wielded by science gave credibility to both the eugenics and
testing movements that categorized individuals on the basis of certain characteristics as either normal or abnormal. This resulted in the mass institutionalization of those classified outside the spectrum of constructed societal norms. This process was made possible by legislation that supported involuntary sequestration and segregation of people with disabilities, for either undefined periods of time, or permanently, set apart from mainstream society. An historical discussion of these developments commencing in the mid-19th century will provide readers with a basis for understanding how the medical model, claiming to know and address defect and incapacity, in conjunction with intellectual quotients led to the materialization of this reality.

**The Eugenics Movement as an Impetus to Mass Institutionalization**

It is essential for readers to understand the philosophical underpinnings of both eugenics and Social Darwinism, firstly as a means to qualify by medical description, and subsequently as a rationale to develop legislation to legitimize mass institutionalization and segregation of people qualified by such description. This historical purvey will provide readers with a basis for understanding how the testing movement aided in the establishment of this pattern of segregation within education. The discussion will firstly describe global highlights of eugenics’ activities, followed by a focus on the Canadian context. This will include an overview of societal views on disability in the mid-19th century, the rise of eugenics and the subsequent formation of legislative provisions that entitled governmental authorities to exercise surveillance to the exclusion of all others in the lives of those allocated to institutional existence. This overview will provide the contextual basis for understanding how segregated education materialized from eugenics policies which separated people according to various descriptors of difference.
The Discovery of Mendelian Genetics and the Rise of the Creation of Eugenics

The discovery of Mendelian genetics in the mid-19th century presented the scientific community with the notion of the immutability of genetic disposition. These beliefs were further strengthened by Social Darwinism that preached survival of the fittest through the philosophy that, “To preserve the weak and the needy, was in essence, an unnatural act” (Black, 2004, p. 13). Darwin’s cousin, Francis Galton, subsequently invented the term “Eugenics” as a new science that sought to “eradicate those considered inferior” and ensure that, “only society’s superior classes should procreate; those deemed unfit should be stopped by education, legislation, segregation or even sterilization” (Winzer, 1990, p. 69). Selden (2000) describes how eugenicists considered that, “human traits such as pauperism, a tendency to wander, moral laxity and feeble mindedness, to name a few, were transmitted from generation to generation in predictable Mendelian ratios” (p. 235). Galton extended his philosophical views, not only as an academic postulating theory, but in reality only as a “pseudo-scientist” (Black, 2004) calling for government support to promote genetic cleansing. Such views would not remain isolated, for as Black (2004) notes,

As the twentieth century opened for business, the eugenic spotlight would now swing across the ocean from England to the United States. In America, eugenics would become more than an abstract philosophy; it would become an obsession for policymakers. (p. 19)

This understanding was to later be adopted by “United States politicians purportedly promoting the public good” who “were quick to recognize eugenics as a powerful tool for shaping public opinion against people with disabilities” (Mostert, 2002, p. 158). Black (2004) describes this mindset noting,

In their minds future generations of the genetically unfit – from the medically infirm to the racially unwanted to the economically impoverished – would be
wiped away. Only then could genetic destiny be achieved for the human race - or rather, the white race, and more specifically, the Nordic race. (p. 19)

Similar views spread internationally and reached the Canadian public through both breeders associations and eugenic societies; however research was conducted in pursuit of such goals to the ultimate level through the Cold Spring Harbor’s research facility in New York that was heavily funded by the Carnegie Foundation, The Rockefeller Institute and funds from the Harrington fortune under the leadership of Charles Davenport (Black, 2004). While incarcerated, and during authorship of Mein Kampf, Adolph Hitler would also directly write to Davenport congratulating his efforts in this domain (Black, 2004). Eugenics policies commencing with sterilization and ultimate “disinfection” within the Third Reich’s genocide of the disabled was modeled after the propaganda and fervor to cleanse society of the genetically unfit. These policies were not established within Germany, but rather were operative within the United States and served as a model for Germany’s eugenics activities.

Policies designed through the research of Davenport and his associates were realized to a grand scheme under the Law for the Prevention of Genetically Diseased Offspring, enacted under Adolph Hitler and the Third Reich (Mostert, 2002, p. 159). Their later expansion of these programs as a “genocidal marker” was used to justify the mass murder of 70,273 persons with disabilities whose deaths were allocated as “official disinfection” (Mostert, 2002, p. 165). The establishment of sterilization laws to ensure that persons considered mentally defective be prevented from producing offspring that would pollute the gene pool, were a central tenet of genetic control that merged with state policy and control (Black, 2004). While a large body of literature exists on the subject of sterilization of people with disabilities, it is not within the scope of the present dissertation to provide an extensive history on the subject, but rather to mention particular highlights, to provide readers with an understanding as to the historical mindset and
treatment of these individuals that became widely accepted in Canada, culminating with legislative enactments for lengthy if not permanent incarceration of those deemed a threat to future progeny.

**Treatment of Individuals with Designated Disabilities in the Mid-19th Century in Canada**

During the mid-19th century, the Canadian environment was inhospitable to individuals with disabilities and they were ostracized from mainstream society. By 1861, efforts to educate the visually impaired were operative in Canada; however, by the mid-1800s schools for the deaf were established under the auspices of the Roman Catholic Church in Quebec through the direct advocacy of Ronald MacDonald (Winzer, 1990). From the onset, however, persons defined as “mentally retarded” were, “hindered by the absence of an accurate definition of the condition” and ultimately “generally considered part of the so-called insane population” (Winzer, 1990, p. 64). Individuals with intellectual disabilities and mental illnesses were institutionalized and “divorced from the general education system and administered along with prisons, asylums and public charities” (Winzer, 1990, p. 67). Categorical application of disability became organized in an echelon of the pejorative and tolerable, with those deemed to be either mentally incompetent or insane as the most negatively considered and avoided by society.

By 1876, the first institution for those labeled mentally retarded, The Orillia Asylum for Idiots, was established in Orillia, Ontario. This institution came to house psychiatric, developmentally delayed individuals and other members deemed socially unfit, who were progressively warehoused as eugenic thought infiltrated societal conscience. Carter indicates that from its inception in 1834 through the mid-1920s the population had grown from approximately 150 to over 4,000 internees (Carter, 1990). The push for mass institutionalization was a direct
result of the emergence of pseudo-scientific philosophies such as eugenics that claimed that people with disabilities were genetically unfit and a potential threat to tainting society’s gene pool. Society became gripped with the “Eugenics’ Scare” that would serve as a catalyst to the creation of legislation that would institutionalize by force and incarcerate those so labeled for life.

The Eugenics Movement gained strong ground and eugenicists were instrumental in the spread of their beliefs on societal control ultimately infiltrating into governmental action. In the context of North America, many states including Indiana and California had enacted compulsory sterilization laws; however the British-American Medical Association was unsuccessful in its efforts for the legalization of such laws in both Manitoba and Ontario (Black, 2004). While not ensconced by law, there is research that suggests Ontario did have a long standing sterilization program. The first province to establish sterilization laws was Alberta, who, in 1928 enacted Alberta’s Sexual Sterilization Act where the Alberta Eugenics’ Board sought out “mental defectives” who were viewed as a risk to the propagation of future “progeny” (Black, 2004, p. 242). An open door policy was implemented in Alberta for compulsory sterilization where 2,822 sterilizations were conducted on victims who “were young women under the age of twenty-five, many under the age of sixteen” (Black, 2004, p. 242). By 1933, British Columbia had also established a eugenics board for similar purpose. Eugenics philosophy was inextricably the impetus to the “Eugenics Scare” of the early 20th century which resulted in mass institutionalization in Canada. This was especially the plight of those labeled, “feeble-minded” who were institutionalized as a means, “to protect society” (Winzer, 1990, p. 67). By 1918, in fact, the Canadian National Committee on Mental Hygiene was calling for an expansion of residential facilities for the express purpose of controlling mental retardation, such that “The
mentally retarded were herded into institutions that were little more than warehouses for the storage of human beings” (Winzer, 1990, p. 71). This process was rationalized as an economic convenience for society at the time, given that the disabled were considered, “fundamentally different from the general run of humanity” (Winzer, 1990, p. 71). The Eugenics Movement was contributory in the establishment of a “medical model” of disability wherein disability was considered part of a person’s organic essence that was immutable to change. Through propaganda distributed by both Eugenics societies and Breeder’s Associations, the assumption that disability was a bane upon society took root and society constructed a world apart for these individuals.

Eugenic thought materialized through legislation, forcibly seeking to contain “defectives” under absolute governmental control. The Canadian government implemented An Act Respecting Lunatics (1914), The Lunacy Act (1927) and a series of revised statutory versions of The Mental Hospitals Act\(^1\) and The Mental Incompetency Act\(^2\) as a legal means to identify, detain, examine and institutionalize the “unfit” into approved government homes. These actions were instigated by the systematic labeling and identification of characteristics denoting disability. The issues of probation, escape, apprehension and the unlikelihood of discharge as evidenced by legislative wording, indicates that the purpose of such policy was for the removal of the disabled from society. This process became the foundation for segregation into institutional settings.

\(^1\) From this point forward, reference to The Mental Hospitals Act, where undefined by specific year, refers to the series of statutory revisions of this statute for 1937, 1950, 1960 and 1970 inclusively.

\(^2\) From this point forward, reference to The Mental Incompetency Act, where undefined by specific year, refers to the series of revised statutory revisions of this statute for 1937, 1950, 1960 and 1970 inclusively.
The Culmination of the Labeling Process in Mass Institutionalization

Simply put, legislative provisions utilized labels of impairment to sanction sequestration, certification and incarceration of people with disabilities within the province of Ontario, resulting in mass institutionalization. Such activity took place in Orillia, Ontario, at the Huronia Regional Center, a facility that would become the model for institutionalization in North America (Carter, 1990).

The proceeding analysis of the institutional relationship with the government as supreme authority is highly significant to the present thesis, in that the institutional forum provides an understanding of the role of impairment as the identifier of disability established by the medical model that was responsible for the labeling of inmates. This process of labeling reveals far reaching implications into the present day, where labeling is used to identify, classify and designate students with disabilities to the margins of education in segregated placements. Barnes (1998) indicates that,

> The rise of the institution as a means of both social provision and control coupled with the individualization and medicalization of ‘social problems’ in the eighteenth and nineteenth centuries precipitated the emergence of the individualistic medical approach to impairment. (p. 76)

In order for such mass institutionalization to take place, a highly regimented legislative process was sanctioned by law in Canada. The proceeding legal analysis, undertaken at Windsor Law School, incorporates research that was undertaken to investigate legislation that enforced institutionalization of people with disabilities in Canada. It has been inserted to demonstrate the role of the labeling process as a means to implement policy and forcible segregation as a trend in Canada’s history of treatment of people with disabilities.
The Use of Labeling in Canadian Legislation as a Catalyst to Mass Institutionalization

In the early 20th century, *An Act Respecting Lunatics* (1914), *The Lunacy Act* (1927), and the series of revised statutory versions of *The Mental Incompetency Act* and *The Mental Hospitals Act* were legislative tools that were enacted in Canada for a dual purpose. Firstly, they served to segregate labeled people from mainstream society, and secondly, as a residual effect of this separation, the legislation brought them into an exclusive proximal relationship with the government, to the exclusion of all others. Simply put, medical model labels of disability worked in conjunction with legislation to segregate, a trend that continues to permeate the educational system.

*An Act Respecting Lunatics* (1914) set out the categorical definition of lunacy in s.2(f) where “‘lunacy’ shall include idiocy and unsoundness of mind.” At s.2(e) “lunatic” was defined, where, “‘lunatic’ shall include idiocy and unsoundness of mind.” Pursuant to s.6(1) the Court was vested with the power to make a declaration of lunacy, where,

The Crown upon application supported by evidence, may by order declare a person a lunatic if the Court is satisfied that the evidence establishes beyond reasonable doubt that he is a lunatic.

*The Lunacy Act* (1927) maintained this definitional base. *The Mental Incompetency Act* of 1937 replaced *The Lunacy Act* (1927) with the categorical definitions under s.1(e), where, “Mentally incompetent person” replaced the word lunatic. Under this section,

“Mentally incompetent person” shall mean a person, (i) in whom there is such a condition of arrested or incomplete development of mind, whether arising from inherent causes or induced by disease or injury, or (ii) who is suffering from such a disorder of the mind, that he requires care, supervision and control for his protection and the protection of his property.
The term lunacy was replaced by the term mental incompetency, defined in s.1(f): “‘Mental incompetency’ shall mean the condition of mind of a mentally competent person.” While the definitions changed within the revised statute, the proximal relationship remained the same between government and institutional resident. The definitional categories would define persons to be taken into custody by government.

This categorization remained within the revised statute of the *The Mental Incompetency Act* of 1950. The definitions of mentally incompetent person and mental incompetency also remained unchanged throughout the revised statutes of *The Mental Incompetency Act* of 1960 and *The Mental Incompetency Act* of 1970. The implicit statutory language found within the definitional categories for *An Act Respecting Lunatics* (1914), *The Lunacy Act* (1927) and the revised statutes of *The Mental Incompetency Act* created a negative proximity where those defined under these acts were removed from mainstream society. A positive proximity was created between this population and the government whereby both the lunatic and the mentally incompetent person were in a solitary proximate relationship with the government to the exclusion of all others.

*The Mental Hospitals Act* of 1935 further enhanced categorization that led to institutionalized placement. According to section 1(k) “mental defective” and “mentally defective person” shall mean a person in whom there is a condition of arrested or incomplete development of mind, whether arising from inherent causes or induced by disease or injury, and who requires care, supervision and control for his own protection or welfare or for the protection of others.

These definitions remained under *The Mental Hospitals Act* of 1937, c. 392 s. 29. Under the subsequent revised statutory versions of *The Mental Hospitals Act* of 1950 and *The Mental Hospitals Act* of 1960, the definitions remained the same. Section 1(m) stated,
“Mentally ill person” shall mean a person other than a mental defective who is suffering from such a disorder of the mind that such person requires care, supervision and control for his own protection or welfare, or for the protection of others.

These definitions remained under The Mental Hospitals Act of 1937, c.392 s.29. Under the subsequent revised versions of The Mental Hospitals Act of 1950 and The Mental Hospitals Act of 1960, the definitions remained the same.

**Use of Jurisdiction to Establish Proximity**

**Committal and Release**

The categorization process set out in An Act Respecting Lunatics (1914) vested the court with the power for both the commitment of lunatics and the custody of their estates. This jurisdiction was conferred under s.3(1) where,

Subject to the provisions of the Hospitals for the Insane Act the Court shall have all the powers, jurisdiction and authority of His Majesty over and in relation to the persons and estates of lunatics, including the care and the commitment of the custody of lunatics and of their persons and estates.

Pursuant to s.3(2),

The Court may make orders for the custody of lunatics and the management of their estates and every such order shall take effect as to the custody of the estate upon the completion of the committee’s security.

Further, jurisdiction could be delegated from the court to others. Under s.3(5), “The Court may delegate to a master, official referee, or other officer all or any of the powers of the Court under this Act, except the making of lunacy.” The jurisdiction of the Court therefore extended through an echelon of command to secure control over those declared to be “lunatics.” Although there was an appeal process, s.6(8) indicates that,
Subject to the provisions of section 10 the order or judgment of the Court or where the issue is tried by a jury, the verdict of the jury shall be final unless set aside upon appeal or motion under the next preceding subsection.

The finality of the decision resulted in custody within a public institution. The only means by which a person identified as a lunatic, could possibly leave the institution, was by an order superseding lunacy, as set out in s.10(5),

Where a person formerly declared a lunatic has been found to be of sound mind and capable of managing his own affairs and the time for appealing from or moving against the order or verdict has expired, or if an appeal be taken or a motion be made, when the same has been finally dismissed, an order may be issued superseding, vacating, and setting aside the order declaring the lunacy of such person for all purposes except as to acts or things done in respect of the person or estate of the lunatic while such order was in force.

The jurisdiction held by the court to declare lunacy led to the subsequent institutionalization of the lunatic, creating a proximal relationship with all government employees invested with care and control over residents. The movement from mainstream society led the institutionalized into an intimate or maximal proximal relationship with the government, who maintained this relationship through its agents.

*The Lunacy Act* (1927) maintained these jurisdictional characteristics of proximity. *The Mental Incompetency Act* of 1937, maintained jurisdiction over the incompetent giving powers to the court pursuant to s.2(1) such that,

Subject to the provisions of *The Mental Hospitals Act*, the Court shall have all the powers, jurisdiction and authority of His Majesty over and in relation to the persons and estates of mentally incompetent persons, including the care and the commitment of the custody of mentally incompetent persons and of their persons and estates.
The intent of the language remained the same, maintaining a high proximity between the government and the incompetent, so that the interned person would be under direct control of the government. Under s.2(2) of *The Mental Incompetency Act* of 1937,

> The Court may make orders for the custody of mentally incompetent persons and the management of their estates, and every such order shall take effect as to the custody of the person immediately, and as to the custody of the estate upon the completion of the committee’s security.

As in the previous statutes, the court is invested with the power to declare lunacy pursuant to s.5(1) where,

> The Court upon application supported by evidence may by order declare a person a mentally incompetent person if the Court is satisfied that the evidence establishes beyond reasonable doubt that he is a mentally incompetent person.

As in the previous statutes, while an appeal was permitted, the decision of the court was binding about the incompetency status designated to a person unless the order was superseded by a court order. The jurisdiction of the courts to commit these individuals and their estates and to also make orders about their custody and the management of their estates remained within the revised statutes of 1950, 1960 and 1970. The court continued to have the same rights to declare mental incompetency with finality as well as the power to declare superseded declaration. This created a situation in which both the lunatic and the mentally incompetent person were in total proximity of the government to the exclusion of all others.

*The Mental Hospitals Act of 1935* provided the government with total control and power over institutionalized residents. This power was concurrent to *An Act Respecting Lunatics* (1914), *The Lunacy Act* (1927) and *The Mental Incompetency Act*. The Lieutenant Governor was vested with the power to make regulations under s.6(1), where,
The Lieutenant-Governor in Council may make such regulations not consistent with this Act as are necessary for carrying out the provisions of this Act and for the efficient administration thereof, and such regulations shall have the same force and effect as if enacted in this Act and such regulations may be repealed, altered or amended from time to time in like manner.

Further, under s.6(2),

Without limiting the generality of the provisions contained in subsection 1, it is declared that the powers of the Lieutenant-Governor in Council to make regulations in the manner set out in the said subsection shall extend to and include the following,

where the Lieutenant Governor under s.(6)(a) was empowered with, “designating the institutions to which this Act shall apply” and under s.6(b) with, “prescribing the district served and classes of patient to be treated in any institution.” These duties remained consistent through the 1937, 1950, 1960 and 1970 revised statutes of The Mental Hospitals Act. The Lieutenant Governor was responsible under s.6.(c) for designating, “the powers and duties of the Deputy Minister” and under s.6(d) for, “the appointment of superintendents, inspectors, stewards, assistants, clerks and other officers and employees and prescribing their powers and duties.” The aforementioned duties remained essentially consistently allocated through the 1937, 1950, 1960 and 1970 revised statutes of The Mental Hospitals Act. Under s.6(e), the Lieutenant Governor was vested with the power for, “regulating the inspection, superintendence, government, management, conduct, operation, maintenance, care and use of institutions and equipment” and further with the duty under s.6(f) of, “regulating the apprehension and admission of persons.” Under s.6(g) the Lieutenant Governor was vested with the power of, “regulating the care, treatment, maintenance, conduct, discipline, custody, transfer, probation, release, discharge and apprehension of patients.” These duties also remained consistent throughout the 1937, 1950, 1960 and 1970 revised statues of The Mental Hospitals Act. The Lieutenant Governor also had a duty to ensure
that the maintenance of the institution and its varied components were in order, as outlined in s.6(f), to ensure, “fixing the situation, construction, equipment of approved homes and examination units.” The Lieutenant Governor was vested with the total control and operation of the institution under s.6(p), where, “generally, the control of all other matters in any way relating to institutions, and for the better carrying out of the provisions of this Act.” This duty was consistent throughout the 1937, 1950, 1960 and 1970 revised statutes. The administration and control of the institution was further set out in s.7(1) where,

The administration of this Act and of every institution established thereunder, is vested in the Department, and the Deputy Minister shall be the chief executive officer of the Department responsible to and subject to the control of the Minister.

and further under s.7(2),

Where this Act and the regulations require or authorize the Deputy Minister to do any act, such act may be done by any person whom the Deputy Minister shall appoint to do such act.

These duties remained consistent within the 1937, 1950 and 1960 revised statutes. Under s.8, the superintendent’s role was set out where,

Subject to section 7, the superintendent of an institution shall be in charge of and have control over the institution for which he is appointed, and shall superintend the conduct and management of all of its affairs and control all officers, clerks, servants and employees thereof and all patients therein.

This duty remained consistent through the 1937, 1950, 1960 and 1970 revised statutes. The allocation of designations or titles was set out as a further duty of the Lieutenant-Governor under s. 9, where, “The Lieutenant-Governor in Council may appoint inspectors with such designations or titles as he may deem expedient.” This duty remained consistent within the revised statutes of 1937, 1950 and 1960.
The series of revised statutes under *The Mental Hospitals Act* gave jurisdiction to secure a custodial proximate relationship between those labeled mentally ill and mentally defective persons. This occurred through a process that can be identified under the following classifications:

1. detention
2. examination
3. institutionalization
4. approved homes
5. probation
6. escape and apprehension
7. discharge

Each of these classifications is now described in detail.

**1. Detainment**

Legislation provided jurisdiction to the justice of the peace to issue a warrant in order to seek and detain an individual believed to be mentally ill or defective. Under s.26(1) of *The Mental Hospitals Act*,

Where an information is laid before any justice of the peace that any person, within the limits of his jurisdiction, is or is suspected or believed by the person laying the information to be mentally ill or mentally defective, such justice of the peace may issue his warrant in the prescribed form to apprehend such person and to cause him to be brought before a magistrate having jurisdiction.

The justice of the peace was further permitted to engage constables or police officers for the detention of such suspects, as set out in s.26(2), where,

Every such warrant shall be under the hand of the justice of the peace issuing the same and may be directed to all or any of the constables or other peace officers of the locality within which the justice has jurisdiction, and shall name or otherwise
describe the person against whom the information has been laid, and shall state that information has been laid on oath that such person is mentally ill or mentally defective.

Under s.26(3),

The warrant shall order the person to whom it is directed to apprehend the person against whom the information has been laid and to bring him before a magistrate having jurisdiction, in order that inquiry may be made respecting the mental condition of such person and that he may be further dealt with according to law.

Further under s.26(4),

Any person apparently mentally ill or mentally defective and conducting himself in a manner which in a normal person would be disorderly, may be apprehended without a warrant by any constable or peace officer and detained in some safe and comfortable place until the question of his mental condition is determined as prescribed by section 29.

This process remained consistent throughout the revised statutes of The Mental Hospitals Act of 1937, 1950 and 1960 respectively.

Further, there was also a process of certification, where, “Certificated patients shall be admitted to an institution only upon the prescribed certificates of two medical practitioners, and in every case the history record and financial statement in the prescribed form shall accompany such certificate or certificates.” This jurisdiction continued through The Mental Hospitals Act of 1937, 1950 and 1960 respectively. Under the process of certification as mentally ill or mentally defective, under s.27(1), “The Minister may appoint one or more legally qualified medical practitioners in any territorial division for the purposes of this section.” This section remained operative in The Mental Hospitals Act of 1937, and continued to apply in the revised statues of 1950 and 1960. Further, under s.27(2),

Immediately upon the apprehension of an alleged mentally ill or mentally defective person the magistrate before whom he is brought shall notify one of such medical practitioners, if any have been appointed, and one other legally
qualified medical practitioner, or if no medical practitioner has been so appointed
the magistrate shall notify two legally qualified medical practitioners and shall
cause an examination to be made in the manner provided in section 21.

This procedure remained with *The Mental Hospitals Act of 1937* and the subsequent revised

Under s.19, governmental jurisdiction for institutional confinement was set out, such that,

Any person who is mentally ill may be admitted to an institution as a voluntary
patient, and any person who is mentally ill or mentally defective may be admitted
to an institution as a

(a) certificated patient
(b) Deputy Minister’s warrant patient
(c) Lieutenant Governor’s warrant patient
(d) patient remanded by a judge or a magistrate in accordance with the
    provisions of this Act and the regulations.

This procedure remained with *The Mental Hospitals Act of 1937*, and the subsequent revised
statues of 1950 and 1960.

**2. Examination**

After such apprehension, examination was part of the statutory regime, where, under
s.(2),

Within twenty-four hours after an alleged mentally ill or defective person is
apprehended, he shall be brought before a magistrate or justice of the peace who
shall thereupon notify one of such medical practitioners, if any have been
appointed, and one other legally qualified medical practitioner, or, if no medical
practitioner has been so appointed, the magistrate or justice of the peace shall
notify two legally qualified medical practitioners and in either case shall cause an
examination to be made within twenty-four hours of his appearance before the
magistrate or justice of the peace or such longer periods may be necessary to
perform the examination in the manner provided in section 23.

Once the category of mentally ill or mentally defective was certified, under s.30(1),
Where any such person is found to be mentally ill or mentally defective the magistrate shall immediately transmit to the Deputy Minister his certificate and the certificates of the medical practitioners and the information, warrant and depositions taken before him, accompanied by a written statement of the result of his inquiries as to the financial condition of such mentally ill or mentally defective person and the person or persons legally liable for his maintenance, and as to the other matters mentioned in the prescribed form, so far as ascertained, and giving the present address of such mentally ill or mentally defective person, and the name and address of the person in whose custody he is, and such further information as he may deem advisable.

This procedure remained with *The Mental Hospitals Act* of 1937, and the subsequent revised statutes in 1937, 1950, 1960 and 1970. Under s.60, the government had the jurisdiction to establish examination units to determine whether a person was mentally ill or a mental defective, where,

The Minister may issue certificates approving of any building, premises or place, or part of any building, premises or place including any part of any hospital or hospital school as an examination unit.

This procedure remained in place through *The Mental Hospitals Act* of 1937 and 1950 respectively. After such examination, under s. 63(1),

Where a person has been admitted to and is a patient in an examination unit according to the provisions of section 61, he shall be discharged, or certificated according to the provisions of section 25, as the needs of his case may require and further, under s.63(2),

Where a patient has been certificated under subsection 1, he shall be transferred to an hospital or hospital school and he shall thereafter be subject to the provisions of this Act and the regulations with respect to patients in an hospital or hospital school.

These provisions remained in place in the revised statutes of 1937, 1950 and 1960.
3. Institutionalization

With the certification of mental illness or mental defectiveness, further jurisdiction was granted to the superintendent of the institution under s.20(1) of *The Mental Hospitals Act*, where,

The superintendent of an institution may receive and detain therein as a patient any person suitable for care and treatment who voluntarily makes written application in the prescribed form and whose mental condition, in the opinion of the superintendent, is such as to render him competent to make application.

Pursuant to s.13(1),

Application for the admission of any person as a patient to an institution shall be made either verbally or in writing to the Deputy Minister or to a superintendent and no person shall be admitted to an institution until a direction has been issued by the Deputy Minister or a superintendent or other person in charge of an institution, and no person may present himself or be sent for admission to an institution until notice is received from the Deputy Minister or a superintendent that accommodation in an institution is available for such person.

Following this notice for admission, under s.13(2),

Where a direction and notice have been issued under subsection 1, the person named therein shall present himself or be taken to the institution named therein and shall be admitted to such institution in accordance with the provisions of such direction and notice.

These provisions remained consistent with the revised statutes of 1937, 1950 and 1970. Once admitted into the institution, the patient would be under the total control of the superintendent, as set out in s.15, where,

Except as provided by the Act, the superintendent of an institution shall have full control over and the custody and care of the person of every patient in such institution and every patient shall be maintained, cared for, treated in, released and discharged therefrom only as may be provided by this Act and the regulations.
This provision remained consistent with the revised statutes of 1937, 1950 and 1970. The Deputy
Minister, or an inspector, however was vested with the authority of inquiry into the management
of the institution, as set out in s.18(1), where,

Where the Deputy Minister or an inspector is authorized by the Minister to
institute an inquiry into the management or affairs of any institution, or into any
matter in connection therewith, or into the truth of any returns made by any
officer thereof and deems that any person should give evidence before him on
oath, the inspector or the Deputy Minister shall have the same power to summon
such person to attend as a witness, to enforce his attendance and to compel him to
produce documents and to give evidence as any court has in civil cases.

These provisions remained consistent with the revised statutes of 1937, 1950 and 1970.

Further distinctions were made between classes of patients who were labeled as either
voluntary or involuntary. Such categorization limited a patient’s right to leave the institution and
under s.20(3), “No person may be admitted as a voluntary patient who is,” defined under
s.20(3)(a) as, “a person suffering from mental illness or infirmity due to old age or from
incurable disease which general hospital or other institutional care is required” or under section
20(3)(b) as a “mental defective.” Pursuant to the statutory framework those described as “mental
defective” were therefore involuntary and as such could be held at the discretion of the
government. This procedure remained within the subsequent revised statues in 1937, 1950 and
1960.

4. Approved Homes

The statutory provisions further provided the Minister with the power to establish
approved homes for the release of patients outside of the institution. Under s.39 of The Mental
Hospitals Act,

The Minister may issue certificates approving of any building, premises or place
as an approved home for the reception of patients who are released from an
hospital or hospital school into the custody of such home and entitling any person
to receive into the approved home one or more patients as if such approved home had been established as an hospital under the authority of this Act.

This provision remained consistent throughout the revised statutes of 1937, 1950, 1960 and 1970. The superintendent was vested with the power to place a patient in this setting, under s.40(1), where,

> If the superintendent considers it conducive to the recovery of any patient, the superintendent may place such patient in an approved home, subject to the provisions of this Act and the regulations.

This provision remained consistent throughout the revised statutes of 1937, 1950, 1960 and 1970. Although the patients were placed outside of the institution, the statutory provisions placed the patient under the same jurisdiction and control as if the patient was in an institution pursuant to s.41, where,

> Any patient admitted to an institution who is placed in an approved home shall for the purposes of this Act and the regulations be and be deemed to continue as a patient in such institution in the same manner and to the same extent and be subject to the same control, as if he were not so released but had remained in the institution.

This provision remained consistent throughout the revised statutes of 1937, 1950, 1960 and 1970.

5. Probation

Patients could also be released from the institution for a period of probation, as set out in s.37(1) of The Mental Hospitals Act, where,

> If the superintendent considers it conducive to the recovery of any patient that he should be committed for a time to the custody of his family or friends, the superintendent may allow him to return on probation to them upon receiving a written undertaking in the prescribed form by one or more of the family or friends of such person that he or they will keep oversight over him.
This remained consistent throughout the revised statutes of 1937, 1950 and 1960. During these probationary periods however, the patient was subject to the same control as if he or she was still in the institution, as set out under s.38, where,

Any person admitted to an institution who, under the provisions of this Act or of the regulations is released on probation therefrom, shall for the purposes of this Act and the regulations for a period of six months from the date of such release be and be deemed to continue as a patient in such institution in the same manner and to the same extent and be subject to the same control as if he were not so released but had remained in the institution.

These provisions remained consistent throughout the 1937, 1950, 1960 and 1970 revised statutes of *The Mental Hospitals Act*.

6. Escape and Apprehension

*The Mental Hospitals Act* further provided for the apprehension of escaped patients under s.46(1), where,

Any patient admitted to an institution who escapes therefrom or who, contrary to the provisions of this Act or regulations, leaves or is taken away or removed therefrom may be apprehended without a warrant at any time within sixty days from the day of his escape by any peace officer, police officer or police constable or any person appointed by the superintendent or the Deputy Minister.

This provision remained consistent throughout the 1937, 1950 and 1960 revised statutes. Further, upon apprehension, under s.46(2),

Any patient upon his apprehension under the provisions of subsection 1 shall be taken to and confined in any place of detention and from thence and as speedily as possible be returned to an institution.

7. Discharge

*The Mental Hospitals Act* provided for discharge, however, this process was distinguished between two classes, namely voluntary and involuntary patients. Under s.42(1), “A
voluntary patient shall be discharged from the institution in which he is a patient;” however, this was qualified by s.42(1)(a), “when, in the opinion of the superintendent, it is in the interest of such patient or of the hospital that he be discharged” and further under s.42(2) where, “A voluntary patient may be discharged when default is made in payment of his maintenance.” These provisions remained consistent within the 1937, 1950 and 1960 revised statutes. Under s.43, “A certificated patient shall be discharged from the institution in which he is a patient” however, this is clarified under ss.(a), “when in the opinion of the superintendent, he is sufficiently recovered” or under ss.(b), “when, although not recovered, he may be admitted to a sanitarium which is subject to the Private Sanitarium Act.” These provisions remained consistent throughout the 1937, 1950 and 1960 revised statutes. By 1970, The Mental Hospitals Act established a board pursuant to s.2 to hear petitions for the discharge of patients. Under s.7,

Any designated patient, or a friend or relative of any designated patient on his behalf may submit to the chairman of the board of the institution in which he is a patient a petition, requesting any of the following. Firstly, under ss.(a) “whether there is sufficient cause to detain the petitioner.” Secondly, under ss.(b) the request may consider “whether it is in the interest of the petitioner that he be discharged.” Thirdly, under ss.(c) consideration may be made as to “whether it is in the interest of the petitioner that he be placed in the custody of his family or friends on probation,” and fourthly, under ss.(d), consideration may be made as to “such other matters as the regulations prescribe.” Under s.8,

Upon receipt by the chairman of a board of a petition, the board shall forthwith make such inquiries as it considers necessary to reach a decision respecting the petition and may hold a hearing for the purpose of receiving oral testimony.

Further, petitioners had rights as set out in s.9 where,
A petitioner has the right to be present at any hearing, unless the board is of the opinion that this might be detrimental to his health, in which case he has the right to have a person present as his representative.

The discharge of patients was subject to the absolute control and scrutiny of government officials. This absolute control meant that patients deemed to not have recovered, would effectively be incarcerated for life with no hopes of entering mainstream society. This reality was particularly bleak for individuals with mental disabilities who were living with their conditions and would not be cured, pursuant to the definition to be considered for discharge and release.

**Proximity Established Through Financial Control**

The government established a relationship of proximate control through three mechanisms: committees to survey inventory, surveillance of family finances during incarceration and the creation of work programs to secure wages from inmates. A discussion of these categories follows.

**Committees to survey inventory**

The government established a proximate relationship with persons identified as lunatics in *The Lunacy Act* (1927), through the establishment of committees who had the jurisdiction to take inventory of their estates pursuant to s.11(a) such that,

The committee shall within six months after being appointed, file in the office of the master to whom the matter is referred, or of such officer as may be appointed for that purpose, a true inventory of the whole real and personal estate of the lunatic, stating the income and profits thereof, and setting forth the debts, credits, and effects of the lunatic, so far as the same have come to the knowledge of the committee.

The trend for the government to seek and obtain financial status and gain was ever-present through the revised statutes. The appointment of the committee and its power to take inventory remained the same through the subsequent revised statutes of 1950, 1960 and 1970 respectively.
Surveillance of family finances during incarceration

An Act Respecting Lunatics (1914) invested the court with powers to maintain both the declared lunatic and his or her family under s.12 that stated,

The powers conferred by this Act as to the management and administration of a lunatic’s estate shall be exercisable in the discretion of the Court for the maintenance or benefit of the lunatic or of his family or where it appears to be expedient, in the due course of management of the property of the lunatic.

This power extended to authority to raise funds as set out in s.14(1) where,

The Court may order that any property of the lunatic, whether present or future, be sold, charged, mortgaged, dealt with or disposed of as may be deemed most expedient for the purpose of raising or securing or repaying, with or without interest, money which is to be or has been applied to….

where it is most specifically noted under s.14(1)(d) for “payment of or provision for the expenses of his future maintenance.” In An Act to Amend The Mental Hospitals Act, 1967, s.37(1), confirmed, that,

Upon due application for the admission of a person, the officer-in-charge of the institution shall make a full and thorough inquiry respecting the estate, either in existence or in prospect, of the person and of its sufficiency, free from all claims of his family, to supply the means necessary for his maintenance and clothing in the institution as provided by the regulations.

This provision was consistent with previous legislation that drew the Ontario government and institutionalized residents into a more proximate relationship, given the powers of the government to maintain and control family financial affairs.

The relationship between the government of Ontario and the institution involved maintenance and control over familial affairs which heightened its proximity. The Lunacy Act (1927) maintained these jurisdictional characteristics of proximity. The Mental Incompetency Act of 1937 reconfirmed the proximal relationship between the government and the person deemed
incompetent. The power of the committee to maintain the mentally incompetent person’s family remained the same through the subsequent revised statutes of 1950, 1960 and 1970 respectively. This created a situation in which both the lunatic and the mentally incompetent person were in total proximity of the government to the exclusion of all others.

**Creation of work programs to secure wages from inmates**

In *An Act to Amend The Mental Hospitals Act*, 1967, residents also came into an even more proximate relationship with the government through work programs that were incorporated into the statutory regime. Under s.71(a),

> The officer-in-charge may establish, maintain, operate and manage, industrial rehabilitation programs for the beneficial employment and remuneration of patients and other persons, and may enter into agreements with respect to such programs and provide for remuneration in connection therewith.

Surveillance over work programs created a situation in which residents came under the direct control of the government who retained and controlled wages.

**Proximity to the Management and Control of Financial Affairs**

Within *An Act Respecting Lunatics* (1914), the court under s.16 was given further power in dealing with the financial affairs of the institutionalized person, such that, “The Court may, by order, authorize and direct the committee of the estate of the lunatic to do all or any of the following things” listed under ss.(a) to “sell any property belonging to the lunatic”, or under ss.(b) “make exchange or partition of any property belonging to the lunatic, or in which he is interested, and give or receive any money for equality or exchange or partition.” The Court had further rights under s.16(c) to “carry on any trade or business of the lunatic” or under ss.(d) “grant leases of any property of the lunatic for building, agricultural, or other purposes.” The right of the Court to intercede in the management and control of the lunatic’s financial affairs
constitutes an intensified level of proximity given that financial control forms the very foundation of personal welfare.

*The Lunacy Act* (1927) maintained these jurisdictional characteristics of proximity. Under s.15 of *The Mental Incompetency Act*, the government was granted the power to carry out multiple transactions similar to those of the previous statute. This indicates a continuing trend in the proximal relationship between the government and the institutionalized person. The powers of the court to manage and control the financial affairs of the mentally incompetent person remained consistent with the 1937 revised statutes throughout the subsequent revised statutes of 1950, 1960 and 1970. This created a situation in which both the lunatic and the mentally incompetent person were in total proximity of the government to the exclusion of all others. Statutory provisions sought to maintain this relationship, creating summary convictions for those attempting to either assist or associate with patients. Under *The Mental Hospitals Act*, s.12, it was established that,

> No person shall, (a) assist any patient in escaping or attempting to escape from an institution: or (b) do or omit an act for the purpose of aiding any patient in escaping or attempting to escape from an institution; or (c) abet or counsel any patient to escape: or (d) visit, assist, counsel or communicate with any patient after having been prohibited in writing from doing so by the Deputy Minister or any superintendent.

These provisions remained consistent throughout the statutory revisions of 1937, 1950 and 1960.

**The Implications of Institutional Containment and the Allocation of Impairment Labels**

The categorical definition of lunacy remained consistent from 1914 to 1927. Although the category was changed to mentally incompetent person thereafter and until 1927 inclusively, the significance of the terms remained the same. The explicit nature of the statutory language
through this period sought to negatively proximate these populations from mainstream society and to proximate them positively to the government to the exclusion of all others. Throughout this period, the court held jurisdiction to declare lunacy or incompetency and these categorizations served to rationalize the custody of these persons and their estates. The government remained in a position to control and manage the financial affairs of the individual in institutional custody. This control extended to the internee’s family. Throughout 1914 to 1970 the court had statutory powers to define, intern and maintain both those defined as lunatics or mentally incompetent within institutions. These patterns continued through The Mental Hospitals Act and its revised statutes from 1935–1970. The notion of deviance created a proximal relationship between the government and the resident at all phases of the process. Through the creation of categories of deviance, the government had the jurisdiction to detain, examine, certify and institutionalize individuals. The statutory language infers that patients once interned had either remote or non-existent opportunities for re-entry into mainstream society. The catalyst to the entire legislative process that firstly instigated and secondly surveyed the process of institutionalization of people with disabilities living in Ontario was the process of labeling based on impairment deemed to be inherent within individuals. This procedure is the basis for the medical model of disability that locates disability as impairment within individuals. The birth of the testing movement further enforced the notion of impairment psychologically as a label of differentiation that would establish segregation in education for students with disabilities.

The Rise of the Testing Movement and the Allocation of Anomaly in Education

By the early 1900s, the education for students with disabilities came under the care and control of provincial departments of education who were faced with the task of determining how to educate students whom they considered outside of normal society (Zellman & Waterman,
1998). Goals in residential institutions were directed at education for the purpose of self-sufficiency so that the confined populations could alleviate the public economic burden of their upkeep. These activities became the underpinning philosophies for special education. The period of the “Eugenics Scare” in the early 1900s coincided with educational reforms to produce a model for special education apart from the public instructional mainstream. As public education was developing, testing came to the foreground as a means to determine what to do with children who did not fit into regular education initiatives. The response came with the development of psychological testing.

Simon and Binet (as discussed in Winzer, 1990, p. 69) developed the first test of intelligence “to devise a method for identifying children who could not adapt to the school curriculum and who thereby reduced the efficiency of their teachers and classmates.” Winzer (1990) further described that within this period, “Perhaps the most important factor in the decrease of social services was the eugenics or mental-hygiene movement which received further impetus from the development of quantitative methods for assessing intelligence” (p. 68). This process chiefly occurred under the influence of Goddard, whose work established the intellectual quotient as standard practice, which ultimately promoted segregation as the only feasible placement for students with disabilities.

The adoption of statistics and quantifiable standards of the “norm” took root within education as a means of separating students with disabilities. Graham and Slee (2008) describe that, “Although predicated as natural and true, the rule of the norm is statistically derived, negating the diversity to be found within nature and the naturalness of diversity” (p. 86). They critique this process confirming that,
Educational use of the norm and normative judgment is disturbingly pervasive as the psychological notion of the norm has acquired legitimacy through a parasitic effect producing its own truth within powerful domains of knowledge production, such as special education and psychology. (Graham & Slee, 2008, p. 86)

These conclusions were also a convenient by-product of the times, where individuals with disabilities were institutionalized as the norm, and the institutionalized setting provided them with their own segregated school system. Barton (1998) notes that,

> Historically, schools have been viewed as sorting and sifting institutions in which competition and selection have significantly influenced the increasing introduction of assessment-led curriculum planning and course development. (p. 60)

Under this scheme, students who did not readily fit into this process were displaced according to labels of normalcy and anomaly. This separation of “normal” from “disabled” adopts the characterization that Foucault (as quoted by Winzer, 1990, p. 236) describes as,

> a process…that is dependent on defining the Other as abnormal – mentally ill, delinquent and criminal, hysterical, etc. – and bringing the Other under the punitive and disciplining gaze of power.

The gaze of this power emanated from the fields of medicine and psychology, that became two highly efficient avenues for segregation from mainstream education.

**The Construction of Anomaly Established by the Medical Model**

Throughout the course of the mid-19th to the mid-20th century, societal attitudes towards the disabled were entrenched with the notion of incapacity, the immutable nature of disability and the consequent need for segregation. These notions were based on the medical model where, “disability is viewed as a negative condition, requiring treatment, rehabilitation or cure” (Seligman & Darling, 2007, p. 5). Barton (2002) substantiates the impact of medical labeling, noting,
Official definitions powerfully influenced by medical and psychological concerns and interests, often enshrined in legislation and taken up in a populist discourse increasingly influenced by mass media images, have been used to define disabled people negatively. (p. 56)

Barton’s commentary reflects the net consequence of eugenics philosophy that used these medical descriptors to separate those considered “normal” and those identified by traits of medical “anomaly.” According to Brisenden (1986),

The medical model of disability is one rooted in an undue emphasis on clinical diagnosis, the very nature of which is destined to lead to a partial and inhibiting view of the disabled individual. (p. 20)

and goes on to conclude that,

If the experience of disability is always presented in the context of the medical implications it is supposed to have, it will always be seen as largely a matter of a particular set of physical or intellectual dysfunctions and little else. (p. 21)

This interpretation indicates societal inability to recognize the identity of people with disabilities as individuals and a resignation to consider them strictly in terms of impairment, disconnected from real life and humanity. These notions of negative worth came to be challenged by the emergence of the social model of disability.

Davis (2010) indicates that disability must be understood in terms of what is considered to be the “concept of the norm, the normal body” in order to understand disability (p. 3). This conversation is highly relevant to the present discussion as it provides “the norm” as a standard of measurement that is used to: either identify and include those with similar characteristics, or segregate those who are identified as not conforming to its standards. It is with this process in mind that Davis concludes that the

“problem” is not the person with disabilities; the “problem” is the way that normalcy is constructed to create the “problem” of the disabled person. (p. 3)
The construction of the “norm” emerges from the field of statistics and the work of Galton, the founder of eugenics philosophy, who established a curve of normal distribution, allocating all conforming data, outside of its spectrum to a space of anomaly (Davis, 2010). These were foundational principles in the establishment of accepted parameters that conflicted with those deemed unacceptable. Barnes (2010) indicates that,

It is widely acknowledged, however, that our perceptions of normality are partly if not wholly determined by others through learning and the natural transmission of ideology and culture. (p. 20)

Baker (2002) has described, “The everyday dividing, sorting, and classifying practices of schooling” as “an analysis of old and new discourses of eugenics as “quality control” of national populations” (p. 663), and continues to “suggest that eugenics was a complicated and heterogeneous series of discourses that have transmogrified into a variety of assumptions and practices, including educational ones in the present” (p. 665). The inherent values of Canadian society were contributory to these perceptions of disability that negated the opportunity for participation and independent voice aside from societal control.

Educational arrangements came to be established under similar consideration and dominated by what Stanovich and Jordan (2004) term “pathological, and endogenous” views of disability which assumed the immutable nature of disability that was not amenable to amelioration through education. Barton (2002) notes that, “What is common to all these classification is that the ‘problem’ is located within the individual, necessitating the intervention of various professional agencies,” and further that, “One of the outcomes of this process is the establishment of a culture of dependency between disabled children and professionals” (p. 59). In addition, Barton (2002) confirms that, “Another outcome is that of societal restriction and thus exclusion from particular interactions, contexts and opportunities” (p. 59). The tradition of the
medical model continued in education where medical and psychological identifiers continued to be used as quantifiers of exclusion from mainstream education.

**The Social Construction of Disability**

Domination of the medical model within the lives of people with disabilities centered upon a belief that impairment was inherent within the individual. Michalko (2008) indicates that “The acquisition of impairment – whether at birth or during one’s life – locates one on the margins of the normal and average body” and proceeds to counter this assertion by explaining that, “The impaired body is disabled by society’s failure to respond to it in a way that does not produce marginality and discrimination” (p. 408). Hunt (1966) elucidates this relationship between society and people with disabilities, noting, “the problem of disability lies not only in the impairment of function and its effects on us individually, but also, more importantly, in the area of our relationship with ‘normal’ people” and adds that, “If everyone were disabled as we are, there would be no special situation to consider” (p. 8). Brisenden (1986) confirms this position, noting that, “On the whole, it is the organization of society, its material construction and the attitudes of individuals within it, that results in certain people being dis-abled” (p. 23).

Brisenden (1986) notes that,

> the medical definition or model has to a great extent contributed to placing us outside society, participating as equal members with something to say and a life to lead: we are demanding the right to take the same risks and seek the same rewards. (p. 26)

Barton (2002) further questions the issue of social relations indicating that,

> A key factor is that of social relations and the degree to which such encounters are found to be enabling. This raises the complex and fundamental issue of power and the extent to which disabled people are able to exercise control over decisions and actions that have a real impact on their lives. (p. 59)
Barnes (1998) has described the social model of disability as, “first and foremost, a focus on the environmental and social barriers which exclude people with perceived impairments from mainstream society” where a distinction is made between impairment as “biological characteristics of the body and mind” and “disability” as “society’s failure to address the needs of disabled people” (p. 78). The emergence of the social model of disability provided both a challenge and refutation to the historically entrenched notions of disability and impairment. One outcome of this view of societal construction provided a voice for people with disabilities to engage in a rights discourse.

People with disabilities became engaged in advocacy that Brisenden (1986) qualified as a rejection from, “definitions that limit and control because they do not describe our aspirations in society” (p. 26). Finkelstein (1998) describes a growth of distinct organizations that voiced the views of people with disabilities, noting that,

These issues were not freely chosen but arose out of the problems that specific groups of disabled people experienced as they tried to cope with the barriers in a community designed for able-bodied lifestyles. (p. 35)

Graham (2006, p. 8) provides further support for this inquiry into the construction of normalcy, citing Macherey (1992, p. 188) who notes, “The ‘norm’ produces a particular reality. It produces domains through normative discursive practices that affirm or negate particular ways of being” and continues to describe that, “given that the ‘norm’ is a concept or law of man and not a rule of nature, it can thus be interrogated ‘in relationship with the processes that bring it into being.’” The social construction of disability refuted the medical model of disability, defining impairment within the individual, replacing it with the recognition that disability was a social construction because the notion of disability was in fact a product of the barriers to mainstream society where functioning was based on the able-bodied. The rise of parental activism reflects a similar pattern
of development where parents refused to have their children’s educational placement defined by characteristics of impairment that served to allocate them to segregated placements. Their refusal to accept these alternative spaces was a counter current to the longstanding tradition of acceptance of medical and psychological labels as a seemingly valid and natural basis upon which to allocate these students outside of mainstream education.

The Evolution of Parental Activism

Parental activism has developed from passive acceptance of impairment as disadvantage and the naturalization of disability as exclusion to a period of awakening with a final phase where parents became actively engaged as change agents. The pinnacle of advocacy was parental demand that their children be educated in regular classroom settings. This position directly refutes the medical model of disability and impairment within the child. The new wave of parental agency symbolizes the continued battle against labels of impairment as a means to segregate students with disabilities from integrated educational settings. Inclusion would become parental response to the social model of disability in education that used impairment labels as a barrier to education.

Phase 1: Passive Acceptance

The history of parental advocacy emerged from a state of passive parental acceptance of disability. During the mid-19th century, when a child was born with a disability, parents were expected to maintain a position of passive acceptance and institutionalize their children at birth. These views were in line with the rise of the Eugenics Movement and the position that disability was a problem that needed to be irradiated from society. During this era, the “locus of the problem” or disability was understood as inherent in the individual (Sarason & Doris, 1979, p. 40). New parents were “exposed primarily to the stereotypes and stigmatizing attitudes
towards disability” (Seligman & Darling 2007, p. 99). Levenson (1974) describes the feelings of helplessness by many parents faced with the implications of their children’s conditions, which left them vulnerable to those with expertise.

Parents were expected to respond to professional direction with passivity and to accept societal stigma about their children’s disabilities. Dovidio, Major, and Crocker (2000, p. 3, as cited in Seligman & Darling, 2007, p. 193) describe such stigma as, “deviance from the norm of physical and mental perfection, they [the disabled] are likely to be shunned, ridiculed, avoided, ostracized, and discriminated against.” Goffman (1963, as cited in Seligman & Darling, 2007, p. 193) also describes that when children have specific disabilities such as Down Syndrome or Spina Bifida, that the stigma will be enhanced because of these particular conditions. Such children would be “discredited immediately.”

Parents typically neither confronted professional direction, nor did they question professional decisions (Darling, 1979). Parents were expected to comply with these standards. In cases where they did not agree, it was commonplace for the professional to try and convince parents to follow their advice (Gliedman & Ross, 1980). Clark, Kendrick, Coffin, and Conway (1996) indicate that professionals even resented parents whom they considered knew too much. Parents were considered deficient, in denial, or considered unable to cope with disability if they chose to ignore professional opinions (Seligman & Darling, 2001). During the mid-19th century, parental advocacy or involvement in the school environment was considered, “increasingly suspect” by the educational authorities (Zellman & Waterman, 1998, p. 370). Parents had no recourse to other services and remained isolated and forced to take care of everything themselves and “institutions were often a last resort” (Wiegerink & Posante, 1977, p. 93).
Booth (1978) describes a situation where, “the onus is put on the parents to adjust the phasing of the expectations they hold of the child” and continues to describe that,

this signifies the first compromise in a whole series of concessions the parents will eventually make in the way they handle the child which plots his emerging status as a subnormal child. (p. 213)

and concludes by referring to the process of labeling where,

A last consensus is reached on the reality of the child’s condition which establishes his status as severely subnormal. He is finally and inevitably stripped of all claims to normality, past or prospective. (p. 216)

Within these circumstances, parents sought the companionship of other parents in similar circumstances which provided the impetus to parental engagement. This engagement however began to emerge as parents came to question the validity of the medical model view and the validity of inherent and immutable intellectual characteristics.

Prior to the 1950s, however, Canadian educators typically viewed children with disabilities as unable to profit from education and institutional care was the norm where the attitude was “out of sight, out of mind” (Winzer, 1990, p. 81). By the mid-1950s, however, a shifting attitude began to emerge about the right of all children to receive appropriate and non-segregated education, and parental voice and advocacy began to take hold and emerge in the educational arena. These new voices demanded change and questioned the validity of segregation. They provided a direct challenge to the social construction of reality for persons with disabilities that kept them ostracized from society. This new wave of parents and professionals was demanding deconstruction of societally imposed segregation.
Growth in awareness of education as the right of all citizens for future welfare

The early 1950s was marked by the Brown v. Topeka Board of Education (1954) decision that came to symbolize the inherent right of African American students to receive a public mainstream education in mainstream public education, a right previously unrecognized amid the racially segregated climate of Jim Crow that enforced racial segregation in all public institutions. Access to mainstream schools by students of colour was considered a taboo subject, one supported by the “separate is equal” rationale that emerged from the Fergusson v. Plessy decision of 1896 which confirmed racist notions of judicially enforced segregation. In the Brown v. Topeka Board of Education (1954) case, however, commentary by Justice Warren suggested a novel approach to segregation and education. Firstly, Justice Warren described the negative effects of segregation on “Negro” children, noting,

Segregation of white and colored children in public schools has a detrimental effect upon the colored children. The impact is greater when it has the sanction of law; for the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to [retard] the educational and mental development of Negro children and to deprive them of some of the benefits they would receive in a racial[ly] integrated school system.

Secondly, the decision established the judicial view that “in the field of public education the doctrine of ‘separate but equal’ has no place” (Dickinson & MacKay, 1989, p. 167). Within the decision, Justice Warren noted,

Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities even service in the armed forces. It is the very foundation of good citizenship. Today it is a principle instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him adjust normally to his environment. In these days, it is doubtful that any child may reasonably be
expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

Although symbolic in nature, the Brown v. Topeka Board of Education (1954) decision served as an impetus in awakening the view of parents and other professionals, that segregation was also a harmful and non-permissible academic arrangement for students with disabilities. This recognition for the right to education “to all on equal terms” has been described in relation to the movement for inclusion. Stanovich and Jordan (2004) equate the movement towards racial desegregation to the struggle for inclusion, whereby, “Like racial segregation, inclusion is not merely a fad or a swing of the pendulum. Rather, it represents an inexorable and progressive move forward” (p. 172). This notion of equitable access was to dominate advocacy efforts in the historical move towards inclusion that commenced in the secondary wave of parental advocacy.

**Phase 2: A Period of Awakening**

Faced with the isolation of their circumstances, parents began to meet other parents who shared information and helped them understand their potential to challenge the system (Seligman & Darling, 2007). Turnbull and Turnbull (2006) have also described the usefulness of parental support programs to provide essential information to other member families while also relieving their stress. Parental support groups came to therefore be recognized as essential for information exchange and resource provision to member families (Seligman & Darling, 2007). In the union of shared experience, families came to understand that “they may need to ‘fight’ for the services their child needs” (Seligman & Darling, 2007, p. 50). Families who shared similar beliefs joined together to share information (Ministry of Education, 2005). Such parental realization marks what Darling (1979) refers to as a turning point in parental perception, whereby parents questioned the external controls of professional opinion and they began to “learn about the
possibilities for activism and advocacy through the relationships they develop in support groups and disability organizations” (Haug & Lavin, 1983, p. 306). These parents became aware of the internal ability to advocate for resource and educational opportunities for their children.

Parental support groups began to question the value of programs that isolated their children (Hardy, McLeod, Minto, Perkins, & Quance, 1971). These parents would no longer accept the “pathognomic” view of disability that pervaded education. This refers to, “attitudes that are derived from the assumption of the presence of a specific disease entity” where disability is inherent in the student (Stanovich & Jordan, 1998, p. 222). Sarason and Doris (1979) have described these attitudes within the educational context where there is little resource intervention, minimal contact with parents and no link between ongoing assessment and the curriculum. Such views were the vestiges of special education and segregation attributable to the institution.

Parents had a forum to “learn about the possibilities for activism and advocacy through the relationships they develop[ed] in support groups and disability organizations” (Haug & Lavin, 1983, p. 306). Winzer (1990) notes that the emergence of these organizations “had a tremendous impact on special education, especially during the 1950s and 1960s” and that they “successfully agitated to expand education services” (pp. 93–94). These organizations would play an important role along with other professionals who were dissatisfied about the lack of educational opportunities afforded to students with disabilities.

**Phase 3: Active Engagement as Change Agents**

This shift in thought marked the rise of consumerism, where parents as consumers began to demand access to participation in the decisions about their children (Haug & Lavin, 1983). Parents emerged from expected roles of passivity and compliance to proactive stakeholders who
directly participated in shaping policy so that the government would assume responsibility for education. Winzer (1990) describes a shift in awareness in the 1970s where,

the philosophical belief that all exceptional individuals, no matter what their level and type of handicap, should be provided with an education and living environment as close to normal as possible. (p. 82)

With the move towards deinstitutionalization and normalization, Winzer (1990) notes the transition to mainstreaming involving,

the physical, intellectual, social and emotional integration of exceptional children and youth into the regular milieu, in addition to requiring individualized programming, co-operative planning and a range of educational options and support services. (p. 20)

This phase marked a progressive trend away from historical segregation.

These notions of equitable treatment would shake the very foundations of a dual educational system with regular and segregated streams that had long ago been socially constructed through the Eugenics and Testing Movements and the duty to provide education. The onset of parental advocacy towards integration of students with disabilities directly confronted the socially constructed reality of separate education that had been historically erected to ensure the future exclusion of these students from mainstream society. This new wave of advocacy effectively sought to deconstruct this dual arrangement in education. Harris and Graham (1994) have described the role of schools as the context for power struggle and the realization of social reality. They further describe that “failure to teach these students to read and write will ensure that they remain outside the culture of power” (p. 244). As previously indicated, the role of education in the institution was “life skills” and “self-sufficiency” which would impede access to future educational opportunities. Readers will recall Justice Warren’s conclusions in \textit{Brown v. Topeka Board of Education} (1954) wherein he describes, “it is doubtful that any child may
reasonably be expected to succeed in life if he is denied the opportunity of an education” (*Brown v. Topeka Board of Education*, 1954, p. 166). The negation of education for students of colour was determined to directly impoverish their educational experiences and future opportunities, relegating them to a predestined socially constructed order. The means to produce this outcome were cited by Justice Warren as segregation. A similar outcome is predictable in relation to students with disabilities as the variant in segregated education.

Across North America, through the 1970s and 1980s, parents advocated for the right to provide input into their children’s education (Dunst, Trivette, & Deal, 1987). With the support of other parental group members, they became increasingly imbued with a sense of empowerment, leading to “proactive behaviors to matters of social policy and change” (Zimmerman & Rappaport, 1988, p. 726). Parents became organized as “Local leaders of grassroots organizations” that “shared specific characteristics” of “efficacy, self-esteem, and a sense of causal importance” (Kieffer, 1984, as cited in Zimmerman & Rappaport, 1988, p. 726). They unified in the shared mission of civic duty and “the belief that one ought to participate in the political process as a responsibility to others” (Zimmerman & Rappaport, 1988, p. 746) most specifically to enhance educational opportunities for not only their children but for all children in the community at large.

Parents advocated for what Stanovich and Jordan (2004) term “interventionist” perspectives where teachers, “see themselves as responsible for intervening in these students’ learning by designing instructional accommodations and calibrating their instruction to engage their students” (pp. 39–40). Parents wanted this proactive engagement with their children. There was an increased awareness among parents in their ability to collaborate with professionals for positive change (Tripp & McGregor, 2006). Through their collective efforts, these organizations
challenged the policies that sought to maintain segregation and advocated for progressive reform. This reform was the deconstruction of the social model of disability within the educational context that used medical diagnosis to create enclaves for the disabled on the periphery of “normal” society.

Correspondingly, there was a development in professional understanding about the importance of parental input in helping professionals to understand the needs of their children. Parents came to be recognized as knowledgeable and contributory in discussions about their children (Zellman & Waterman, 1988). Professionals also recognized that parental intervention resulted in improved student outcomes (Neitzel & Stright, 2003). This professional recognition represented a shift in the “locus of control” of professional dominance to the recognition that children were best served with holistic intervention, which meant the input of parents into their children’s education (Seligman & Darling, 2007).

**Legislative Changes and the Presence of Rights to Secure Education**

By 1982, Health and Welfare Canada had published the study *Directions: a Report of the Canadian Organizing Committee for 1981), the International Year of Disabled Persons* (1982), describing the plight of the disabled in Canadian society. The report estimated that there were 1.4 million Canadians who were “of working age of whom there were 45,000 living in institutions, 20,000 in sheltered workshops, and 1.37 million in the community” and further described that “over half of the disabled adults in the community were unemployed’ (Winzer, 1990, p. 81). In the same year, Bill 82, also referred to as Ontario’s *Amendment Act*, was passed in the legislature. It was structured following *Public Law 94-142* (Dickson & McKay, 1989). This public law set out the framework for accessible education for students with disabilities with the United States. Under *Bill 82* students with exceptionalities had the legal right to education in
Ontario. This would form the basis for the special education legislative framework in the province of Ontario.

Within the province of Ontario, the passage of *Bill 82* was considered to be the most evolutionary piece of legislation concerning the rights to educational access for students with disabilities. This legislation placed an onus upon all of Ontario’s school boards to be responsible for the education of students with disabilities. Keeton-Wilson (1983) notes that inherent to this legislation were the principles of universal access, the right to a publicly funded education, assessment and identification procedures, review procedures as well as a mechanism for appeal. Discrimination on the basis of disability also became a prohibited ground within Ontario’s *Human Rights Code* (R.S.O., 1990) in this period. Parents continued to advocate for the rights of their children to be integrated into regular classrooms with the support of these legislative initiatives.

In Ontario, by 1986, the Minister of Education, Marion Boyd, released a statement stating that integration was “the norm” for students with disabilities in Ontario, the result of lobbying efforts by professional and parental activists. This development was fueled by cases such as *Dolmage et al. v. Muskoka Board of Education* and *Rowett v. The Board of Education for the Region of York* as well as the *Elwood v. The Halifax County Bedford School District School Board* where parents supported by parental advocacy groups politically engaged to seek integration for their children.

By 1990, the first commitments made by the newly elected New Democratic Party (NDP) government were that children with disabilities, who had been historically educated in segregated settings, could expect provincial support for receiving education in integrated settings
(Arch, 1995). In the same year, the Individual Education Plan was implemented, such that all exceptional pupils would be provided with individual plan to meet their individual needs.

During subsequent consultations over the amendments to Bill 82, parent groups were invited to offer their perspectives. Prior to the establishment of these amendments, parental advocacy for integration as an inherent right for all students was brought before the Supreme Court of Canada in Eaton v. Brant County Board of Education (1997). While the court did not determine that integration was an inherent right, the court did rule that placement would be made on an individual basis according to the “best interests of the child” (Emily Eaton v. Brant County Board of Education, 1997). By 1998, the amendment consultations to Bill 82 culminated in Ontario Regulation 181/98 which made the regular classroom the placement of first consideration when in accordance with student needs and parental wishes. The special education framework established by the Ministry of Education in Ontario attempted to meet the needs of all students by offering a “range of options” about placement, a position in accordance with the decision in Eaton v. Brant County Board of Education (Ministry of Education, 2005). The Ministry also officially recognized the role of parents in professional partnerships in education, whereby, “The learning community includes school staff, students, parents, and community partners who are called on to work together at school improvement and at creating learning opportunities for students” and where they are considered a valuable part of the school team (Ministry of Education, 2005). These advancements represented favorable gains for parents in their efforts to ensure educational opportunities for their children, a situation that was impossible to envision at the turn of the century, when parents had no role in the educational decision making process.
From the onset of the advocacy movement, parents have made incremental gains for their children emanating from passive observers, where their children were only able to receive education under segregation. Within these settings, children with disabilities were forced into congregated disability settings. These separate enclaves had been socially constructed in response to the Eugenics and Testing Movements that provided the rationale for separation of the disabled from mainstream society. Under the phase of parental awakening, parents transformed into change agents moving towards the apex of advocacy as they obtained the legislative right to inclusion so that their children could receive their education in regular classroom settings.

The focus of the present study will focus upon the context of Ontario’s schools given the history of the province’s historical progression and subsequent legislative rights to inclusion. The history of parental involvement has gone from one of passive observer to active participant. This evolution has led to parents being regarded as valuable partners within the special education process in this province. Within this context, the Ministry of Education in Ontario supports the perspective of all parents. Throughout the course of parental activism, the social construction of segregated educational placement as the norm for students with disabilities has been challenged through activism for integration and inclusion. Have parents been able to deconstruct these norms and access mainstream education as the accepted norm for their children in the presence of these legislative changes? This understanding leads to the question of this thesis:

What are the experiences of parents who, as members of a provincial advocacy group for inclusion, have sought integrated placements for their sons and daughters in Ontario schools?

**Importance of the Present Study**

The special education framework that is currently operative in the province of Ontario is the product of legislative reforms that evolved from both professional and parental advocacy
aimed at ameliorating lack of educational opportunities for students with disabilities. Such activism was based on the understanding of the negative effects of segregated education and its dismal impact on the future welfare of these students both in terms of their education and future access to the community. The opportunity for inclusion into regular classroom placements set out within the legislation represents the culmination of these advocacy efforts. The necessity, however for parental intervention in the acquisition of such placements, questions the feasibility of the position that integration occurs naturally in the school system, in the presence of current policy. The present study is important because it reflects the narrative accounts of parents who had the tools of this framework at their disposition in their choice of inclusion for their children. Parental narratives in this process will provide an indication as to how policy translates into practice when regular classroom settings are their choice of educational placement for their children. Their narratives will provide some insight into whether integrated placement is a natural occurrence that is accepted and accommodated for by school administrations. The parental narratives provided in this dissertation will also give some indication as to whether the medical model for incapacity and placement of children with disabilities into uniquely segregated settings is a relic of the past that has been substituted with inclusion of all students as the norm. If this is the case, integration and inclusion will serve as a deconstruction of the historical social construction of separate educational opportunities as the unique placement for students with disabilities.
Chapter Two
Ontario’s Special Education Legislative Framework

Canada’s Historical Development in the Right to Education for all Citizens

Prior to setting out the components of Ontario’s Special Education Legislative framework, it is essential for readers to also have an understanding of the incremental growth of Canada’s participation and support of educational equality initiatives for students with disabilities.

Historically, the importance of education as outlined in the Brown v. Topeka Board of Education (1954) decision is also reflected in the spirit of Canada’s support for international agreements dealing with education. Such support is illustrated incrementally through these documents. Canada has demonstrated its support for the right to education for all on equal terms as a signatory to The Universal Declaration of Human Rights (1948), under Article 26, which states,

1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children. (Dickinson & Mackay, 1989, p. 202)
Of salient importance to the present dissertation is Canada’s recognition as a signatory to the *Universal Declaration of Human Rights*, under Article 26(3), of parental right in determining “the kind of education that shall be given to their children.” While reference is made to education, Article 1 and Article 2 of the document, however, do not include disability until Article 25. This distinction is noteworthy in relation to future analysis of policy in that it appears to sustain the rights of individuals in education, yet falls short of this materialization.

*The Universal Declaration of Human Rights* (UN General Assembly, 1948) is a primary document marking the movement for the attainment of education for all students. In addition, Canada is also a signatory on Article 13 of *The International Covenant on Economic, Social and Cultural Rights* (United Nations, 1976), which states that,

The States’ parties to the present covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of the dignity, and shall strengthen the request for human right and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations.

*The International Covenant on Economic, Social and Cultural Rights* (1976) was established approximately 20 years after the emergence of the *Universal Declaration of Human Rights*, further consolidating Canada’s support to educational rights for all students. A further extension in support of provision of education for all children was reflected at The World Conference on Special Needs Education: Access and Quality, held in Salamanca, Spain, in 1994. The conference established a framework for the provision of education for all students within the context of regular classroom environments, inclusive of those students with disabilities. Within *The Salamanca Statement and Framework for Action on Special Needs*
Education (UNESCO, 1994), generally referred to as The Salamanca Statement (1994), it was proclaimed that,

---

every child has a fundamental right to education, and must be given the opportunity to achieve and maintain an acceptable level of learning,
every child has unique characteristics, interests, abilities and learning needs,
education systems should be designed and educational programs implemented to take into account the wide diversity of these characteristics and needs,
those with special educational needs must have access to regular schools which should accommodate them within a child centered pedagogy capable of meeting these needs,
regular schools with this inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all; moreover, they provide an effective education to the majority of children and improve the efficiency and ultimately the cost-effectiveness of the entire education system. (pp. viii–ix)

---

Canada’s endorsement of The Salamanca Statement (1994) adds to the further progression in the principle of “education for all,” an historical trend that reflects the inclusion of students with disabilities in its perspective. Within the context of this statement, there is international acknowledgment that all students, including those with disabilities, have the right to inclusion as a means to combat discriminatory attitudes. Further, the statement places an onus on educational systems to educate all pupils, in consideration of diverse characteristics and learning needs of these pupils. Canada’s emphasis on the importance of education in the international forum is an indicator that Canada views education as singularly important for all citizens.

While Canada is a signatory to international agreements that support educational rights, the focus for equality for all citizens is also reflected at the federal level in Canada through The Canadian Charter of Rights and Freedoms (1982). This legislation indicates support for equality rights in s.15(1),

---

Every individual is equal before and under the law and has the right to equal benefit of the law without discrimination and in particular without discrimination
based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability. (The Canadian Charter of Rights and Freedoms, 1982)

*The Canadian Charter of Rights and Freedoms* (1982) is applicable to all legislation within Canada and consequently all laws must comply with its mandate on equality. Given Canada’s support for the education of all pupils in international agreements in addition to federal human rights policy under this document, how does the vision for equality in educational access apply to education in Canada?

The response to this question emanates from *The Constitution Act* of 1867 which outlines the roles of both federal and provincial governments in the leadership of Canada when it was founded as a nation. This document, however, did not entrench education as a constitutional right in Canada, but proclaimed it a provincial responsibility. This allocation established a non-uniform system of education in Canada, given that each province and territory established its own Education Act (Dickson & MacKay, 1986). Dickson and MacKay (1986) further indicate that,

> Because education is a provincial rather than a federal responsibility under the Constitution Act, 1867, there is considerable variation in the treatment of the disabled from one province to another. There are also variations in the relevant human rights statutes concerning the protection of the disabled. While physical disability is consistently covered, not all provinces extend their human rights protections to those with mental disabilities. (p. 215)

This analysis suggests that within the spectrum of educational opportunity in Canada, access differs among provinces and territories. Province of residency will determine rights to students under their individual Education Acts. Further rights will also be confirmed or negated dependent on the provisions of each province’s or each territory’s unique Human Rights Code. Commenting on the provincial situation however, Cruickshank (1982, as cited in Dickinson & Mackay, 1989, p. 195) supports this position by noting, “There are limits on the human rights
protections even in these codes and the guarantees to education in the relevant acts are even more limited.” Rights are consequently allocated in a non-uniform manner throughout Canada. Within this non-uniformity, there is a further poignant distinction between students with disabilities and their non-disabled peers in accessing education. These distinctions conflict with the promise of federal protection under the *Canadian Charter of Rights and Freedoms* (1982) to equality under the law and freedom from discrimination based on disability. 

The *United Nations Convention on the Rights of the Disabled* (United Nations, 2006) has also recently recognized the right to inclusive education under Article 24 which states,

State Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning. 

Article 24(2) further describes that,

In realizing this right, State Parties shall ensure that:

Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability. 

This is characterized under Article 24(2)(b) where, “Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live.” The issue of inclusive education is also qualified by the right to accommodations under Article 24(2)(d) where, “Reasonable accommodation of the individuals requirements is provided” and further that “Persons with disabilities receive the support required, within the general education system, to facilitate their effective education” and further that, “Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.” The

Ontario’s Legislative Framework

To contextualize parental experience and to prepare the reader for an analysis of the legal implications of their experiences, the prevailing legislation is presented and summarized here. Special education in Ontario is governed by a specific legislative framework which I have categorized into the following sections, based on their diverse functions:

1. defining exceptional pupils, programs and services, and ministerial onus to provide such programs and services,
2. program and service provision,
3. identification and placement of exceptional students,
4. appeal rights, and
5. disclosure.

Parental and professional advocacy has led to the culmination of access to education through this framework for all students with disabilities who are determined to be “exceptional pupils” under Ontario’s Education Act (R.S.O., 1990). These children are further categorized according to descriptors of disability and there are a wide range of placement options available to them (Ministry of Education, 2001). The parent respondents in this study would have a right to request integration for their children firstly under the Ministerial statement on integration delivered by Marion Boyd and then most specifically through the direction of Ontario Regulation
181/98. At all times during their narratives, parents had the right to request integration in regular classroom placements for their children. Similarly, under the *Human Rights Code* (R.S.O., 1990) of Ontario, programs and services to accommodate disability related individual needs should have been available to the point of undue hardship. This is a threshold developed within the law that requires accommodations to only be made up until a point where it is economically possible for the service provider. The additional requirements under this test will be discussed in further detail in future sections that outline this obligation under the *Human Rights Code* (R.S.O., 1990) of Ontario.

**Definitions of Exceptional Pupils, Special Education Program, and Special Education Services and Rights to Programs without Charge**

Firstly, the framework defines “exceptional pupils” and “programs and services” in addition to the duties of the Minister of Education to ensure the provision of such programs and services to exceptional pupils (see Table 1).

**Table 1**

*Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 1: Definition of Exceptional Pupil, Special Education Programs, Special Education Services, and Ministerial Onus to Provide Such Programs and Services*

<table>
<thead>
<tr>
<th>Area of consideration</th>
<th>Applicable policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Definition of exceptional pupil, special education programs, special education services</td>
<td>Education Act, R.S.O., 1990 s.1(1)</td>
</tr>
<tr>
<td>2. Duty of the Minister to provide appropriate special education programs and services to exceptional pupils without charge</td>
<td>Education Act, R.S.O., 1990 s.8(3)</td>
</tr>
</tbody>
</table>
The framework for special education in Ontario is established by the *Education Act* (R.S.O., 1990) and its associated regulations (Ministry of Education, 2001). Qualification of the terms exceptional student, and programs and services, in addition to the onus being on the Minister to provide such programs and services to exceptional pupils, is outlined within the *Education Act* (R.S.O., 1990). The definition for the term “exceptional student” under the *Education Act* (R.S.O., 1990) is defined under s.1(1) as a student,

whose behavioral, communicational, intellectual, physical or multiple exceptionalities are such that he or she is considered to need placement in a special education program by a committee established under subparagraph iii of paragraph 5 of subsection 11(1), of the board,

(a) of which the pupil is a resident pupil,

(b) that admits or enrolls the pupil other than pursuant to an agreement with another board for the provision of education, or to which the cost of education in respect of the pupil is payable by the Minister.

The *Education Act* (R.S.O., 1990), under s.1(1), also defines the term special education program as

an educational program that is based on and modified by the results of continuous assessment and evaluation and that includes a plan containing specific objectives and an outline of educational services that meets the needs of the exceptional pupil.

The onus is upon the Minister of Education to ensure that students who are exceptional pupils are provided with the programs and services that meet the individual needs of each pupil. This duty is conferred upon the Minister under s.8(3) of the *Education Act* (R.S.O., 1990), which states,

The Minister shall ensure that all exceptional children in Ontario have available to them, in accordance with this Act and the regulations, appropriate special education programs and special education services without payment of fees by parents or guardians resident in Ontario.
Provision of Programs and Services

Within this spectrum of programs and service provision (see Table 2), a process for the establishment of an Individualized Education Program (IEP) has been incorporated to take into account the individual learning needs for each student.

Table 2
Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 2: Provision of Programs and Services

<table>
<thead>
<tr>
<th>Area of consideration</th>
<th>Applicable policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Purpose of the IEP</td>
<td>Individual Education Plans: Standards for Development, Program Planning and Implementations</td>
</tr>
<tr>
<td>2. Duty of the principal to ensure the compilation of the IEP. in consultation with parents.</td>
<td>Ontario Regulation 181/98 s.6(3)</td>
</tr>
<tr>
<td>3. Identification of IEP. content, services to be included and means of monitoring</td>
<td>Ontario Regulation 181/98 s.6(3)</td>
</tr>
<tr>
<td>4. Timeliness of IEP. Implementation</td>
<td>Ontario Regulation 181/98 s.6(8)</td>
</tr>
<tr>
<td>5. Right to equal treatment with respect to services, goods and facilities</td>
<td>Ontario Human Rights Code, R.S.O., 1990, s.(1)</td>
</tr>
</tbody>
</table>
The Ministry of Education outlines the purpose of the IEP within the publication, “Special Education: A Guide for Educators” (Ministry of Education, 2001) in the following manner:

An IEP is a written plan. It is a working document that describes the strengths and needs of an individual exceptional pupil, the special education program and services established to meet the student’s needs, and how the program and services will be delivered. It also describes the student’s progress. An IEP should be based on a thorough assessment of the student’s strengths, interests, and needs. It should identify specific goals and expectations for the student, and should explain how the special education program will help the student achieve the goals and expectations set out in the plan. The special education program and services the IEP describes should be modified as necessary by the results of continuous assessment and evaluation. (Ministry of Education, 2001, p. E7)

The Ministry of Education has set out the rationale for this process within the document entitled *Individual Education Plans: Standards for Development, Program Planning, and Implementations* (Ministry of Education, 2000) that outlines how the plan is to be developed and reviewed within the context of Ontario Regulation 181/98. This Regulation sets out an obligation for school principals to ensure that a student who is identified as exceptional has an IEP. Section 6(2) of the *Ontario Regulation 181/98* states,

> The board shall promptly notify the principal of the school at which the special education program is to be provided of the need to develop an individual education plan for the pupil in consultation with the parent and, where the pupil is 16 years of age or older, the pupil. (Education Act, 1990)

The Regulation further identifies the content of the plan, services to be included, and a means of monitoring progress for the student in question under s.3,

> The individual plan must include,
> specific educational expectations for the pupil,
> an outline of the special education program and services to be received by the pupil; and
> (b) a statement of the methods by which the pupil’s progress will be reviewed (Education Act, R.S.O., 1990)
The Regulation further specifically sets out conditions to ensure timeliness of plan completion as set out in s.6(8),

Within 30 school days after placement of the pupil in the program, the principal shall ensure that the plan is completed and a copy of it sent to a parent of the pupil and, where the pupil is 16 years of age or older, the pupil. (Education Act, R.S.O., 1990)

The identification of an exceptional pupil, and their programs and services, in addition to the establishment of IEPs are the basis upon which special education is administered in Ontario’s schools. This process sets out to ensure that students with disabilities have their individual needs identified so that these needs can be accommodated through the IEP. Access to services for students with disabilities is established in Ontario’s Human Rights Code (Code) that establishes the right of all persons to equal treatment under the law in the province of Ontario:

Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability. (Human Rights Code, R.S.O., 1990, ch. H.19, s.1)

The Code establishes equality rights to goods, services and facilities, without discrimination based on disability. Such rights extend to the educational forum (Ontario Human Rights Commission, 2002b).

There is a distinctive fit between the position of the Ontario Human Rights Commission that entitles persons to services, goods, and facilities with that of the need for individualized educational programming as set out by the Ministry of Education. The Commission’s publication entitled Policy and Guidelines on Disability and the Duty to Accommodate (Ontario Human Rights Commission, 2001) identifies accommodation of needs on an individual basis, noting that “There is no set formula for accommodating people with disabilities. Each person’s needs are unique and must be considered afresh when an accommodation is made” (p. 14). The
Commission’s document entitled *Education and Disability Human Rights Issues in Ontario’s Educational System*, further indicates that,

an accommodation for a person with a disability will be considered appropriate if it respects the dignity of the individual with a disability, meets individual needs, best promotes integration and full participation, and ensures confidentiality. Accommodation will be considered appropriate if it will result in equal opportunity to attain the same level of performance, or to enjoy the same level of benefits and privileges enjoyed by others, or if it is proposed or adopted for the purpose of achieving equal opportunity, and meets the individual’s disability related needs. (Ontario Human Rights Commission, 2002a, pp. 18–19)

Support for individualized accommodations as set out by the Ontario Human Rights Commission is reflected within Ministerial documents that complement the need for such individualization on a per pupil basis.

The Ministry of Education and Training’s establishment of individual plans to meet the needs of exceptional pupils mirrors the intent of the Human Rights Commission with respect to accommodating the needs of students with exceptional needs. The courts have further reflected on this question and have ascertained that persons with disabilities cannot access mainstream participation to the extent of other persons on an equal basis, unless there is a provision of reasonable accommodation. In the Supreme Court decision of *Eaton v. Brant County Board of Education*, Justice Sopinka speaks to the issue of appropriate accommodations,

Exclusion from the mainstream of society results from the construction of a society based solely on mainstream attributes to which the disabled person will never be able to gain access. It is the failure to make reasonable accommodations, to fine-tune society so that its structures and assumptions do not prevent the disabled from participation, which results in discrimination against the disabled. (Eaton v. Brant County Board of Education, 1997, para. 67)

In order for the provision of such accommodations, there are three principles that must guide the duty to accommodate,
(1) Respect for the dignity of persons with disabilities, including integrity, empowerment, confidentiality, privacy, comfort, autonomy, individuality and self-esteem;

(2) Individualization, meaning that persons with disabilities are individuals first, and must be considered, assessed, and accommodated individually; and

(3) Right of persons with disabilities to integration and full participation, which requires inclusive design of facilities, programs, policies, and procedures, and barrier-removal where barriers are found to exist. (Ontario Human Rights Commission, 2002a, pp. 12–13)

The process of accommodating students with disabilities must therefore entail the consideration of dignity, individualization, and full participation. Such accommodations must meet the test of “undue hardship” as set out within the Policy and Guidelines on Disability and the Duty to Accommodate (Ontario Human Rights Commission, 2000) whereby,

The duty to accommodate persons with disabilities means accommodations must be provided in a manner that most respects the dignity of the person, if it does not create undue hardship. (pp. 12–13)

The duty to accommodate, however, is feasible up until the point of undue hardship which means that accommodations must be made unless “cost,” “outside services of funding if any,” or “health and safety requirements” make the accommodations unduly harsh (Ontario Human Rights Commission, 2002a, p. 13).

This process reflects the right to access of services outlined by the Human Rights Code (R.S.O., 1990) in Ontario that is applicable to educational institutions. The policies of this initial element of the special education framework in Ontario mirror the rights of students to accommodations of their individual needs as a duty established by the Human Rights Code (R.S.O., 1990).

Process for Identification and Placement

The framework establishes a process to identify and place these students (see Table 3).
Table 3  
*Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 3: Process for Identification and Placement*

<table>
<thead>
<tr>
<th>Area of consideration</th>
<th>Applicable policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Requirement of schools to establish an Identification, Placement and Review Committee</td>
<td>Ontario Regulation 181/98 s.10(2)</td>
</tr>
<tr>
<td>2. Presumption in favour of integration as a placement of first choice</td>
<td>Ontario Regulation 181/98 s.17(1)</td>
</tr>
</tbody>
</table>

This process is referred to as the Identification, Placement and Review Committee (IPRC) process. While the *Education Act* (R.S.O., 1990) provides the groundwork for identification of these pupils and the programs and services that they require, Ontario Regulation 181/98 defines the process through which identification of exceptionality and placement of students occurs. It requires schools to establish IPRCs for the purpose of identifying students as exceptional and identifying their most appropriate placements. This requirement is noted in s.10 of the Regulation,

> Each board shall, in accordance with Section 11, establish one or more committees for the identification and placement of exceptional pupils, determine the jurisdiction of each committee and establish the manner of selecting the chair of the committee. (Education Act, R.S.O., 1990)

The mandate of the IPRC is to determine whether students are exceptional and further to allocate each student within a category of exceptionality. Based on the categorical definitions, the committee will then decide upon the placement that will best meet the student’s needs. These categories are outlined within the Ministry of Education’s publication *Special Education: A*
Guide for Educators (Ministry of Education, 2001) to include “behaviour, communication, intellectual, physical and multiple” and 13 subcategories, which boards are required to use in reporting numbers for funding purposes to the MOE. The category of “communication” comprises autism, deaf and hard of hearing, language impairment, speech impairment, and learning disability (Ministry of Education, 2001). The category “intellectual” includes giftedness, mild intellectual disability, and developmental disability, while the category of physical includes physical disability, and blind and low vision. Of particular concern to the present study is the categorical definitions pertaining to mild intellectual disability and developmental disability in that developmental disability was the categorical definition that boards attempted to apply to the students who were the subjects of this study to be reported here. The label of developmental disability is defined as,

A severe learning disorder characterized by:
(a) an inability to profit from a special education program for students with mild intellectual disabilities because of slow intellectual development;
(b) an inability to profit from a special education program that is designed for slow intellectual development;
(c) a limited potential for academic learning, independent social adjustment, and economic self-support. (Ministry of Education, 2001, p. A 20)

This definition, however, is mutually dependent upon the categorical definition of mild intellectual disability that is encompassed within the categorical definition of developmental disability outlined. “Mild Intellectual Disability” is characterized by the following definition, as,

A learning disorder characterized by:
(a) an inability to profit educationally within a regular class with the aid of considerable curriculum modification and supportive service;
(b) an inability to profit educationally within a regular class because of slow intellectual development;
(c) a potential for academic learning, independent social adjustment, and

The IPRC has the onus to oversee two mandates as prescribed by Ontario Regulation 181/98. Firstly this committee has a duty to categorically define students under its identification mandate. Secondly, incumbent upon the committee is the mandate of placement.

Ontario Regulation 181/98, however, places an onus on the members of the IPRC to consider integration into a regular classroom setting as a placement of first consideration as outlined in s.17(1) which states,

When making a placement decision on a referral under section 14, the committee shall, before considering the option of placement in a special education class, consider whether placement in a regular class, with appropriate special education services,

(a) would meet the pupil’s needs; and

(b) is consistent with parental preference. (Education Act, R.S.O., 1990)

This presumption in favour of integration as a placement of first consideration is of particular relevance to the present study, given that all respondents were seeking integrated placement for their children. Such placement of students with disabilities into regular classroom settings is defined as inclusion or, “the movement to educate all students, regardless of disabilities, in the regular (general) education classroom” (Jordan & Stanovich, 2004, p. 169).

Right of Parents to Appeal

The framework incorporates an appeal process in which parents whose children are identified as exceptional by an IPRC have the right to appeal the identification and placement decisions concerning their child, made by the committee (see Table 4).
Table 4  
*Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category #4: Parental Right to Appeal Identification and Placement Decisions*

<table>
<thead>
<tr>
<th>Area of consideration</th>
<th>Applicable policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Appeal rights to IPRC decisions and request to reconvene the IPRC to discuss the initial decision regarding identification and/or placement</td>
<td>Ontario Regulation 181/98 s.19(1)</td>
</tr>
<tr>
<td>2. Time period provided to file a notice of appeal</td>
<td>Ontario Regulation 181/98 s.26(3)</td>
</tr>
<tr>
<td>3. Board authority to implement a change of placement when there is parental consent or time to appeal has expired</td>
<td>Ontario Regulation 181/98 s.25(1)</td>
</tr>
<tr>
<td>4. Parental right to seek an appeal with the Special Education Appeal Board</td>
<td>Ontario Regulation 181/98 s.26(3)</td>
</tr>
<tr>
<td>5. Time period provided for the school board to consider the Special Education Appeal Board recommendations.</td>
<td>Ontario Regulation 181/98 s.30(1)</td>
</tr>
<tr>
<td>6. Section indicating that the board is not required to implement the Special Education Appeal Board recommendations</td>
<td>Ontario Regulation 181/98 s.29(2)</td>
</tr>
<tr>
<td>7. Parental right to appeal the Special Education Appeal Board decision to the Special Education Tribunal (SET)</td>
<td>Ontario Regulation 181/98 s.57(3)</td>
</tr>
</tbody>
</table>
Ontario Regulation 181/98 sets out the steps for appeal for parents who are not in agreement with the decisions regarding placement and identification made by the IPRC. The initial appeal process is outlined in s.19 of the Regulation, where,

(1) A parent who receives a statement of decision under Section 18 may, by written notice delivered to the person specified in Subsection (2) within 15 days of receipt of the statement of decision, request a meeting with the committee. (Education Act, R.S.O., 1990)

Within this process, a board has the authority to change placement to the placement identified in the IPRC's decision, in the following circumstances:

25(1) A board shall implement a change in placement as a result of a decision made by a committee under this Part when one of the following two events occurs:
1. A parent of the pupil consents in writing to the placement
2. The time period provided in Subsection 26(3) for filing notice of appeal from the decision expires without a notice of appeal being filed. (Education Act, R.S.O., 1990)

However, should the parents remain dissatisfied with the outcome of the recalling of the committee, parents are then permitted to seek a hearing under the Special Education Appeal Board, where: “26(3) A parent of a pupil may, by filing a notice of appeal, in accordance with Subsection (2) or (3), require a hearing by a special education appeal board” (Education Act, R.S.O., 1990).

As a result of The Special Education Appeal Board decision, the school board is subject to the following process:

(30)(1) Within 30 days of receiving the special education appeal board’s written statement, the board shall consider the special education appeal board’s recommendations, shall decide what action to take with respect to the pupil and shall give notice in writing of the decision to each of the persons described in subsection 29(1). (Education Act, R.S.O., 1990)
In addition to the aforementioned subsection, it is indicated that, “(2) In deciding what action to take with respect to a pupil, the board is not limited to the action that the special education appeal board recommended or could have recommended” (Education Act, R.S.O., 1990).

Should parents still be in disagreement with the opinion of The Special Education Appeal decision, the final stage of appeal is The Special Education Tribunal as set out under Section 57(3), whereby,

Where a parent or guardian of a pupil has exhausted all rights of appeal under the regulations in respect of the identification or placement of the pupil as an exceptional pupil and is dissatisfied with the decision in respect of the identification or placement, the parent may appeal to a Special Education Tribunal for a hearing in respect of the identification or placement. (Ministry of Education, 2001, p. D 37)

Policy clearly defines an appeal process for parents who are not in agreement with identification and placement decisions about their child that have been made by the IPRC. While the dual mandate of the committee is decisions concerning identification and placement, there is also an appeal mechanism to challenge both identification and placement. There is no mechanism however to appeal services within the framework.

Disclosure

Ontario Regulation 181/98 further provides a mechanism for the provision of disclosure to parents about the special education process with the intention of informing them of roles, responsibilities and rights (see Table 5).
### Table 5

**Legislative Framework Governing the Provision of Special Education in the Province of Ontario: Category # 5: Disclosure**

<table>
<thead>
<tr>
<th>Area of consideration</th>
<th>Applicable policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Requirement for the board to prepare a parent guide to inform parents and pupils about the special education process</td>
<td>Ontario Regulation 181/98 s.13(1)</td>
</tr>
<tr>
<td>2. Requirement for the board to have copies of the parent guide available at each local school under the board’s jurisdiction</td>
<td>Ontario Regulation 181/98 s.13(2)</td>
</tr>
</tbody>
</table>

Subsection 13(1) outlines the contents of the guide:

13(1) Each board shall prepare a guide for the use and information of parents and pupils that,

(a) explains the function of a committee on a referral under Part IV and on a review under Part V;

(b) outlines the procedures set out in this Regulation or established under Section 12, that a committee must follow in identifying a pupil as exceptional and in deciding the pupil’s placement; explains the committee’s duty to describe the pupil’s strengths and needs and to include, in its statement of decision, the categories and definitions of any exceptionalities it identifies;

(c) explains the function of a special education appeal board under Part VI and the right of parents to appeal committee decisions to it;

(d) lists the parents’ organizations that are, to the best of the board’s knowledge, local associations of the board, within the meaning of Ontario Regulation 464/97;

(e) includes the names, addresses and telephone numbers of the provincial and demonstration schools in Ontario;

(f) indicates the extent to which the board provides special education programs and special education services and the extent to which it purchases those programs and services from another board;
(g) explains the committee placement decision can be implemented unless,
(h) a parent has consented to the decision, or
(i) the time limit for filing a notice of appeal in respect of the decision has expired and no such notice has been filed.

5. (2) The board shall ensure that copies of the guide are available at each school in the board’s jurisdiction and at the board’s head office and shall provide a copy to the appropriate district office of the Ministry. (Education Act, R.S.O., 1990)

In addition, Ontario Regulation 181/98, outlines the rules under which assessment can be obtained:

15 (1) A committee that has received a referral under section 14 shall obtain and consider an educational assessment of the pupil.

(2) Subject to the Health Care Consent Act, 1996, the committee shall also obtain and consider a health assessment of the pupil by a qualified medical practitioner if the committee determines that the assessment is required to enable it to make a correct identification or placement decision.

(3) Subject to the Health Care Consent Act, 1996, the committee shall also obtain and consider a psychological assessment of the pupil if the committee determines that the assessment is required to enable it to make a correct identification or placement decision.

The Health Care Consent Act (1996) firstly establishes the right of individuals to informed consent. Under s.11(2)(a) informed consent to treatment is defined where, “The person received the information about the matters set out in subsection (3) that a reasonable person in the same circumstances would require in order to make a decision about the treatment.” The individual who is consenting further has the right as set out in s.11(2)(b) to receive additional information prior to consenting to a procedure. Under s.3(1) the client is entitled to be informed about “the nature of treatment.” Under s.3(2) the client is entitled to knowledge about, “the expected benefits of the treatment” as well as “the material risks of the treatment under s.3(3) and “the material side effects of the treatment” under s.3(4). The client also has a right to be informed as
to “alternative courses of action” under s.3(5) and the “likely consequences of not having

treatment under s.3(6). The requisite conditions of informed consent under the Health Care

Consent Act (1996) provide further safeguards for families with respect to consent to

psychological assessment.

Under the framework, it appears that the parent guide is also a means to ensure that

parents are informed as to process within special education in Ontario and that they are also
cognizant of their rights to appeal both identification and placement for their children. This guide
may be viewed as a safety mechanism with which parents can inform themselves about the
processes involved in the special education process. Within the Special Education Framework
for provision of services to support students with disabilities in the province of Ontario, parents
become part of the decision making process for their children. The framework sets out
mechanisms for the protection of student rights to inclusion but further the protection of parental
rights to secure inclusion for their children. One might question how this apparent rights based
apparatus can function within the context of a system that continues to utilize a labeling process,
given that such labels have been historically implemented for the purpose of segregation. This
apparent contradiction in terms has been articulated by Ballard (1995) who indicates critiques the
notion of special education and reference to “special needs”, noting, “the culture of separate
special education will continue for as long as the term “special” is part of the vocabulary of
education” (p. 3). This commentary provides readers with an understanding of the apparent
contradiction, given that the Education Act (R.S.O., 1990) uses the words “exceptional pupil”
that is equated with the notion of “special” in Ballard’s reference. With this context of apparent
rights protection mechanisms in mind, the present study is set out to examine parental
experiences within this context.
Chapter Three
Method

The research project was conducted as a series of case studies that utilized a “purposeful “sample of respondents, a term used by Patton to describe “critical cases” that “yield the most information and have the greatest impact in the development of knowledge” (Patton, 1987, p. 55). This methodology was ideal as a means to record parent respondents describing their unique and first person emergent experiences and perspectives as they tried to integrate their children. This sampling provided realistic perspectives about the everyday functioning of the five part special educational framework set out in this study. As readers will recall, this includes: defining exceptional pupils, programs and services, and ministerial onus to provide such service, program and service provisions, identification and placement of exceptional students, appeal rights and disclosure.

Readers will recall that this framework is the educational context for the delivery of special education to students with disabilities in the province of Ontario. As such, all students with disabilities are said to have rights to access placement, programs and services through this process. The case specific sampling was determined to be “useful where one needs to understand some particular problem or situation in great depth” (Patton, 1987, p. 19). The experiences of this unique stakeholder group were chosen in relation to what Patton terms an opportunistic sample (Patton, 1987). The choice of a parental group uniquely seeking integrated placement provides a sample with insight into the particular specialized area as opposed to choosing a sample group that lacked such insight. Patton has referred to this selection of candidates as the opportunistic sample (Patton, 1987).
Each respondent provided biographical details about their children and their experiences, responding to a series of structured and semi-structured questions that I designed to elicit a chronological account of their experiences. Parents provided a retrospective reconstruction of events through their narratives that encapsulated their experiences in relation to teachers, principals, school boards, and teaching assistants who emerged as “professionals with whom they must [had to] continuously interact” (Engels, 1993, p. 790). In addition, the respondent parents were able to provide information based upon their own “experiences, opinions, feelings and knowledge” (Patton, 1987, p. 7). This qualitative method was considered to be more revealing in contrast to a qualitative approach where, as Patton (1987) continues, “predetermined standardized categories such as the response choices that constitute typical questionnaires or tests” (p. 9) would be the methodological framework. In contrast, the qualitative approach was chosen as a means to elicit “holistic understanding” from the personal responses of all of the participants (Patton, 1987, p. 17). Participant responses would reflect “the materials of human experience,” and these commentaries could then “transform[s] their particularities into narratives that speak more broadly about the essential nature of self” (Engels, 1993, p. 791). The self in this context would be the nature of each case emerging from the parental narrative.

This process permitted each respondent to express himself or herself, “making their ideas and opinions stated in their own terms” (Engels, 1993, p. 34). This rationale situated the narrative as a method by which parents could describe the attributes of the educational environment, personnel, and parental interaction within the process of relating the reality of everyday experiences as they unfolded. Through this narrative format, parents were able to reveal the underlying themes about experiences of parental and administrative collaboration.
during special education decision making and implementation. The case analysis that resulted from this method reflects experiences of each participant under the framework established by the Ministry of Education in the Province of Ontario detailed in the previous chapter.

**Participants**

The 9 subjects of the study were parents of exceptional pupils as defined by the *Education Act* (R.S.O., 1990), all of whom related their personal experiences about integrating their sons and daughters into regular classroom placements. The 9 respondents reported on the experiences of 8 children. In seven out of eight interviews, 1 parent responded; however in one case, both parents chose to respond jointly. Eight of the respondents were female, however the singular male respondent answered in conjunction with his wife as a respondent couple.

The respondents were recruited from a parental advocacy group whose primary focus was the integration of students with disabilities into regular classrooms. While 3 participants were part of the advocacy group in the early years of my son’s life, I had no understanding of the particular details of their experiences and only knew that they shared the vision of integration. None of the other respondents were known to me prior to this study. All participants were supportive of integration for all pupils regardless of the nature of disability. They were also all opposed to segregated placements for students with disabilities. All participants shared the view that integration was the cornerstone of belonging to and participation in the community at large. The respondents represent a unique group since their perspectives emanate from their collective concerns over the rights of students to access inclusive education, as represented by the advocacy group to which they belonged. This group is a powerful advocacy force in the province, publishing position papers, seeking and using legal representation in court cases, and lobbying government for legislative and policy reforms. The participants however, entered into advocacy
with a diversity of initial understandings about the implications of integration and its many manifestations in the school system.

While all respondents described their experiences from registration through elementary and secondary schooling for their children, they also described problems that were currently begin faced by other families in their advocacy group as well as expressing their individual concerns over special education and the legislative framework and its impact on children and their families. Six out of the 8 students were categorized with a developmental disability, with a diagnosis or label of Down Syndrome. The other 2 students were categorized with developmental disabilities with a diagnosis or label of Cerebral Palsy and Spina Bifida. At the time of the interview all participants had children in school by the time Marion Boyd’s “integration as the norm” standard was in place to guide integration practice in Ontario. The Ontario Human Rights Code (R.S.O., 1990) was also in effect during the entire period of the parental narratives recorded. All participants were also reporting on periods that included the Individual Education Program as well as Ontario Regulation 181/98.

The Interview

The interview was based on a series of open-ended questions that formed an interview guide. This guide was based upon respondent experiences in each of the five legislative areas representing various stages in the special education delivery process. Each stage is readily identifiable as a procedural step in meeting the needs of students with disabilities in Ontario and ensuring parental participation at each level. These areas included:

1. the procedure for registering students,
2. assessment procedures, in which information about the student’s learning characteristics, strengths, and needs is accumulated and documented,
3. identification and the IPRC – the proceedings that took place in order to arrive at an initial identification of the student as exceptional, and at subsequent mandatory annual reviews

4. placement and the IPRC: what was decided as a placement for the student and how the placement decision came to be made within the IPRC process.

5. how and by whom the IEP was developed and implemented.

Under each section, the interview questions were designed to initiate parental description about their experiences in relation to each category. In section 1, parents were asked to describe the registration process, using the following questions to initiate their responses:

1. How did your son/daughter enter into school?
2. Who did you talk to at the school?
3. What were you told?
4. Were you provided with any written information?
5. How did you feel? Why?

In addition to these questions, occasional prompts were made by the interviewer during the respondent narratives to provide clarification of the interviewer’s understanding or to encourage elaboration over information that was related by the respondent. This included prompts such as: Can you describe that? How do you know that? The parents were also asked to comment on the roles and actions of school personnel who conversed with the parents at this stage of the process.
In section 2, the assessment section, parents were asked the following questions in relation to their experiences with assessment purpose, type or consideration of alternative assessment measures to those proposed, as follows:

1. Were you asked to have your son/daughter assessed?
2. Were you told the purpose of the assessment?
3. Was an explanation given about the assessment?
4. Was there a request for a psychological assessment?
5. Were you given any other options for assessment procedures?

The third section was an examination of the IPRC process. Parents were asked the following questions about this process and their experiences:

1. Have you ever taken part in an IPRC?
2. Were you given written notice?
3. If so, how many days prior to the IPRC were you given notice?
4. Did anyone come to the IPRC meeting with you?
5. Who attended?
6. What was the set-up of the meeting?

In addition to these questions, interviewer interjections were made to ensure clarity of understanding as well as to seek elaboration. These included: (a) Can you explain that? (b) Who told you?, (c) How did you feel about that?, and (d) Can you tell me why you felt that way?

In the fourth section on placement, parents were requested to relate their experiences in relation to placement. They were asked the following questions:
1. What was the placement?
2. Who made the placement decision?
3. What were their comments?
4. What were your thoughts?

In the fifth section, dealing with the IEP, parents were asked the following questions:

1. Did you meet about your child’s Individual Education Plan?
2. Did you consult on this plan?
3. Did the Individual Education Plan change from year to year?
4. How is your child evaluated on the Individual Education Plan?
5. When did you get the Individual Education Plan?

In addition, following the questions about the IEP, parents were asked to discuss programming. Probes included the following questions:

1. Is there Reading, Math and other academic content within your child’s program?
2. Describe your child’s program.
3. Is your child’s assessment continuous and ongoing?

The interview was taped on a tape recorder and subsequently transcribed to facilitate thematic analysis. After the transcription of the tapes, the transcripts were reviewed using the constant comparison method (Glaser & Strauss, 1967) to determine unique and common themes for all of the participants.

The first respondent’s commentary (hereafter respondent #1) was reviewed to isolate relevant themes. Such relevance was determined in a process that Glaser and Strauss (1967)
describe as finding “categories” that are “discovered by examination of the data” (p. 3). As categories became evident they were chosen because they were “readily (not forcibly) applicable to and indicated by the data under study” (Glaser & Strauss, 1967, p. 3), most specifically with the present study, the experiences relating to the five part legislative framework and parental participation and experiences. With the emergent categories, quotes were examined in a process where, according to Glaser and Strauss (1967), “comparing where the facts are similar or different, we can generate properties of categories that increase the categories generality and explanatory power” (p. 24). After respondent #1’s data was reviewed in this manner, notes were made to record emergent themes.

Subsequently, respondent #2’s transcripts were reviewed for the purpose of isolating relevant themes to the study under question. Once these themes were located, they were compared and contrasted to the notes that were made on the emergent themes from respondent #1’s narrative. This respondent to respondent comparison process was undertaken to “lead to major uniformities and universals, to strategic variations of theory under different conditions” (Glaser & Strauss, 1967, p. 267). This process led to the verification of emergent categories, as “A single case can indicate a general conceptual category or property: a few more cases can confirm the indication” (Glaser & Strauss, 1967, p. 30). This rationale was followed for respondent #3’s narrative. Emerging themes were compared to themes from respondent #1 and respondent #2’s data. Thematic similarities and differences were recorded between all 3 respondents. The same procedure was used to successively to record, compare, and contrast themes across all remaining respondents.

The result was a set of annotations that described to the “fullest possible diversity of categories and properties” (Glaser & Strauss, 1967, p. 42). The themes were reviewed multiple
times to determine similarity of themes across all respondents as well as differences among all respondents. The revision of apparently similar themes revealed that while a particular theme extended to specific respondents, that there was a variance of expression of the theme. These variant expressions became subcategories within the themes. This permitted full expression of the themes and their variations occurring across all respondents. At the same time, there were themes that were unique to specific respondents that remained exclusive to their commentaries.

This process led to modification of the original categories in which, “the theory solidifies, in the sense that major modifications become fewer and fewer” with the ongoing comparison of “the next incidents of a category to its properties” (Glaser & Strauss, 1967, p. 110). This process led to further refinement of categorization and themes, whereby, “non-relevant properties integrate details of properties into interrelated categories through the process of reduction” (Glaser & Strauss, 1967, p. 110). The result was a framework based on themes that were further broken down into subsections that became specific segments of the major themes that were produced. In this way, the alterations in commentaries from one person to another and the individual observations that were made within the broader thematic categories could be recorded. There was a continual need to further reallocate information to the best-suited category to avoid repetition of observations over several categories. This process of reflection served to eliminate duplication of data throughout diverse sections pertaining to similar matters.

Upon the conclusion of the method and data recording, the narrative study produced results “with both a sufficient number of general concepts relevant to most situations and plausible relations among these categories to account for much every day behaviour in these situations” (Glaser & Strauss, 1967, p. 243). The methodology and data recording, verification, constant comparison, and modification process led to conclusions that reflected parental
experience. The respondents’ narratives encapsulated themes that reflect the state of affairs for parents who are advocates, trying to integrate their children with exceptional needs into regular classroom placements within the framework set out by the Ministry of Education in the Province of Ontario.
Chapter Four

Results

Each of the respondents' narratives is contained within Chapter Four, commencing with an overview of each respondent's experiences, a narrative portion followed by a summary of the emergent findings. As the reader proceeds through each section, similarities within respondent profiles will be noted.

Respondent #1’s Profile

Respondent #1, a social worker, is the mother of two children; a son, and a daughter who has Down Syndrome. She actively sought academic settings that supported integration of “exceptional pupils” and, given her advocacy background, was aware from the beginning that the public school system supported segregated class placement for students with disabilities. Respondent #1 was able to integrate her daughter in a preschool program till the age of four. At that time, the respondent began her own school to ensure that her daughter was integrated. Four years later, with the closure of her school, respondent #1 attempted to enroll her daughter in the local school but was told by the principal that integration was not an assured option. While respondent #1 was considering placement of her son at an alternative school in the same school board, she was encouraged to enroll her daughter as well. Her daughter was integrated into a regular class at this location. Respondent #1’s daughter remained in this school, integrated alongside her peers, until her graduation from high school. Throughout respondent #1’s narrative, she referred to the legislative framework for special education provision, both in relation to her daughter and to those families for whom she had advocated for integration. Respondent #1 has been politically active and has advocated for the integration of students with
exceptional needs for many years. She continues to be an active advocate in this area, having ongoing contact with families seeking integration for their children.

**Respondent #1’s Narrative**

Respondent #1 held the belief that integration was integral to a quality of life for students with exceptional needs. She indicated that integration was required for her daughter to develop to the best of her ability,

“...To me, integration is a life and death issue. All right, I think that living in a segregated setting is a living death. I think that, people will sometimes comment to me that, ‘Oh, [name of student] is so smart, therefore, that’s why she could be integrated.’ I think it’s the reverse. I think [name of student] is smart because she was integrated, and I’ll fight to the death to defend that position. So, to me, it’s like somebody is a diabetic. Do you give them insulin or not? Well, there’s not much choice. I think integration is the insulin to a diabetic, but I don’t mean to imply that this is the medical model. I think she’s a human being. She’s here. She’s entitled to everything and one of the things I say to her every day, ‘You want something. It’s your right. You go and get it. You can go any place that you want to be, you know.’ And know that’s her right. This is her world as much as anyone else’s and it belongs to her.

She indicated that integration was not limited to education, but it held wider implications for life in the community. Respondent #1 encouraged her daughter to pursue her goals as other individuals did, on an egalitarian basis. She saw no distinction between her daughter’s rights to education and that of all other students. Respondent #1 also had a clear understanding of how discriminatory perceptions about student ability gives rise to disadvantages or exclusion of people with physical attributes of Down Syndrome. She stressed the need for students with Down Syndrome to be seen as students first, rather than as pupils with Down Syndrome,
Very often, when people, yes, who integrate, but they still see you through your lens of, ‘Gee you’re a person who is friendly and loves to do art and da, da, da’, but they see you as this person with Down Syndrome that we’re integrating. If you see the person as a person first, you model that for all the rest of the students, right?

The respondent recognized that features of Down Syndrome played a role in stereotypical assumptions about these students.

With the experiences and understanding gained throughout her advocacy affiliations, respondent #1 actively sought integration for her daughter in preschool as well as in elementary and secondary schools. She actively sought placements that were positive towards integration while avoiding environments that did not support such placement. Commencing with preschool placement, she indicated that, “I didn’t want to send her to any segregated preschool. I wanted her to go where the rest of the kids went.” As respondent #1 anticipated entry into preschool for her daughter, she explained how she encountered school leadership that was encouraging and accommodating,

I found the [name of school] so I phoned them up and I said, “I’ve got a 2 year old daughter. She’s short and she doesn’t talk that well, and I’d like her to come to your school 3 days a week and they said to me, ‘Okay, don’t worry, she’ll be talking like a house on fire in no time at all. Bring her around.’ And I went there, and I enrolled her and she had a great year. The words Down Syndrome were never mentioned the entire year, okay. She was integrated with no problem.

Respondent #1’s commentary revealed that positive principal attitude was key in the successful registration of her daughter. The principal accepted her daughter as a pupil, not as a
person with Down Syndrome. The principal came to speak to the respondent about her daughter’s continuation at the school,

I’m so glad you’ve come. I was afraid you wouldn’t ask us to take in [name of student]’. And, she was there for 3-year-old and 4-year-old nursery just sort of pre-kindergarten and just had 2 fabulous years.

In addition to positive principal attitude, Respondent # 1 also outlined the role of positive attitudes from school personnel to create positive integration experiences. She commenced her description with her daughter’s early preschool setting,

When I went in I said, ‘Well, whatever class you put her in, with the people who have less of a reaction. Like, I just don’t want to make a hassle out of this.’ And, she [the principal] said, ‘I spoke to all the teachers and nobody had any reaction.’ And so, it was wonderful.

She described how her daughter was enrolled like the rest of the students. Teacher and principal attitudes in unison led to positive integration. Within this setting, she indicated a personal understanding of what good integration looked like,

They would do sometimes at [name of school], it was just standard, that even though everyone was in their own classroom, groups of kids would go out for art, groups of kids would go out, you know, to play in the backyard. They’d go out for cooking, all this kind of thing, so, okay, the system worked, really well, because, what they did at that point, [name of student] was kind of not too interested in talking. She was kind of refusing to talk and they would… the teachers would plan activities around helping her, encouraging her to talk. And, they would do a cooking class and a whole bunch of kids would go but nobody would have any idea that it was really about her because everybody would learn something. But, that was how they did it and it was a great experience.
The respondent described a classroom where all children were encouraged to learn, and where the accommodations provided to her daughter were part of general teaching so that no attention was brought to her daughter’s particular needs. At the end of the nursery school program, respondent #1 was looking for an elementary school for her daughter, but understood that the system of public education that guided policy and practice at her daughter’s local school was operating on a segregated model,

My understanding was that if I had approached my local school, where my son went, that I would have been told by the principal, presumably, that she would not be welcomed in that school, that she would have been bussed out of her neighbourhood to whatever segregated class was available for people who shared a similar label.

She understood that students with disabilities were bussed out of their neighbourhoods on the basis of disability labels and knew that there was no possibility for her daughter to be integrated. Respondent #1 recalled what the local school principal said that led her to this conclusion,

You can register here. I can’t guarantee that I can keep her in a regular classroom. She would stay in the middle school, Grade 8. I can’t guarantee that I can keep her in a regular classroom.

Respondent #1 also recalled that the local school was only experimenting with integration,

At that point, what they were experimenting with was having a sort of these… a class within a class thing, a few kids with labels with the same regular class and doing team teaching.
Respondent #1 decided to look for another school placement, since she readily recognized that the local school would not guarantee an integrated placement. Respondent #1 knew that if she was to try and register her daughter in the local school, an IPRC meeting would be convened. Respondent #1 was fully aware of the risks of the IPRC process. She outlined her position,

They might pressure me – us – into having psychological testing or IQ testing that I don’t believe in, and that she would be permanently excluded from going to school with typical kids her age, and basically become a stranger in her own neighbourhood.

Respondent #1 was familiar with the process, given her ongoing advocacy work with families seeking integration who had been faced with the IPRC process. Respondent #1 described how the schools would deal with families seeking integration,

So first they would put you, if you managed to get your kid in a regular classroom, with the teacher who wanted you least, then they would fail to provide any support. Then, they would continue to start to harass the parents. Then, they would call IPRCs.

She also suggested that the IPRC considered segregation as the only viable placement, “The vast majority was that students were forced into segregated classes or segregated school usually out of their neighbourhoods, usually bussed.” She anticipated that the school board would attempt to employ pressure for psychological testing, as it had with other families she knew, if she consented to an IPRC.

Respondent #1 indicated that attitudinal barriers were in place systemically that sought to contain parents who wanted to integrate their children. These barriers were used to dissuade parents from pursuing their integration efforts, and were sometimes manipulative,
Certainly, people that I knew at that time, who had their kids in regular classrooms were fighting a daily battle, almost like hand-to-hand combat. I had a friend who had her kid in Grade 1, and the teacher, prompted by the parent of a child with a physical disability, organized all the parents in the classroom to have a meeting behind this other parent’s back to lobby the school to throw this child with Down Syndrome [respondent pauses] thrown out. And, it was at that point my friend was the president of the PTA. So that was the kind of thing that was happening. I knew families who were asked to go and have psychiatric consultation because they had asked to have their child integrated.

Respondent # 1 clarified this point,

There was one family I presented in a brief to the legislature. This family was asked to go and meet with a psychiatrist because they were asking to have their child integrated, and when they went to meet with the psychiatrist, the psychiatrist was dumbfounded. He said to them, “I don’t know really why you’re here. I mean in terms of what I am here as a psychiatrist to do, the reason that you’re here makes no sense.” But, it was the school’s request. This was part of the process they were trying to make them go through because…they would try to create hurdles, a series of hurdles, so first they would put you, if you managed to get your kid in a regular classroom with the teacher who wanted you least. Then they would fail to provide any support. Then they would continue to start to harass the parents. Then they would call IPRCs. Sometimes they would call IPRCs without notice. Sometimes, they would have IPRCs without the child being there. They would make requests that they would never make of parents with a typical kid. Go and get a psychiatric consult because of this. If a parent was willing to jump through one hoop, they might jump through another.

Prior to the calling of the IPRC, students would be integrated into the Regular classroom; however, there would be no supports. She noted that students would be placed with teachers who
wanted their children the least and then she continued to describe the process of harassment towards the parents,

The purpose was to create a hurdle, okay that would be insurmountable. To create another hurdle to discourage parents about coming back to the school to say, we want our child in the regular classroom.

She also suggested that the same trend continues to this day, “There are boards that continue to play all kinds of games. There are schools that play all kinds of games.” Respondent #1 provided a comparison between the situations of families that she assisted in relation to the present day and concluded that the same treatment continues to be part of the present day scenario for parents seeking integration for their children.

Since the only viable placement within the local school setting was a segregated environment after the nursery school and preschool levels, Respondent #1 opened her own private school to accommodate her daughter’s situation, explaining,

She left there at the end of a 4-year-old nursery, when she was about to go into kindergarten. At that point in time, I lived in [name of area] and I really wasn’t interested in having the discussion with the [name of school board] about whether or not she was a piece of garbage, so I started my own integrated school.

Respondent #1 also displayed an understanding of positive integration in her descriptions of her integrated school,

In the morning, all of the students came in and started their day, being able to choose from a whole roster of activities and they planned part of their day the way the curriculum was set up. You know, we tried to stream certain themes and concepts, throughout learning processes. Everybody got individual attention and
the kids were doing research at very early years. We had classical music playing all the time.

Respondent # 1’s daughter continued in this placement until the school’s closure. Ultimately, she noted that, “I closed my school, because I had been working full-time, doing fundraising, you know, I had horrendous responsibility.”

Respondent #1 continued to explore other options for her daughter. She indicated that while she was investigating an alternative school for her son, the principal of this alternative school found out about her daughter’s disability and invited respondent #1 to enroll her,

This was an alternative school of the [name of board] located in the [name of board area] and I phoned her up [the principal] and I was talking about my son and what I was looking for. You know, sounded really great, and she was telling me about the school. And, I also happened to be saying to her, because at that point I was considering moving into [name of region] because at that point in time, if you were [name of religion] in the [name of board] and [name of boards] were integrating, at a certain point in time, as your child aged, you could get your kid into a high school in [name of board] and be integrated, right, so I was telling her a little bit about this and was trying to make some longer term decisions. I was… and if we got into [name of region], the kids wouldn’t be able to go to this program. And, I told her about [name of daughter] and she said, ‘cause she wanted to take [name of student]'s brother, right off the bat, ‘Oh, we’d love to have her in our school. Why don’t you send, you bring both of them?’

Respondent # 1 described an accepting attitude at the alternative school by personnel who had an understanding of integration,

They organized themselves in the primary levels in kindergarten, Grades 1, 2 and 3 and then, there were Grades 4, 5 and 6 that were together and then 6, 7 and 8. Okay, so there were multi-groupings. A lot of focus on art and drama. So, there
were kids always going out to Stratford and they were going all over the place to plays and stuff like that. And, they used to do a lot of drama in the classroom. You called your teacher by first name. You could challenge your teachers. A lot of group learning. The kids could form the way things went. There were very few extracurricular activities but the kids danced to their own drums.

Respondent #1 referred to creative learning groups in addition to group learning where all students moved at their own pace as features of a positive integrated educational environment. Respondent #1 detailed collaborative efforts between herself, the teachers, and the school,

Ah, I think the school had a little bit of vision, okay, because they actually invited her in, ah, I think because I worked with them as a partner. I think because they knew that I was immovable...because from time to time, there would be the odd teacher who would be, a teacher who kind of be a little, ah, ah be a little vibrating.

She explained, in reference to her daughter, that the local school board had no idea about her integration, “The board had no idea. She was never IPRC’d, she was never labeled in any way.” Respondent #1’s daughter was able to remain outside the school board’s special education process that labelled and segregated students. However, in an alternative school in the same board, lack of an IPRC and labelling permitted her to remain exceptional, integrated, and removed from the risk of segregation. The only way that her daughter was able to be integrated was because of secrecy in addition to innovative and positive attitudes by staff. Respondent #1 indicated that, “[Name of student] was there from Grade 4 to Grade 12, and I describe that as being on the Underground Railroad of regular classroom placement.”

While her daughter was at the alternative school, however, respondent #1 made one final attempt for regular placement for her daughter. Respondent #1 detailed the events of a site visit to the possible school where she was considering sending her daughter. Despite what seemed an
accepting environment and despite what the staff was told about her daughter, respondent #1 drew inferences about negative staff attitude when they questioned whether her daughter could find her own coat,

Everyone was really delightful and when I walked into the school, I saw this plaque that said, ‘We at [name of school] value human life from the something about moment of conception till the moment of natural death,’ which is my own belief, even though I’m not [name of religion]. And, I thought, that includes [name of student]. Okay, you know this feels good, so I was pretty, uh, I liked the little uniforms, they had lots of extracurricular activities, and I thought this would be good. So, I had told, somebody talked to me about the things [name of student] could do and [name of student] could read, and [name of student] could play the violin and [name of student] learned to read Hebrew and all this kind of stuff. So, in talking with the Special Education Consultant, here is a girl who has a lot of accomplishments. You know, a very ambitious girl. So, it was winter, I guess, early winter time or fall. So, it was cold, so we had coats that we had hung up earlier on hooks in this special ed room. So, when we were leaving and she said, we were going out, and she said to [name of student], ‘Do you know where your coat is?’ and [name of student] of course knew where her coat was. And immediately, I knew that this was not the place.

Respondent #1 described the progress that her daughter had made in her academic abilities and further indicated that these abilities were noted by those around her, demonstrating a positive environment. Although the respondent had initially positive thoughts about the school, she seemed to equate her daughter being asked if she could find her own coat as a demeaning assumption that she might lack intelligence to do so. In reflecting on that event, she noted that there had been mixed experiences surrounding integration, depending on teacher attitude. She explained, “I think there’s still an awful lot of resistance among educators, a lot of resistance among teachers’ unions.”
While Respondent #1 indicated that integration efforts had mixed outcomes, she also attempted to summarize her view about attributes that were essential to make integration work,

I think the main thing I would say about in terms of school is, I think, schools have to be ambitious for every student, and when I was in school, when I was sort of working with teachers, sort of, you know, around her, I really could say that I valued the ones who were ambitious and who, I think you know, said, ‘Wow, look who’s in my classroom. I wonder how far we’re going to go.’ And, it was interesting how different teachers had different takes of her. Like the Science teacher....There was a year that [name of student] made the roll and one of the teachers came to me, her Science teacher said to me, ‘Well, you know, when I first saw that [name of student] was not doing the exact work as everyone else,’ that’s true. At first, she said ‘When I saw that, I thought to myself, ‘Well this is, isn’t right, that [name of student]’s made the roll .....’No this is right. She’s doing A work. This is right with what she’s doing.’ And, she said, ‘Ya, that’s really true you know.’ So, you’d see that sometimes teachers themselves would be open to some learning, right? In computer [class] her teacher was very clear, she said, ‘[Name of student]’s doing work that’s well past basic Maybe even into advanced.’ And she said, ‘And, I have to tell you,’ she said, ‘that, ah, that you know, it’s hard, hard for [name of student] sometimes to make friends and sort of be socialized in the classroom not because of your daughter’s social skills,’ she said, ‘because of the social skills of the other students in the class.’ So, I mean, I mean, I valued teachers who kind of see her and well, be ambitious, and I think the teachers who were frightened, don’t have the confidence or the teachers who were really resistant….., the teachers who really believes, who is ambitious for her students and is a confident teacher and a good problem solver. They don’t have a problem with integration.

Throughout her description of the attributes of successfully integrated placement, respondent #1 described the need for teachers to be ambitious about their students. She also described self-reflection about teaching practices, teacher confidence and problem solving
abilities as attributes of successful integration practice. Respondent #1 confirmed that through her collaboration with the school and their knowledge of her intentions about integration, that the school became a partner with her in the process.

Respondent #1 explained that when her daughter was integrated, resources were withheld. Although her daughter required a Teaching Assistant, the assistant was put in place by the parent,

Basically there were no supports. I had to pay somebody to go in there and sort of ‘catch as catch can’ and then probably in about 2 years, we found somebody who volunteered to go in there for very little money and you know a few hours a day and give her some extra an support.

Respondent #1 indicates that the affiliation with advocacy groups was paramount to her understanding the law and integration issues in mainstream education, a skill that she used in her ongoing parental intervention for her daughter for the establishment of appropriate accommodations and access to peer curriculum.

Respondent #1 ensured that her daughter had access to the full curriculum of her peers. Appropriate education was provided because no documentation prohibited access to standard curriculum, “In Math, you know that most kids in high school use calculators. I mean, if I had been able to do that, I would have good, really good Math.” Respondent #1 also described her daughter’s Math program, “She was doing Algebra and all this kind of stuff with the calculator. You know, she could do that.”

She also commented on the English curriculum, and explained, “In terms of English, she would do the same as everybody else” and further clarified,
Let’s say they were doing Romeo and Juliet, whatever they were doing, she would do the same as everybody else. But, she might instead of reading the whole play, might read, focus on specific pieces of, in each chapter.

She referred to appropriate modifications by explaining,

To get the gist of it, what she might do, might…, let’s say you had to do a book report. We focused on books that had movies so that we could rent the movie” and also noted that her daughter would, “read pieces of the book, sometimes she read the whole book.

Respondent #1 described the written modifications for her daughter and explained how these modifications were the result of collaboration,

Then, the piece she had to do, the book report would be chunked, so she wouldn’t be expected to do the intricacies, or whatever, but I would work with her, ask her questions and she would talk and I would write down what she said. Poetry, she actually did very well I don’t know why. When she actually had assignments in poetry, it was, bang, bang, bang, bang. Say for example, one time she was put out of the classroom. They were doing To Kill a Mockingbird and the English teacher [name of teacher] said, ‘Okay, you and [name of assistant] go and do something else.’ Well, [name of student] was beside herself and I was beside myself. So, I just called [name of teacher] up and said, ‘This is unacceptable. She is going to do it. I know that book and we’re just going to read the main précis of the book.’ We watched the movie and when she had a test on it, there were 6 questions that were fairly simple and she did very well. In Chemistry and Physics, because she had a very good memory. It was actually me. I myself that’s where the alternative school is kind of---- They would ask me to write the test but she would have to go through memorizing all this chemistry and physics. What are they called?....And she would study them. The tests (were) usually true or false and variations along that and she would do very well and the teacher actually gave her the real test and I think she got 63%. 
Respondent #1 explained how her daughter was able to stay in an integrated classroom with modifications that were the result of parental-school collaboration. In order for her daughter to access curriculum, respondent #1 always had to be informed and advocating on behalf of her daughter. This intervention in conjunction with respondent #1’s ongoing advocacy efforts resulted in her daughter’s integration from preschool through to secondary school and graduation.

In the course of her narrative, respondent #1 commented on the ongoing problem of lack of support services experienced by families seeking inclusion. Within her own experiences with her daughter, respondent #1’s narrative indicates the ongoing conflict between needing support for her daughter in a system that operates on labeling as a context for the approval of such services and her refusal to place her daughter within this system. She also described the problematic effect of the funding process and explained that the funding was based on a problematic allocation model,

Because the funding formula is skewed, so that they want to provide funding financially to students who need enormous amounts of support and more students are being described as needing enormous amounts of support, so the kids who need minimal supports are unable to get it. So in some situations, schools are pressuring parents to re-segregate their kids right? Because, we don’t have an even distribution of the money. So if I need a teacher’s aide to be in the classroom two afternoons a week, but that’s not available to me because we are skewing all the money to kids who supposedly are needing unbelievable mounts of support, then if I need those 2 half days and I can’t cope without them, where do I go, right? I’m falling through the cracks.

Readers should note that at the time, the Ministry of Education had a funding model called the Intensive Support Amounts that was allocated in accordance to the level of a child’s
needs and how much support the student required. Respondent #1 believed that the deficit based-funding model resulted in uneven distribution of resources which in turn reduced the possibilities for integration. Respondent #1 attributed lack of accountability in the funding model as a barrier to integration,

The Ministry itself hasn’t put teeth into this. I think their funding formula has undermined, ah, the way the system is worked. What they tried to do was to be able to figure out how they could give more money for more support to students who needed more support to be in the regular classroom. But, what they did if they had thought about it and if they had paid attention to human nature, they would know that if you say to somebody, “Oh, well, if your kid has two heads, you get $50, but if your kid has six heads you get $40,000.” Well, all of a sudden, all of our kids would have 6 heads, right, so what that means is that everyone, the special education teachers, when they are writing up descriptions of students, to get money for supports, are writing those students up in the most pejorative, is the word that I use, but describing them in terms of being unable to function right, completely, dependant, needing all kinds of resources. So, what happens is you get students who are labelled and labelled and labelled and labelled and labelled, right, in order to get more money. The money doesn’t necessarily, go right to the student. The money goes right into the school.

While identifying the negative outcomes of the funding model, respondent #1 concluded that with the rise in the number of students being labeled to secure funding, ultimately the process did not ensure resource allocation that would support integration initiatives. Respondent #1 was cognizant of the Ministerial position that “integration was the norm” and specifically referred to this position coming into effect under Minister of Education Marion Boyd (and written into O. Reg. 181/98). This statement was in effect, considerably earlier that the
embodiment of Section 17 (1) of Ontario Regulation 181/98. She describes the position of the government in relation to policy and integration,

Very specifically, the policy, under Marion Boyd, who was a Minister of Education, maybe 6 or 7 years ago, when the first NDP Ministry of Education formed a policy, that said, and I don’t know the whole policy statement, that integration is the norm.

Respondent # 1 indicated that even though Ministry policy directs integration to be the first placement of consideration at the IPRC, school boards followed their own guidelines for segregation, resulting in non-uniform access to integrated placement,

You’re having people who are having very bad experiences, and I think there’s a number of things. I think no matter what, if you want your kid to exercise their rights, – and this is a human and civil right, right? – you can’t be, whether you’re a black parent, whether you’re the parent of a gay student, whether you’re the parent of a kid with a label, you can’t afford to be a parent who isn’t involved and strong. That’s just life. So, to pretend a parent in our situation, in my situation, that a parent can just register, you know, over the phone and send Johnny off, no! That’s a typical experience that we can’t replicate.

She attributed this state of affairs to a disconnection between policy and practice that impeded equitable access,

The policies at least in terms of the regulation and the policy statement about integration, if procedures and practices actually followed policies, then, I think they would really have a good situation, but they don’t.

Respondent # 1 referred to a change in accountability measures by the Ministry by describing a shift from surveillance to non-accountability,
There was a time when I needed, for example, to get some things done on behalf of some other students who had labels in the regular classroom, somebody integrated in the regular students’ classroom, and I would call the Ministry on a school that would not let a child in and that Ministry would come down and take some action. They would have people come and meet with the school and intervene, negotiate. (but) the Ministry has gotten out of the enforcement business. All right, so you used to be able to go and call the Ministry on a school. You can’t really do that anymore.

Respondent #1 was able to compare the role of the Ministry in ensuring accountability for schools to integrate in the past, to the present time, when the Ministry has no mechanism in place to ensure accountability,

What we should have by now is..., we should have a system where it is just standard. Everyone in a certain neighbourhood goes to a certain school. And, if you know the teacher looks over and sees who they have and they know that they have to put in a little support here. They may have to change the organization of their classroom, so that they do things in a non-traditional kind of way, but it should be standard practice and it is very mixed.

She concluded, however, that the position of parents requesting integration for their children had ameliorated and confirmed her opinion, “I still believe that if you want it, I mean we have more to stand on. You have a little better chance of getting it than you did, 10, 15 years ago.” She also commented,

So, what we have, we have a policy that is stayed and integration is the norm. We have a regulation that’s there. What those two things do, is for parents who are determined, it provides them the foot in the door. Not to say that it’s been my experience that more students are integrated. More students are integrated more easily, and that a lot of parents who want can get it, whether or not they get the
supports, whether or not the attitudinal things are in place, very much mixed experiences.

Respondent #1 described a shift in Ministerial responsibility and involvement that has left families without a mechanism for accountability and support of their children. She indicated that parents do not have uniformity of access that is based upon attitudes of school personnel. She described a grey area in the funding process that essentially provides schools with a system to produce student profiles and gain funding without a mechanism to ensure that the funds are distributed to the profiled student for required individual services and supports. Respondent #1 recognized that in order to find out about the rights of their children, the procedures, resources, and services, parents needed to become connected with parental advocacy groups. She felt that this was the appropriate route to ensure being informed,

I had already, since [name of student] was two, been involved in a disability rights movement, although, that’s not how we described ourselves. We really saw ourselves as parents who wanted our kids to be like everybody else.

Respondent #1 described the need for parents to be informed,

If they’re informed, number one, and if I were doing this again, if I were starting out, I would inform myself about policy and I would inform myself on the regulation, all right? Because, I know those give me the legal legs to stand on. I would then talk about and I would point to the fact that this is in line with parental choice and I would frame the argument in terms of meet the student’s needs, in terms of my child is a citizen, my child needs to belong to the neighbourhood. My child needs to belong with their peers, etc. I would probably bring along a lawyer and, ah, assert those rights, and then I would, now as then, would find that the parent who doesn’t take no for an answer usually ends up with what they want.
She focused upon her own advocacy background and affiliations that were necessary for her to obtain knowledge about integration. Respondent #1 already had an established background in disability rights when she first registered her daughter at school and explained that,

I really cared about starting to advocate for integration system wide. I was already on the Board of Directors of ARCH [Advocacy Resource Center for the Handicapped] and so, I knew what the issues were.

She referred to her active participation as a board member on an advocacy group and indicated that her participation in such a board permitted her to have an understanding of issues surrounding integration. She explained that,

The Charter came into being sometime around 1983, 1984 because the first time I presented at the legislature, I was asked to do this by ARCH, I presented on segregated education. There was a standing committee called The Standing Committee on the Administration of Justice, and when the Charter of Rights was proclaimed, every province had to look over every piece of legislation to make sure that it conformed to the Charter of Rights. So, I presented on segregated education because in my viewpoint, it was a flagrant violation of the Charter. And, when I presented to that standing committee, there were many MPPs [Ministers of Provincial Parliament] who were quite astounded because they had believed when they voted on an education bill several years earlier, they believed that their vote on this bill was to integrate students with special needs into the regular classroom.

These recollections further indicated her exposure to the political advocacy forum as a member of a lobby group,

It was our role to lobby for integration at the legislature and hold educational forums to lobby ministers and we educated MPPs about what integration was and
what it wasn’t. We used to hold muffin breakfasts and they would come and stand
around and listen to people like [name of advocate] come and talk about their
experiences and some of them got it and some of them thought we were wacko.

Summary

Respondent #1 was in an advantageous position when she sought to integrate her
daughter, given her history of political activism in disability rights. During the course of her
daughter’s elementary and secondary schooling, she was an active member of various disability
advocacy groups. These activities facilitated her understanding about potential barriers to
integration which included psychological assessment, the IPRC process, negative attitudes, as
well as the withholding of appropriate resources. Her knowledge about these issues and policies
permitted her to outmanoeuvre negativity by avoiding unwelcoming and non-supportive
educational environments. Her understanding about standards of practice enabled her to define
characteristics of good integration in practice. She described the role of principal attitude in
establishing a welcoming environment as well as the role of positive teachers as components of
successful integration. She described how these individuals were welcoming of parental
involvement and ongoing collaboration.

Effective teacher characteristics were also described during the course of her narrative,
including creativity and reflective problem solving. Respondent #1 indicated that parental
understanding of rights and policy was crucial in the integration process. She described the
importance of affiliation with parental advocacy groups to foster this understanding. She also
described how the Ministry formerly intervened to assist parents in their integration efforts,
however described a current change of direction whereby the Ministry reduced their intervention
in such matters. Her comments indicated that despite regulation change, integration was
weakened by the lack of accountability and by a funding formula which emphasizes student
deficit rather than student potential. These narrative observations indicate the potential for and
the reality of discriminatory practice based on negative perceptions of disability. No
accountability mechanisms were in place within the school system frequented by respondent #1’s
daughter to address such differential treatment. As such the respondent’s only recourse would
have been a protracted legal action or a protracted human rights complaint.

The thematic categorization of respondent #1’s narrative also presents an opportunity for
critical analysis between practice and standards established by the legislative framework for
181/98, s.17(1) is a presumption in favor of integrated placement as the placement of first choice,
such consideration was never operative in the public school options for this student. While
s.17(2) qualifies that such placement has to meet a student’s needs, no such analysis was ever
conducted by the school authority. Section 17(1)(b) further qualifies that integrated placement
must be consistent with parental wish, and the respondent consistently favored this placement,
her preference was largely ignored systematically. Respondent #1 further indicated that features
of Down Syndrome were operative in the decision for segregation.

Differential treatment based on disability is defined as *prima facie* discrimination and is a
theme, respondent #1 was forced to seek an alternative school when her daughter was refused
integrated educational placement at her local school. Respondent #1 was forced to proceed in
this manner to ensure that her daughter would not be segregated, however there is a Ministerial
onus to provide a program and “an outline of educational services that meet the needs of the
exceptional pupil asset out in s.8(3) of the *Education Act* (R.S.O., 1990). There was a failure to
meet this onus. Respondent #1’s commentary under theme 6 described both deficiency in funding and lack of accountability in the distribution of such funds. While *Ontario Regulation 181/98* provides for a parent guide to inform parents about the special education process as established in s.13(1) of the *Regulation*, and while s.13(2) requires the guide to be available at local school, no such guide was made available to respondent #1. This conclusion reflects theme #7 which indicates the need for affiliation with other parents to understand the special education system since such information was not available from the educational authority.

While the *Education Act* (R.S.O., 1990) outlines a Ministerial onus under s.8(3) to provide programs and services to parents without cost, the only way in which respondent #1 could get services for her daughter was through her own personal funding. This represents practice contrary to the provisions set out in the “Act” and further contravenes the right to and the obligation to provide accommodations to the point of undue hardship under the *Human Rights Code* (R.S.O., 1990) of Ontario. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondent #2’s Profile**

Respondent #2 is a married woman with three children, one of whom is a daughter with a developmental disability. Prior to enrolling her daughter in school, she indicated no knowledge of disability advocacy. Her daughter began her education in a primary nursery program where she was integrated successfully. Respondent #2 expected that her daughter would continue in an integrated placement when she went to enroll her in the local school. It was immediately clear to the respondent that the local school segregated students with disabilities. She met with immediate resistance from the principal and an IPRC was initiated, resulting in the school’s decision to place her daughter in a segregated class. Consequently, the family sought immediate
legal intervention, which led to her daughter’s subsequent integration. After sometime there was a change in school principals, and respondent 2 indicated that this leadership difference promoted support for integration in the school. This was described as a relative period of calm where her daughter was integrated with appropriate support. However, with a further change in principals, the situation deteriorated, most specifically around the time that her daughter was to enter secondary school. At this time, the principal again tried to force the student to be segregated. Efforts to block the daughter’s integration went to the extent of attempting to enforce a boundary change near the border of the family’s home so that the daughter would be inadmissible to the local secondary school. Refusal by respondent #2 led to confrontation and a standoff; however the school eventually conceded and her daughter was integrated. Upon graduation from high school, the principal even refused to allow the student to participate in the graduation ceremony with her peers, leading to the final major clash that resulted in her daughter successfully graduating and leaving the school. Respondent #2 talked about her gradual, dawning awareness of policy and advocacy issues that led her to her current role in assisting other families.

Respondent #2’s Narrative

Respondent #2 viewed integration as essential to community membership. She explained the importance of integration for her daughter’s development,

We said that we wanted her to remain in her local school and go to school with her peers and stay in our community of [name of community]. We didn’t want her to be shipped on a bus for half an hour to another community. (p 6)

During the preschool period, respondent #2 described her daughter in the preschool program. “She started school when she was 6, because we had her in an integrated nursery
school over in [name of area]”. As this program ended, she described registration in her local public school,

We registered her in [name of school] which was her local school and told, explained, the whole situation, that she had been in over into the integrated nursery school program and that the worker from there, the teachers from there, would come in any way that they felt was needed.

There was no response to this offer. Respondent described the role of negative teacher attitudes in blocking integration, “You see, that was the easiest way, because if we stayed, there was going to be a lot of work that was going to have to be done by teachers and the principal.”

She also commented that in terms of support for her daughter that, “They were not giving me anything.” There was initially no assistant available for the student and the school relied upon a parent volunteer.

Respondent #2 described how the school then initiated the IPRC to implement a segregated placement,

I can’t remember when our IPRC happened. I think it was in January. They brought in the process because they felt that she would be better served in a segregated class up in [name of area].

She described the contrast in teacher perceptions that emerged at the IPRC, firstly describing the nursery school experience where,

We had just had her in 3 years of an integrated preschool setting. She was doing wonderful. They marvelled at all the things she could do. And how she got along with the other kids.

In sharp contrast, the IPRC presented her daughter with uniquely negative characteristics,
I come into [name of school] and sit down at this meeting and they say she doesn’t belong here and all these stupid things that they’re trying to tell me she’s unable to do and cannot do. Can’t sit quietly in a circle. Disturbs others, causes significant behavioural problems. Isolated parallel play. Oh, does not work independently at all and has to be under close supervision. So, I phoned back over to the nursery school. The teachers over there are going, “They must be talking about another child.

The intake school, however, whose agenda was segregation, provided a dismal presentation of the student even though they had had minimal contact with her. This was in contrast with the positive and growth-related information available from preschool staff and family who had had a lengthy experience with the student. Respondent #2 recalled feeling, “Sick to my stomach” during the initial IPRC meeting and added that the committee stated,

They, they said that we would either agree with it or disagree with it and then we would continue from there. But now, they don’t sit down and describe all the things that they really should.

Respondent #2 indicated that the members of the IPRC did not voluntarily provide any written documentation after the IPRC, and recalled, “We had to ask them for it.” She further recollected that, “I think I received a pamphlet” but when questioned as to whether contents were discussed, respondent #2 clarified, “No, not really.” She described a lack of adequate explanation and a lack of initiative to provide copies of IPRC documents.

She further noted that her daughter was presented by the IPRC using information obtained by personnel who had a minimal amount of contact with her daughter, “This person, they were basing all their decisions on this person, the person that saw [name of student] the least.” She described:
Just reading my notes and I have said here that these decisions are based on a paper that was prepared by someone who views [name of student] for 10 minutes a day. That’s exactly what I wrote to them, and this was an attempt, there was no attempt to view [name of student] in a positive light. They had nothing good to say.

Following the initial IPRC, respondent # 2 informed the school that, “We would not accept the placement and that we were contacting a lawyer.” She noted the response of the committee as, “They did not feel that was necessary.” She summarized her understanding as follows, “That’s just another, ‘Here we go again, and this lady isn’t going to go our way. We’re going to have to fight with her.”

The respondent confirmed that her daughter was the first student to be integrated with a developmental disability in their local area. Respondent # 2 suggested that,

[Name of student] was the first child with significant developmental delay that had gone into that school, who had gone into that school, and they hadn’t been able to persuade the parents to leave and send the child to a segregated program. There was only one other student there who had a physical disability and they were able to understand that. They could adapt by ramps, just different things like that. No one in that school knew enough how to adapt the program so that it would meet [name of student]’s (developmental disability) needs.

Respondent # 2 explained that, “We were the guinea pigs. And they had never, ever had to do that” and she rationalized that the school, “wanted to get rid of her.” She commented that, “None of the teachers were qualified to teach, modify, well didn’t have the special ed background.” She then added that the teacher in the segregated setting was presented by the board as one who possessed more ability in the area than the regular class teacher. She noted that, “Whatever (qualifications) she had was more than what the teachers here at the local school
had.” Respondent #2 rationalized that the board refused integration because their resource allocation plan placed special education funding in the segregated classroom model:

This board, I think felt that all the kids should be into a special class and I think it was actually the consultants from the board when they were doing their yearly review of students and supports that they had in the school. I think if they could have got [name of student] into a segregated placement then it was, they’d have some more money to spend.

She explained that, “The school board can spend their money any way they want, and if they decide that they are not going to support certain students in certain schools, then that’s the end of it.” She added that, “They felt their legal duty was to provide services in another school.”

She explained,

They just felt that the school had presented, you know, had all their documentation down and made quite a bit of sense that she was not going to be able to be educated in our school because of the programs. They didn’t have the intense programs that [name of student] would need.

Respondent #2 approached them and offered to provide a private consultant to assist the school in the process,

I hire [name of consultant] who is a special education consultant, teacher and [name of consultant] phones up and confers with the principal and special education consultant and says (that) I was going to hire [name of consultant] at our own cost to come up and help set up program, how to modify or adapt the lessons that were being taught in the classroom, how to integrate, how to include [name of student] in all aspects of the school life.

The response given, however, prevented this collaboration from occurring,
“The teachers are not receptive to it” [spoken by the principal]. I don’t know if he ever asked the teachers. I just know that we were not. [name of consultant] was refused.

In addition, on another occasion, she described that,

I said that the teachers from the preschool in [name of area] would come over and be happy to come over and talk with the classroom teachers. There should be no conflict. It’s not a parent telling a teacher what to do. These are two teachers that can give ideas to one another and say how things were going so well in [name of area] at the preschool. And, he said that he would consider that, but the classroom teacher refused to have them in.

As resistance continued from the school, the family continued to resist pressure and press forward with integration. Respondent #2 commented, “Come January we did not accept the IPRC to be changed. The principal basically threw up his hands. We did get full-time funding. He did get full-time funding for an EA.” Respondent #2 described the resource assistant provided to her daughter in this period,

The EA that they had hired for [name of student] was actually a mom who had a child with special needs, who firmly believed that all students with special needs should belong in a segregated class because there was more one on one support. The programs were modified and she tried to encourage me on her own to send [name of student] to [name of area] to the segregated class because this was not the place for her in [name of school].

In retrospect, Respondent #2 commented that, “We never had a big fight after compared to what we had when she first went into school.

At a subsequent IPRC meeting however, Respondent #2 was told that, “There was no way that she could attend a regular school” and commented that this conclusion had been
reached because [t]he developmental delay was too pronounced and she would be too far behind. She commented that the IPRC indicated,

No, that they could not support her in our local school because they did not have a segregated class. Was there any discussion in any way, shape or form as to how they might have utilized their resources in order to support her in a regular class at the local school? No.

Respondent #2 commented that, “We flat out refused to accept the placement of a special class.” Despite her position of, “I absolutely will not accept it” at the IPRC, she was told, “Go home and think about it and let us know tomorrow.” Respondent #2 outlined her lawyer’s conversation with the school, “We are not accepting a placement at [name of school] and that she [referring to student] was going to go to [name of school] and that we would proceed with the legal aspects, if we had to.”

Respondent #2 described her initial contact with the principal following her lawyer’s contact with the school, “Whatever we wanted. The principal met us at the door and said I understand [name of student] is staying. Let’s work out. Let’s see what we have to do.” She further described that they approached her and stated, “Mrs. [name of parent] whatever you would like, if you would like [name of student] to stay in [name of school], that is what you will have.” She then recalled that there was a subsequent change in principals and that the new principal was instrumental in transforming attitudes about integration,

The next principal we got in was fantastic, totally believed in inclusive settings and everything was wonderful. Everything was great. I mean there was no issues at all. The teachers, ah, I don’t know what went on behind the scenes, so much, but there was no issues at all with us. And, if there was something that we needed to deal with, it was in a good way. There was no negativity. No negativity.
Respondent #2 described how the new principal sought out teachers who supported integration, “I mean they were careful what teachers, they, it wasn’t, you just throw her into a class. They talked to the teachers. Now the teachers that she had in Grade 2, Grade 3 were wonderful and supported us fully.” Respondent #2 described the positive attitude of her daughter’s Grade 1 teacher and her subsequent effect on the integration process,

We get into Grade 1 and I had a revolution happen. …[name of student] ended up being in [name of teacher]’s class and wonderful teacher, loved her, thought integration was the only way that children should be schooled. There should be no segregated classes. She was so thrilled to have [name of student] in her class. I find out later that teachers were going up to her and saying, “We feel so bad for you, having to have [name of student] in your class.” And, she said, they said that they had been trying to, [name of student] should be in the [name of area] school and should not be in [name of school] and because of the parents fighting. And she said, “No, it’s an honour to have [name of student] in my class. She was the one, the one that started to change the attitude and the atmosphere of that school towards [name of student].

The teacher’s positive attitude spread to other teachers and respondent #2 also recollected how this particular teacher created an ambiance of acceptance and full participation,

She made it very clear that, it was to the principal, that it was a real, a really nice thing to have [name of student] there. She was thrilled to death. She included [name of student]. She showed them that it wasn’t a big deal to modify something for [name of student]. [Name of student] always still had an EA with her, but the principal turned around when he started seeing how things were really working out and he became an advocate for us as well. And so, we really didn’t have any other fights for the next few years for trying to keep her in school.
She also described the role of the EA and how she was able to deal with negative attitudes from the teaching staff,

It ended up that she was very pro-integration but having a lot of negativity from teachers etc. etc. Ended up that she did all the programming for [name of student]. But, the teacher, I went to that high school, okay. Some of these teachers are still my old teachers who knew me, and, believe it or not, it was the teacher that I thought who would kick up the biggest stink about [name of student] being there, who ended up being [name of student]’s saviour and she wanted [name of student] in her Phys. Ed. Class in her Health Class. She helped the E. A. with all kinds of stuff included [name of student] in all her programs. It just blew me away. Another teacher all of a sudden took wind and said, “[name of student] come in my class, I want her in my class.” And, involved her in all the aspects of the whole class. Not to the extent that the other kids were doing because she’s not her. I made it very clear when I signed her up. Put her into [name of school] that I said, “It’s not for academic. It is for relationships, to build her social, her self esteem and her social relationships.” She’ll never get that in a life skills class where some of the kids’ needs are more, more, uh m, greater that [name of student]’s. I mean, she needs the social, the emotional, the conversation. She needs to be an ordinary kid. So, what ended up happening was that things simmered down because now it was the E. A. that was doing this and she had a few allies in teachers. Kids loved [name of student]. Kids took over. What happened was that in Grade 11, was that I had to sign a waver saying I would not sue. I don’t know if it was the school board or the principal because [name of student] did not get an academic program. I had made it very clear that I did not want that. I wanted academics. I didn’t want her sitting in the hall and doing stupid things. I wanted her sitting in the class with her peers, participating to the best that she could in the lessons, which maybe four teachers allowed that, the rest really didn’t. Some were borderline. Some were trying, but so, but there is no push on the principal either.
She recollected how her daughter was accepted by her peers who “took over” and helped create a situation for successful integration,

The teachers did not want her, no, no, no. That wasn’t the case at all. They weren’t even asked. Now some teachers did not believe she should be there. Majority did. They did not feel that they had the qualifications to accommodate her the best way that they could. And all they needed was some encouragement, and some of them really, really, tried hard and attitudes changed.

Respondent # 2 witnessed a slow but steady transformation in attitudes towards the integration of her daughter. This change was led by a teacher with a positive view towards integration whose view spread to other staff, who adopted a positive attitude over time. She also indicated that the students were participatory in successful integration, given their proactive and accepting attitudes.

Her daughter continued in the integrated placement, although she indicated ongoing pressure to try and convince her to change her daughter’s placement as she came closer to secondary school,

We had three IPRCs that did not change, okay, because we were still in public school, so they did not change, so they did not try to get [name of student] out of the public school to go to [name of secondary school]. But, all the time, I bet you I heard it once every quarter if not more and especially a lot of pressure Grade 7 and 8 was that I had to start planning for [name of student] to go to the life skills class in [name of secondary school].

Board efforts remained consistent to try and convince the respondent to change her daughter’s placement to segregation,
The question would come out, ‘Have you thought of what you are doing with [name of student] for high school?’ [spoken by staff] And I said, ‘I have told you before, she is going to [name of school].’ [spoken by respondent] And then the conversation would stop and then the next person would say, ‘Have you considered what you are going to do when [name of student] goes to high school?’ [spoken by staff] ‘Yes, I have. She is going to [name of school].’ [spoken by respondent] So they were not listening. They were putting on blinders and they were just totally adamant that she was not going to [name of school], that she was going to [name of school].

Respondent # 2 described how her daughter’s teachers suggested that the respondent conceal from [name of student] that she would be losing her friends when she moved to the segregated placement,

They kept saying, ‘It is changing, you know, then it started because the principal was so on to us leaving and not going to the [name of school]. The SERT was adamant that we were not going to go to the [name of school] so then it was, and I am sure the teachers were programmed,

Don’t say anything about the friends and that, you know, like [name of student] is not going to be around them anymore. You know, she’s going to be leaving to go to [name of school] to the life skills class. [spoken by staff]

At the IPRC prior to the secondary school, the respondent recollected,

The IPRC, which would consist of three, and they invited and I can’t remember if it was a vice-principal or a special ed consultant or who it was that came because she was a receiving school and that was in [name of area].

She outlined the committee’s decision following a reconvened IPRC to try and resolve the placement conflict,
We went into another a second IPRC and, um they gave us regular class placement but didn’t say [name of school] and what they did because the principal in [name of school] had said that he would not take [name of student], so he refused [name of student] into his school. They set her up that she was enrolled in [name of school] Secondary School in a regular class placement. Not the life skills placement that they had said so our IPRC was correct. It was exceptional, regular class placement.

Respondent #2 explained that the proposed school placement, noting, “It will be a regular classroom placement in [name of school] Secondary School, the same school which is half an hour away that has the life skills class” however, the placement was not a regular classroom in the local school where the rest of the student’s classmates would attend. The decision was made to send the student to a “regular placement” at the school where the IPRC had originally decided on a segregated placement. She described the role of negative principal attitude as instrumental in sabotaging integration efforts,

His attitude [referring to the principal] was that [name of student] was okay to stay because she had been there so he wasn’t going to push us to get out now. But, then it became the issue of high school. ‘Where were we going to go for high school?’ And we kept saying [name of school] local high school. [The principal responded] ‘But, there’s no programs. [name of student] won’t be able to have any academic skills. I mean the program that you want is a life class. Life skills.’

She concluded by referring to his statement that, “Yes, that, that’s the only thing that she would be able to do.” Respondent #2 spoke about the importance in principal attitude as a means of securing or dismissing integration, “It depends on the principal and they are very far and few. Principals are the king of the castles, the kings of the school, they make the deciding decision.” Respondent #2 explained,
Their attitude towards integration. If you are lucky enough to go to a school that is, has, a wonderful principal that believes in the concept then you will pretty well be able to go in. You’re going to have some rough goes, but he’ll push for you. Other than that, if you go into a school where the principal has a negative attitude towards integration and believes that all kids with special needs should be in special programs, number one, he could flat out refuse your child to enrol and that has happened. I know of that. You could, you will try and enrol and you will probably be talked for about 2 weeks into all the reasons why you should not enrol. The support is not there, won’t be accepted by the kids you know, programs are better in the life skills contained class. So, no, you cannot be guaranteed when you go into that door that your child will be enrolled as a, in the same way that a normal child would be enrolled.

Respondent #2 also described the interaction between the principal of her daughter’s school and the feeder local secondary school, recalling, “They said the principal at [name of school] would not take [name of student].” She continued, “He refused to have her go to his school because he did not have a program in place that would benefit her.” She also explained, The principal was adamant that she was going to go to [name of area] community half an hour away to a life skills program and that no, she was no way she would be able to go to [name of high school] because the gap is widening. Know you’ve heard that before! Kids are going on their way and [name of student] you know, she’s going to be left behind, and we don’t want that. She’ll have so many more friends if she’s in [name of segregated placement in the secondary school].

Respondent #2 recalled that the principal said, “There was no way she was going to be able to go to [name of secondary school].” Respondent #2 continued to resist school board efforts to place her daughter into the segregated school,
I got word that there was going to be a new principal at the [name of secondary school]. The principal that had denied access to [name of student] was leaving. It was a new principal coming in. So they told me, this was, I think the first week of summer holidays. So, I’m thinking the first week of July. I got a phone call from the principal of the public school saying, ‘In August, phone the new principal that is going into the [name of school] and ask him if he’ll allow [name of student] into the school’.

Access became dependent upon the perspective of the incoming principal.

I kept [name of student] out of school 3 weeks in September because she was not registered in [name of school]. They would not allow her to go in. She was registered in [name of area] in a regular class. I said, “No.” Truant officers started phoning and I said, ‘She can go to school but she’s going to a regular classroom in [name of school]. That is our school.’

She continued to describe,

We went through 11 months of hell. I almost had a nervous breakdown over this. It was from about January, no, it was from November of [name of student]’s Grade 8 year, right around, we got it resolved in October, first of October, oh sorry, end of September in the year she went in Grade 9.

As the parent tried to consult the new principal, the board utilized the issue of boundary and attendance as a basis to deny integration. She described, “Then, because of some changes that had happened, boundary changes for schools and that, they threw in to us that we were out of bounds.” She detailed her conversation with the new principal concerning the issue of attendance for her daughter,

Then come September, I phone, sorry in August, I phone in to the new principal and I tell him who I am and that we want [name of student] into the school. Of
course he has already heard what has gone on and he said, “If there’s room, I’ll consider it” [spoken by the principal]. “We’re in bounds” [spoken by the mother]. He said something about a boundary issue. And I said, “No, no, we’re in bounds for [name of school] High School” [spoken by the respondent]. “Well, I’m not so sure you are” [spoken by the principal].

While respondent #2 continued to describe the ongoing boundary issue, she also indicated that a staff member criticized her for wanting integration for her daughter,

One phone call that I made down to the school board and I forget what department it was in but it was to do with this issue of boundary and getting [name of student] into the school. I had a staff member say to me, “What right do you have to demand a school set up a program for your daughter?” [spoken by staff member].

Respondent #2 concluded that the school was, “Oh, playing games big time, head games.” Ultimately, she was successful in gaining an integrated placement for her daughter alongside her peers at the local secondary school, given the intervention of a superintendent regarding the boundary issue. She recalled,

Phoned me back within an hour and said, “There is no reason that you should have a boundary issue” [spoken by the superintendent]. She said, ‘That was changed 3 years ago’ [spoken by the superintendent] at that point that we’re talking and that we were grandfathered in. And, she said, ‘You register [name of student] at the [name of school] school. They will be expecting her on Monday morning’ [spoken by the superintendent].

She indicated that both schools knew about her daughter, however, that the secondary school across from the elementary school never considered integration because they expected that her daughter would not attend at their school,
They know about her, but they do not have any of her information or worrying about trying to set up a program, or how they are going to accommodate or modify because she wasn’t going to that high school. That’s what they were told.

Respondent #2 described the absence of a transition plan from elementary to secondary school describing, “Those, these schools are right across the road from each other. There was still not a whole lot of dialogue in the transition.” Respondent #2 attempted to rationalize the unraveling of events,

That was at the time she was in Grade 9 and it is still happening up till this day. Because, I know that kids with developmental delays are still being herded into life skills classes.

At this juncture, respondent #2 described her daughter’s treatment was a continuing trend with families that she was advocating for,

I am chairman of [name of group]. I am the chair of the provincial [name of group], and we hear it, not only in this board but in other boards, that they are bullying the parents into sending their children into life skills classes. If you have a physical disability, it’s not so bad, because they can see it and adapt. Autism, developmental, Down Syndrome, all those students are being herded, in most school boards, the majority, herded into life skills programs.

She concluded by referring to the process as “discrimination big time.” Resuming her narrative about her own experiences, she recollected that when her daughter began secondary school, there were no support services in place. Alternatively, the principal allocated a peer to be responsible for her daughter as her assistant,

So what happens is they don’t have, sorry they don’t have an assistant right away. [name of student] has a lot of friends, who actually in Grade 8, god bless their
souls, I can’t believe they did this. They said that [name of student] belonged in the [name of secondary school]. So, they have one boy who was a very close friend of [name of student]’s. He’s in Grade 9 now. He’s in charge of [name of student]’s program and ensuring that [name of student] was going to be okay. All right, for 2 weeks.

The principal made the student the sole responsibility of the peer. She described, “Made that 14-year-old boy, friend of [name of student]’s try and help her in Grade 9 classes, be with her at lunch and be with her before school and be with her after school”. She commented that her daughter’s friend was forced to adopt the role of a teaching assistant for her daughter,

So he put everything that an E. A. or teacher would be doing onto a 14-year-old boy going into Grade 9. So, at the end of this, this poor child, you can imagine the pressure he was under. He finally wrote a letter at the principal’s request, wrote a letter to the principal saying, “I don’t think [name of student] is going to be able to fit into [name of school] Public School.

Respondent # 2 described,

Thanksgiving weekend, I get called into the principal’s office. Like, I mean she’s been out of school she hasn’t gone to school for 3 weeks in September. This is Thanksgiving weekend. I get called in saying he is going to IPRC her and recommend she go to [name of school] life skills program. Life skills class in [name of area] and she is not going to stay in [name of school]. As of January, he said she would be out of [name of school]. He would let her stay until January.

The decision was made without the implementation of appropriate resources and accommodations,

Reinforced the opinion already made by the principal. Okay, because this was one of her friends that recommended she go to [name of school]. So, he’s proving
them wrong. So, what happens is, he tells me, the principal tells me that he is getting an EA., an assistant, to come in with [name of student], until January because [name of student] will be leaving in January. And I say, “No, she’s not leaving in January” [spoken by the respondent].

Respondent #2 continued to resist segregation efforts and her daughter remained at the school without noted incident until Grade 11 when she described a seemingly positive transformation in principal attitude. This apparent transformation however was marred by negative overtones,

Then [name of student] is in Grade 11. The principal is leaving me alone. It’s the E. A. that is doing most of the programming. He phones me up and says [name of student] is going to get an award. They have the in-school awards. And, he said that she is going to get an award for bringing out the best in the entire school and he said that get this, ‘That you were right and I was wrong. [name of student] does belong in this school. But if you ever say that out loud to anyone that I said that I will flatly deny it in front of you.’

He also informed the respondent that,

[Name of student] had become friends with a certain bunch of girls, and one particular who had a lot of trouble in school and was a big trouble maker. And they had basically, every teacher in that school had given up on her because she was just nothing but trouble. And, she had become friends with [name of student] and had totally turned around and they were in shock as to what had transpired between these relationships with [name of student] and these young ladies. And, in fact, they said that [name of student] would never have to worry about being harmed in school because this girl was the bully of the school and everybody respected her. That’s Grade 11. She wins, okay, she gets this award for bringing out the best in the entire school.
The principal clearly noted the positive effect of integration; however, the apparent transformation was insincere given the principal’s refusal to publicly admit his position. By Grade 12 however, as the student was about to graduate, final efforts were made on his part to segregate the student from peers and school life:

So, Grade 12, come picture time for graduation, she was not allowed to have. She was allowed to have her graduation done. She was not allowed to have her picture included in the class graduating. I forget what you call them, you, there’s a special word where all the kids are in their graduating class. Because she was not graduating. And, then, he informed me, which I did not know was happening that day, or I would have gone right to the school and demanded that it be included, in the, I forget what they call it….yearbook? Well it’s a document that they have to do. The picture guy has got to do, to have all the pictures in, so her picture was not included in it. And then he tells me, I think it was a month later that [name of student] is not going to be invited to graduation. I said, “Why?” [spoken by the respondent]. “She is not graduating” [spoken by the principal]. He said, “I’m going to have something special for her at the end of the last day of school, but she is not invited to the graduation” [spoken by the principal]. I was just in shock. I said, “She is one of the kids that has worked the hardest of all those kids that are going to walk across that stage. She has worked the hardest” [spoken by the respondent]. I said, “I’m not asking for a graduation diploma. I know she is not going to get one, but she deserves to walk across that stage and get a piece of paper in her hand just saying that, ‘Certificate of achievement’” [spoken by the respondent]. And, I said, “If you do not want to make one up, then I will” [spoken by the respondent]. “Nope” [spoken by the principal]. Flat out. “No. She is not graduating. She is not invited” [spoken by the principal]. And I was devastated.

Within the course of her description, she proceed to describe the principal’s rationale for excluding her daughter from graduation,
“Graduation is only for those who achieve the Grade 12 diploma. [name of student] did not achieve a Grade 12 diploma. Nobody else goes to a graduation unless they receive a Grade 12 diploma” [spoken by the principal]. I said, “No, no, no. Yes they do, there are all kinds of kids who will go to the graduation and don’t receive Grade 12 diplomas” [spoken by the respondent]. No, he would have nothing to do with that. That was his decision. This was his school. This was his graduation. So, I did not know what to do. I was devastated, trying to keep it from her.

While the principal attempted to prohibit the respondent’s daughter from attending graduation, her peers took over and made graduation possible,

Then, people asked, I guess, started asking. And, what ended up happening. I didn’t have to do any fighting for it because I wasn’t sure how to fight. The kids decided to start a petition. They had 680 names to this petition and I delivered it to the superintendent, and comments on it about what type of principal this principal was, and what he was doing to her and was....The document went into the superintendent’s office at about 4 o’clock and by 9:30, I had a call from the principal saying [name of student] was coming to the graduation.

While Respondent #2’s advocacy was unrelentingly, such parental involvement included legal, emotional, and professional cost. She described the high emotional effect upon her,

I worked full-time. I had so many calls come from the school. This is the very beginning, the very first year, that I ended going part-time because my nerves couldn’t handle it. You know, I was spending too much time on the phone away from my job. I ended up deciding in 1989, that I was going to resign from [name of company] so I could stay home and get [name of student] organized with her education because it was a full-time job. Not always in the negative, for the first part it was very positive and then after our second principal changed it went right
to negative again. But, I quit my job from [name of company], so I could stay home and ensure that I kept her in a regular class.

She explained that it was necessary for her to become part of a parental advocacy organization during her ongoing difficulties to try and integrate her daughter.

When all this started happening, I joined the [advocacy group] Group over in [name of area]. And, because I was referred there to be honest with you, by a friend who said that, “You know what you are going to need support and to know your rights.” So, I joined over there and [name of group member] was very good at providing me information. So I was able to throw a bit back. I knew some. I didn’t know everything.

She also gained membership in the Board’s Special Education Advisory Committee (SEAC). “I joined SEAC which is the Special Education Advisory Committee for our school board.” It was necessary for the respondent to join these groups in order to secure information about special education and rights. She explained in reference to the school board,

They’re not telling us wrong information. They are being very selective of what they say and there is a communication, a lack of communication from the top, to the… I call them the field, the schools, the principals, the teachers. We don’t know what the breakdown is but this has been an ongoing issue. That what is being said at SEAC from a superintendent from the Director of Education does not always filter down to the principal.

She indicated a breakdown in dissemination of information and also concluded that her affiliation to these groups educated her with required knowledge. She noted that, “I mean I knew she had a right and I knew I was going to fight for it but I wasn’t as smart as I am now.” Further rationale for this affiliation with advocacy groups was access to information about rights and education for individuals with exceptionalities.
Respondent #2 also provided commentary about her views on integration and its implementation. Respondent #2 cited ministerial policy as contributory to refusal to integrate,

The boards right now are pitting the parents against the Ministry. It’s not the board’s fault that they do not get enough funding from the Ministry And, I know all the ISA [Individual Support Amount] funding has just happened, and the boards have got, some, most of the boards have got more money, but it was a big money issue. We don’t have the supports that are needed to provide the education that your daughter, my daughter, your son would need in a regular classroom, because the Ministry does not give us the money.

She also noted a discrepancy between fiscal policy and fiscal reality,

The thing that they’re saying is, they will provide the support in the placement of their choice. It is not, the big excuse is that they cannot integrate because there is no money. They’ve got 5 E. A. s sitting in a contained class.

Although policy claims that integration is to be the placement of first consideration for an exceptional student, respondent #2 clearly indicated that this was not the case,

And do they not have to prove due hardship before they take a child out of a regular class and send them to a special ed. setting? I mean I read that, but obviously we’re not reading the same legislation because they say it but they sure don’t walk the talk.

In reference to these comments, she was asked to comment on accountability and she stated, “No there is not” to describe current practice. Respondent #2 clearly indicated the lack of accountability in enforcing ministerial policy in terms of educational practice, given her ongoing contact with families and parental advocacy groups.
Summary

As respondent #2 commenced her integration efforts for her daughter, she had no advocacy experience in the area of disability and education. Throughout the course of her daughter’s education, she was faced with ongoing manipulation and harassment by the school board who operated on a segregated model of delivery. These efforts were intent upon dissuading respondent #2 to integrate her daughter. She described how an IPRC was called to formally try and enforce segregated placement. Although legal intervention originally served to circumvent segregated placement, resulting in her daughter’s integration, respondent #2 described ongoing efforts to try and have her agree to segregated placement. Prior to legal intervention, she also described the absence of resources to support her daughter’s placement. Efforts by the school intensified during the transition period from elementary to secondary school. Respondent #2 indicated that the IPRC process was again employed by the school board for this purpose. She again noted that although her daughter was ultimately integrated within her local high school, that resources were again withheld to try and force her to withdraw her daughter into segregation. While she described the effect of negative attitudes on integration, she also described that the positive attitudes of specific principals and staff enabled integration to continue for her daughter with positive effect. Over the course of her daughter’s school life, however, until the point of graduation, negative attitudes of specific principals, as well as the school administration played a phenomenal role in efforts to curb responsible inclusionary practice. Although respondent #2 sustained her efforts for integrated placement for her daughter throughout her entire school career, there was an evident emotional and financial toll on her family. Respondent #2 affiliated herself with advocacy organizations so that she was more aptly informed about special education, integration and rights given the lack of disclose by the board
and its officials. These affiliations and the knowledge she subsequently gained from these connections led her to assist other families in their advocacy efforts. She continues to be actively involved in the integration process for other families and notes reoccurring problems in the present day that were faced by her daughter in the past. Respondent #2 specifically noted discrimination towards students who were defined as developmentally delayed as being targeted for segregation within the school system. She discussed the impact of non-accountability measures and the Ministerial funding formula as roadblocks to appropriate standards of practice in integration. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondent #3’s Profile**

Respondent #3 is the mother of two children, one of whom has cerebral palsy. While she had no experience with disability issues prior to the birth of her daughter, she gained knowledge about disability policy and practice during her efforts to integrate her child. Currently, she remains active as an advocate for families who want integration for their sons and daughters.

Respondent #3 initially had her daughter in a segregated placement after she was convinced by school board officials that her daughter required 3 years of segregated education to prepare herself for an integrated setting. After her daughter had spent some time in this setting, the respondent realized that integration, as originally promised, would not happen. Consequently, she began to look for integrated placements for her daughter. She was denied registration at some initial schools before she found a principal who was welcoming and accommodating. This led to her daughter’s integration through elementary school, and then through to secondary school. She faced fewer problems with integration as a placement, than did others who were interviewed. This was because she found an elementary school setting that supported this placement and
continued to support this placement through the transition to secondary school. In the course of these experiences, she indicated the collaborative arrangements between school and home ensured a positive integration experience.

**Respondent #3’s Narrative**

Respondent #3 viewed integration as essential for her daughter’s membership in the community. She described that this issue became focal after her contact with an individual committed to quality of life experience for persons with exceptional needs,

> We were very, very fortunate to come upon an individual who said that probably the most important thing in [name of student]’s life would be relationships with other people. People who are committed to her, and will stand by her, and the only way she is going to meet people like that, is if she’s out there in the community, doing things like other young people are doing. So, from that point on, we’ve always wanted [name of student] as well, they used the word integrated or included, in the regular typical community activities, including the school.

Exposure to this perspective helped formulate respondent #3’s views on education for her daughter and she came to recognize integration within the school system as a reflection of community participation.

Reminiscing about her daughter’s elementary school experience, Respondent #3 outlined how the IPRC process was called to determine identification and placement for her daughter at the very beginning of her schooling. She described how the process was a barrier to integration efforts at this level, describing how the IPRC committee members convinced her that segregation was an advisable first step so that her daughter could acquire skills necessary for integration,

> And the idea being, because it was a primary D.T.R. [developmentally trainable retarded] class, which meant that normally on paper, people would be in there for
4 years maximum because then, their real placement would be decided. So, what we had been led to believe is okay, in those 3 years, [name of student] would gain all the skills she would need to be fully integrated. I mean, I do have to say this in tongue in cheek, because I mean, anyway. It all worked out well, but I mean, it shows the kind of stuff you’re told. It’s so ridiculous.

In her conclusions about the episode, she commented,

Well, because, simply because, when I look back, I have to laugh, because, in many ways, we were very naive parents in that we always believed what we were told and we were told that at the end of 3 years, [name of student] would be ready to be integrated. So, we didn’t wait for an IPRC, or we didn’t wait to discuss anything with the teacher. We just went looking for, going to our local school up here and there were probably about five Catholic schools that [name of student] could have gone to that would still be considered local.

She reflected on this episode,

To us now, that was not the dream. The words that were used were that [name of student] would be in that class for 3 years until she was ready for our community school which is hilarious because they are never ready as far as the system is concerned. But, anyway, we kind of bought into that.

Respondent #3 further indicated that segregation was offered as the only viable placement,

First of all, the public system was basically saying, “This is what we have to offer. This is all we will ever have to offer.” The [name of system] school was saying, “We have this school and it is a segregated class, within a regular school.” But, they were saying, “This is only temporary.”

She went on to explain why they had accepted this initial placement,
We didn’t actually, because we were much happier with what we were hearing in
the [name of system], we really didn’t push them. You know, we’ve always gone
the path of least resistance. If we can, and it was quite clear that the [name of
system] was going to be a better option for [name of student].

She continued,

They were open to the idea of being fully integrated, and to be honest at that
point, I didn’t absolutely push for local, our local school, local class, so I don’t
know how they would have responded if we had pushed for that because in actual
fact this looked like the lesser of many evils.

Respondent #3 also described how the IPRC members had either only met her daughter
for a brief time or had not met her at all; “They don’t know [name of student].” She recalled the
unilateral presentation approach adopted by the school board during the meetings,

Well, usually the person who did all the talking, you see, if we didn’t have our
little bit, they would be simply talking to the classroom teacher. In that case, if she
was coming out of nursery school and then the receiving teacher would also be
there, but in other IPRCs it would always be the teacher who was presently with
[name of student] that would be describing, you know, what her needs are, how
the program has been adapted for her, what needs to happen and what supports
are necessary.

Unless she made efforts to participate in the meetings, she described that she was treated
as an observer rather than an active participant,

They’d think I’d have nothing to say. They’ve always said to me, ‘This is a
bureaucratic thing,’ [spoken by school officials] that in actual fact, the IPRC is,
you know, useless. In some ways it is, in the sense that the stuff that needs to
happen in terms of collaborating, and discussing, and working out, has to happen
long before the IPRC and the IPRC is really, is just rubber stamping it. The IPRC
I’ve never interpreted as a time where you really sit down and hash issues. That, it’s only meant to be a 10…, you’re only scheduled 10 minutes, anyways, so you obviously can’t get into any great depth. So, knowing that they’re coming from that background, they would think, ‘Okay, the teacher says her thing,’ they’ve got the report there, the official report that says, you know, what she needs and so on. That’s already been done and basically they just rubber stamp it.

Respondent #3 described the IPRC process as a brief, bureaucratic necessity that is “useless” in nature and merely a rubber stamping process. Respondent #3 also described the intimidating nature of the process,

Horrible, IPRCs are horrible in the sense, you know, you go into this room where there are tons of people you don’t know. And, but you certainly have the sense they are very powerful people.

She continued,

What I learned very quickly, after my first IPRC I always had to have a well thought out …and have my little plan written down, copies made for everybody so that at least we would be on the agenda.

She explained her feelings at the IPRCs that she had attended over the years,

And this is not just the first one. I would say this is over all the years. It’s very, very intimidating, there’s no question, it’s intimidating.

She explained the intimidation,

Because they’re there with all their notes and all their reports and things. Many things you know, you may not have seen them before. They’re in a real hurry. They want to get this done, like in 10 minutes because they’ve got 100 other kids for their IPRCs coming down the line, so they’re rushed. You get the sense that they really don’t care, that they’re not interested. It’s just paperwork.
The committee was also aware that she had no seen such documents, at one stage asking her whether or not she was provided any written documentation about the process, to which she responded, “No.” Respondent #3 explained that resources were a major issue in terms of placement for her daughter,

We were very concerned that we wanted [name of student] to get the best therapy. We were especially concerned about communication. That she get the best, since she can’t speak, in terms of alternative communication. That she get experience with electric wheelchair training because she had issues around her eating. That the best people who knew about eating issues were people helping her.

At this juncture, Respondent #3 indicated that a compromise between family choice and school perspective at the IPRC was reached through a collaborative effort, 

So we worked out a compromise. [Name of student] went half day to a nursery, kindergarten school at the [name of centre]. It was [name of centre] at the time and then half the day she went to this Catholic school and it wasn’t our local Catholic school but it was about 15 minutes’ drive away.

The family initially accepted a segregated placement, under the promise of integration following a period of preparedness in segregation, however becoming aware that this would not become an eventuality, respondent #3 sought an alternative placement that supported integration.

The [name of system] was far more welcoming and able or they were accepting children with disabilities into their regular classes, whereas the public system had developed this huge hierarchy of beautiful schools but very segregated away from the rest of the community.

The respondent described attitudinal differences between school systems. In her observations, respondent #3 noted difference in ability to obtain resources between school
systems, and explained, “I found and I don’t know if this is true, the public system, and the Catholic system. It’s far easier to get support such as EA if you have a physical disability. You just literally can’t walk around or toilet on your own or eat on your own.” She described how she and her husband commenced an independent search for possible school placement,

So, you know, we had a lot that we could look at. Without even telling the school board, we just went around to the schools to talk to the principals, we phoned the principals and then went to visit them to say [name of student] was coming.

She described attitudinal barriers when she initially tried to register her daughter,

One principal in particular, he was at [name of school], he made it quite, like “Oh gosh, I hope you find somewhere else. But we have to, we’ll figure it out, but this really isn’t the place for her and we aren’t set up for this. So, I really hope you keep looking.

The respondent described these reactions in detail, commenting, that, “Well, ah, these two, they wouldn’t even let me step in the door” and further noted that, “Some we never even visited because the principals were quite clear they wanted nothing to do with us” and concluded stating, “They were very rude, very rude.” While reflecting upon the negative attitudes which she met while attempting to enroll her daughter at integration in the elementary school, respondent #3 reflected upon much earlier experiences when her daughter was to enter into nursery school. In this setting also, disability was an identifier for segregated placement,

I think it was the nursery school. I think it was [name of association] that ran the nursery that they have all their various consultants that would be available for somebody who had needs like [name of student] would be. And, there were a number of schools in the city that were totally, totally segregated. Not even a class within a regular school, but the whole schools are totally segregated. At that time, that was all that was available.
Respondent #3 also described her visit to an initial setting for her daughter and explained how this event shaped her understanding about early segregation and the importance of parental advocacy to resist the segregated programs and services suggested for their children,

We were introduced to a nursery school and the staff were loving and wonderful and we were very excited about the thought of [name of student] coming. And, they were showing me through the school. And they said, ‘These are the rooms, the purple room, the green room, the blue room and so on. And the various rooms were organized according to the abilities of the students and so you know, the green room was the room where kids were able to talk and walk and run around and do things. And then, it gradually got down to the purple room where the children who couldn’t speak, who couldn’t move, who couldn’t do anything for themselves. So, it was a tremendously boring environment and you know, and that’s where my daughter would have been. If you’re looking at the needs of the child in terms of needing physiotherapy, occupational therapy and so on, kids get streamed to the point where all the kids that are of the highest need are all together and basically just being baby-sat.

Respondent #3 also concluded that while the segregated setting appeared attractive, in reality, nothing was occurring there,

Certainly, what I found was that a lot of the segregated schools had all the bells and whistles so to speak, in the sense that they looked beautiful. They looked like they had everything, all the equipment. All the, everything that you could possibly want. But, the reality was that there was nothing happening in these schools.

Her ongoing vigilance was essential in gaining a full understanding of the program, services, and resources of the proposed placement for her daughter. Respondent #3 also outlined the need for parental involvement to ensure that labeling did not occur, noting, “You know what, the very
interesting thing is [name of student] was not labeled because we fought hard for her not to be labeled.” She noted,

I do remember from the mentoring of the [name of advocacy group] to stay away from any kind of labels, and it’s actually quite interesting; right through the whole school system, she never actually came out with a label other than being exceptional.

She indicated that no other placement was offered but segregation for her daughter since students who presented with similar aspects of disability were also congregated into similar settings,

We looked at the [name of school system] again. What seemed to be the most inclusive setting at that point, that we were introduced to, was actually within a regular school, regular Catholic school, but there was a separate class back at that time. It was for the, I think it was the T.R. class, trainable retarded which is an absolutely unbelievable term and then it became the DD class. It was irrelevant. In any case, it was a class where there were 5 children with developmental disabilities or disabilities and, but they, because the teacher of that class was very much wanting to include the kids in regular stuff, they spent very little time in that class.

She went on to describe a subsequent meeting with a principal concerning registration, whose attitude was positive and accepting,

We walk into the principal’s office and it was like this angel dropped from Heaven because he said, “Well, why wouldn’t she come here?” [spoken by the principal]. And he was so excited. He was so excited. He was an angel from Heaven. I mean like and he’s still a best friend of the family and this goes back you know, 17, 18 years ago. He tells us now when he relates the story that he was as scared as all get out. He was actually petrified. He didn’t let on he was. But he realized, you know, how in Heaven’s name can we say no? And this is, you know, you can’t, so that was it. Because he agreed and it was you know, our local school
and it was wheelchair accessible. So, it could be worked out. The school board really didn’t have any problem with it because the school board I find, as long as the principal and the teachers and everybody agree, they’ll go with anything. It’s just that they don’t, they don’t, you know, principals, they will not make a stand. The board will not make a stand if the principal and teachers are not in favour.

She also went on to describe the importance of teacher philosophy, explaining, “I think a lot of it has a tremendous amount to do with the teacher and where they’re coming from in terms of their philosophy.” She also had positive comments to provide about the role of teachers by recounting experiences with one of her daughter’s teachers in which positive teacher attitude had positive results, especially when support was provided by the principal.

She definitely believed that the kids should be out with the regular kids, like they, in terms of the Christmas Concert. They were in the choir. They were in, you know, anything that was happening. They were participating in that. Now, it was the teacher, but also with the support of the principal. It was still not ideal. It’s still not what we wanted but it sure looked a heck of a lot better than when we were off in the public system.

She indicated the importance of a collaborative relationship between herself and the school, noting that collaboration was, “Yes, absolutely, that’s essential.” She further explained, “It’s vital, totally important.” Respondent #3 employed this understanding as a means of preparation for the IPRC process, collaborating ahead of time to ensure that her daughter’s needs would be met,

To be very honest, by that point, we kind of already had done the groundwork. We knew what we wanted. We knew. We had already collaborated with the school. We already had come to an agreement as to what it was, was going to happen.
She further explained how essential collaboration became with the classroom teacher when they both recognized that programming with an outside service agency was not meeting the student’s needs,

We quickly realized that [name of centre] in terms of planning for [name of student] was a waste of time. They were horrible, terrible, terrible, terrible, terrible. So, although the [name of school system] school that first year was kind of waiting, waiting, waiting to get something wonderful from these people, who said they know something about people like [name of student]. But, at the end of the year, we realized that that wasn’t going to happen. We totally dropped [name of centre] out of the picture and the school, the teacher, who was a wonderful teacher said, ‘Well, I’ll just go with my gut feeling and we’ll work together on this as to what [name of student] needs.

Respondent #3 also commented as to the importance of establishing relationships with staff in the school. She indicated that this step was also a long-term commitment,

That’s all based on developing long term relationships. See, and I think that’s also why the school was a little more relaxed with us, because they knew we had some structure We weren’t just throwing it on them. There was a group of people that were committed to [name of student] that were going to help us figure this out. They weren’t all on their own, trying to figure this out. They weren’t all on their own doing that.

Respondent #3 recognized the importance of creative and proactive attitudes in these endeavours,

We were lucky to meet some people who were wonderful people. We kept looking for them, so we kept looking for them, so we, were always looking for the opportunities to assist to make this happen and yes, we were always sort of trying to get to the point where we could step back and okay, now you can do it.
She described the necessity of school officials who were dedicated to her daughter’s needs but who were also open and willing in their collaborative efforts with her to make integration a successful enterprise, extending these observations to programming. She noted,

I don’t know what there was in writing and I wouldn’t have known of it as an IEP but it, we were always between the teacher and myself, working on what are the goals and how are we going to measure those goals.

She also recollected that outside professionals involved in the process often did not know how to address her daughter’s needs,

The professionals who say they know. They think they know everything, are the ones that, in fact, have not been the most helpful for [name of student] I recognized at the time that that was good that they were saying that. But, I also realized that they needed a lot of help in learning how to support [name of student].

No further commentary was made as to any further difficulties that arose relating to her daughter’s integration in elementary school, and respondent #3 then shifted her commentary to issues surrounding transition between elementary and secondary school systems,

The other thing I want to mention, you know, the school system is supposed to be preparing you for the real world. And now, by law, kids with special needs in high school are supposed to have a transition plan for when they leave high school. It’s supposed to start in Grade 9 so that when they leave there’s a great plan in place. In actual fact, for most students, there is absolutely nothing happening. I mean, there’s another example of this, has come down from the Ministry but nobody’s doing it. And, nobody’s being held accountable for it. In [name of student]’s situation, because of her circle and the planning that we’ve done all along, yes in conjunction with the school, but certainly together. She had a fabulous transition
plan and [name of student] graduated last year and even though for most people, that’s like falling off a cliff.

Respondent #3 went on to explain that integration was not readily available as a placement choice, despite parental agreement. “First of all, that wouldn’t happen today because of budget cuts.” She explained that,

I’m in touch with all kinds of families. I’m connected with [name of organization] and [name of organization] and I also answer the phone for a help line for families to call in and the system has just gone downhill so drastically because of lack of funding, lack of vision.

Respondent #3 cited flaws in the funding model as a loophole that allowed school boards to remain unaccountable for integration. She described how families who pursued the process faced ongoing emotional drain,

It’s horrible in the way that they, you know, the way they label the child with deficiencies and they allot money accordingly. First of all, that’s not fair. That’s not right and it doesn’t necessarily help you support the child. There may be somebody. Maybe they have Down Syndrome or something where they don’t come out being high needs, and therefore get very little financial dollars allocated to them. But, in fact, they may need more than somebody, somebody who comes out as needing lots of dollars.

She voiced her opinion on this state of affairs,

It’s unfair. It’s unjust and families are spending tremendous amount of time and energy going throughout the Human Rights Commission saying, you know, this has to change. It’s not right. But, in reality, it doesn’t.
Respondent #3 discussed the long going protracted battles faced by families over the issues of education and concluded that while these issues need to be addressed, that they continue to be unresolved,

There are many families struggling to have their sons and daughters included in their local schools and they go the whole route of the, you know, the Human Rights Commission and all of that. They can spend their whole child’s school years, you know, the 18 or so years, whatever, how many years they spend in school, fighting to get what they feel is their right, which it is, and they still never get it and their lives are destroyed in the process, because it is so, you know, it zaps your energy.

She indicated that affiliation with advocacy groups was essential for parents to obtain appropriate information,

I did go to some public schools and I also found the most important information came from other parents that I had talked to. I had also got connected with [name of advocacy group] and other parents who had fought throughout these issues, so they influenced me as well in realising what things were really important in life.

Respondent #3 fully understood the importance of support from other parents seeking integration for their children. She referred to the human rights perspectives that were clarified through these affiliations,

I was fortunate through [name of advocacy group] to be in touch with people like [name of advocate] and leaders in the field that, although we didn’t get to nitty gritty details of Human Rights Code, the Code and everything, it’s like you know, it was very obvious that this was not just. This was not fair. It was not right.

Respondent #3 attributes her insight into information provided via advocacy affiliations. She also described her contact with other families, who were experiencing similar battles,
reflective of a continuing trend for parents to have to confront school systems over integration for their children.

**Summary**

Respondent #3 had neither experience in advocacy nor knowledge of special education policy when she sought to integrate her daughter. She described the tactics used by committee members at her daughter’s initial IPRC, so that she would consent to segregated rather than integrated placement. She described that consent was only given under the promise that firstly, essential therapies would be provided in the segregated placement and secondly, that her daughter be integrated within 3 years, the readiness time proscribed by the IPRC committee for her daughter to have skill levels to the point where she could be integrated. Her comments about the IPRC as a process to segregate students are similar to the findings of respondents #1 and #2. After her daughter had been in the placement, respondent #3 understood that integration would not materialize and she began an independent search for an integrated placement. She described negative principal attitudes as a barrier to integration and further commented as to the diverse attitudes held by the public versus the Catholic school boards over integration. Although respondent #3 described initial negativity, she then described the accepting and positive attitude of one principal who accepted her daughter’s registration. She described the positive attributes of the principal who facilitated integration through collaboration. Similar relationships between principal and teacher attitudes and outcomes was also a finding for both respondents #1 and #2. Respondent #3 noted that her daughter’s integration through elementary school was positive and described as one in which the school and family shared ongoing collaboration. Respondents #1 and #2 had similar experiences. She indicated that a good transition process was in place for high school and that integration efforts were non–confrontational, given positive principal, teacher
and support staff. Respondent #3 served as an advocate for her daughter, receiving most information about policy and process from parental advocacy groups. These affiliations educated her about policy and advocacy, enabling her to assist other families. These experiences were similar to respondents #1 and #2. Consequently, throughout the course of her narrative, respondent #3 provided anecdotal commentary about her advocacy experiences with other families. She attributed attitudinal barriers and lack of collaboration as everyday difficulties faced by families. However, she also described a faulty funding model that left resource allocation unmonitored as a phenomenal roadblock to meeting standards for responsible integration practice. These findings were also apparent throughout respondent #1 and respondent #2’s narratives. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondent #4’s Profile**

Respondent #4 is the mother of two children, one of whom is a daughter with Down Syndrome. As a special education resource teacher, by profession, respondent #3 was aware of the issues surrounding integration. Reminiscing about her daughter’s education, she first described a positive experience within the nursery school, prior to seeking registration at the local public school. She indicated however, that the initial attempt to integrate at the local school was marred by the school authority’s negative attitudes, given that it operated on a segregated delivery model. This understanding served as a catalyst to enrol in another school board, after researching where the family could locate a more welcoming environment that supported integration. While the family was successful in obtaining an integrated placement for their daughter, she described the need for consistent parental involvement and knowledge about process to ensure that their daughter was supported in this placement. She also described
attitudinal barriers, resource allocation issues and the funding system as barriers to securing integration. Throughout the course of her narrative, she also referred to these issues in relation to her daughter and also to other children within the educational system who faced similar difficulties. Respondent #4 remained committed to integration for her daughter throughout elementary and secondary schooling. She further described her involvement in parental advocacy groups for support and information. As a result of her experiences, she also advocated for other families and children. She described the continuing trend of resistance by schools faced by other families that was similar to her own.

**Respondent #4’s Narrative**

As respondent #4 commenced her narrative, she indicated awareness that integration was a process that lacked uniformity in its delivery, explaining that it was important for her to research integration friendly educational environments,

So, when we first moved here, part of the reason we bought this house was because there was a school nearby. We even did our research that said when you move to Toronto; go to [name of region] because they have better integration services. So, that’s fine. So, we came to [name of region].

Respondent #4 gave the local school, where she was planning to register her daughter, permission to do on-site observational assessments at her preschool. Parental consent was only provided for speech and occupational therapy observations. She noted, “I’d signed these consents for the OT (Occupational therapy) and the speech language person to go and visit her at preschool.” Respondent #4 also indicated her opposition to psychological assessment, at this early point in the narrative, and explained that this type of assessment was problematic to the IPRC process,
I would say probably in the junior years, somewhere between 4 and 6, I would guess. So, then the problem became with her having her IPRC’d, you know, because I wasn’t about to have a psych assessment.

She went on to indicate that a meeting was held prior to registration where the speech and language pathologist and the occupational therapist commented on their observational visits, providing descriptors of her child that were at best remotely related to observations made by both the respondent’s mother and other staff in her prior placement,

Well, anyhow, they sat there and they described their visit to [name of student] at this preschool. And, they described a child that I’d never met in my life. They didn’t describe my daughter in any way, shape or form.

Respondent #4 also indicated that she was represented by an advocate at this meeting who clearly set out her conclusion that there was a substantive problem with the school’s observations and intentions,

“I appreciate you ladies have been up to the school to see [name of student] I want to tell you about the [name of student] that I know.” And then, she went on to describe [name of student] and somehow, made it seem like there was something very wrong with their system And, if they would send out their high-priced, powerful, well-educated people and they weren’t able to pick up any of that in their visit. And furthermore, if they were going to make decisions on where this child should be placed based on a half hour observation of two highly paid professionals, instead of the combined experience of the three of us who had known her for 5 years, then there was something very wrong with that system.

Respondent #4 expressed how she perceived the outlook of the school authority at the meeting,
She was a case to them. You know. She was a case. She was a number and they used all their little P.T. [physical therapy] and O.T. [occupational therapy] and S.L.P. [Speech, Language Pathology] terms and they tried to quantify and classify every little behaviour and every little thing she did.

She went on to give a detailed account of these negative observations,

They’re of course doing their, ‘Well, the language is delayed and blah, blah, blah, and vocabulary is at such and such a level and the sentence structure is at such and such a level. The gross motor for this, the fine motor that, just, you know how they do it up.

As respondent #4 reflected on the situation, she described,

The long and short of the meeting was, this school was not appropriate for [name of student]. She’d have to go down the road and be bussed over to whatever it was called.

Respondent #4 extended her commentary about perceptions on inclusion and described how geographical location and board philosophy shaped whether a student would have access to integration or whether access would be denied,

Well, that’s what the board meter means, one street north, you know. I mean [name of street], one street north. If she’d gone over here instead of down there, she would have walked in and completely integrated, no questions asked. Because they lived one street south, she had a totally different life experience. So, yes, so it absolutely depends on where you are with the meter, and what board you are in. So, it’s not an automatic thing.
Her commentary indicated that school differences in willingness to integrate were both board and area dependent. Focusing upon the original meeting, once again, respondent #4 recollected her feelings about the process,

I felt shell shocked when I came out of there. I felt as if, like these people, I mean there was no question they did not want my kid there. And, at that point in time, of course there was no way she was going to go there, because I wasn’t going to put her in a place where nobody wanted her to be.

Consequently, respondent #4 indicated that, “We had to go to two local schools because the first one didn’t work very well.” Respondent #4 described an accepting attitude by the next principal she was to encounter,

We went over to the local [name of school] where we were met by this wonderful lady called [name of personnel] and I called up. Same story. “I have a daughter and I’d like to register in your kindergarten.” I said, now there’s a little problem. I said I am Catholic, but I am certainly a practising Catholic and my children haven’t been baptised yet [spoken by respondent]. “Oh, don’t worry about that. When can you come in, you know. We’d love to meet her, blah, blah, blah. Come and see us” [spoken by principal]. Very welcoming. So, I made a morning appointment when she was at school.

She continued to describe the meeting,

I remember this lady saying. Oh you must be Mr. And Mrs. [name of family]. How come you didn’t bring her? We were so looking forward to meeting her. Well, what a difference, eh? Same day.

As program planning began once the student was registered, respondent #4 indicating that the principal’s attitude was again positive and supportive,
She wasn’t really terribly interested in the weaknesses part. She was interested in hearing all the things she liked to do and what her interests were and what made her happy and who her friends were and you know. What could she put in place in kindergarten that [name of student] would really enjoy. And, please, please, bring her over sometime before school started so she could take her down and introduce her to the kindergarten teachers, so everybody would know her. And would it be helpful, “Do you think, for her to come in June for a few days and spend sometime in the class, just to get used to the idea of being in kindergarten?”

As respondent #4’s daughter entered into this setting, she did not describe any further unsettling events within the elementary school experience, aside from the recurrent attempts for her to have her daughter labelled and IPRC’d. She rationalized her position about labeling her daughter and her refusal to adhere to this process,

Because it’s nobody’s bloody business. Because it’s useless all over again. And you have to quote this somewhere, don’t you? Because it’s nobody’s bloody business, ‘cause it’s useless information because I think it’s much more important to look at the child than at what any psychologist comes up with in a couple of hours with a child. Because, if by any chance she did fall into that horrendous little category, I didn’t want to know about it. I didn’t want my expectations of my kid to fall which they might do if somebody told me, oh, she can only do this. I mean who knows? Like, I have very high expectations for this child. I don’t want at the back of my mind, some little thing that says oh yes, but you know.

She was also aware of the discriminatory attitudes relating to persons with Down Syndrome, specifically referring to her physical traits,

She doesn’t need to be labeled. Anybody can look at her and see she has Down Syndrome It doesn’t take a rocket scientist to look at [name of student] and say, “Oh, there’s a young lady with Down Syndrome.” That’s enough. She doesn’t need any more labels. That’s enough.
She explained that she would not allow the IPRC process to proceed and she was adamant that her daughter would not be part of a process that required labeling,

I just don’t want to do any of the labeling process. I don't want any part of it. So things are going pretty well you know, the way they are. I’d just as soon by pass, as soon by pass that whole thing and keep her as a court resource kid.

Respondent #4 refused to have an IPRC for her daughter, but agreed to informal reviews to ensure that her daughter was supported by an EA. She ensured that all of the particulars of integration had been worked out in anticipation of the these meetings,

Okay, we had them for a while, and they were fun because everything was worked out ahead of time. Like, I made sure that we knew exactly, you know, what was going to be said, and who was going to say what, and then I had the academic assessment, and that was done, and I had that ahead of time, that everything, that I made sure that there weren’t going to be any surprises at the meetings.

Respondent #4 described how these particulars became standard practice for her and participating staff,

By that time, I would say, the people who were at the IPRC meetings were people I knew, who was like the principal and other classroom, the classroom teacher, somebody else in the school So, I would say they tended to be fairly positive and just more or less a formality. There was just stuff we’d already done a million times. It was just getting it down on paper. We only did it for 1 or 2 years.

Respondent #4 also described her response to renewed efforts to label her daughter,

Well, you know what? So that something changed again. Like, you used to be able to just IPRC I think as exceptional or a non-exceptional. Okay? And I was quite willing to go along with the fact that she was exceptional, okay? And, I was
 quite willing to go along with the fact that she was exceptional, okay? But then, they had to start categorising them. I think originally, you could just do either exceptional or non-exceptional which was fine. Then, they wanted to categorize whether to get into all the details that I made fun of in the psych report. Is it FLESH, is it DS, and is it mild, intellectual, vs Modern Jewish? And all this bullshit?

She was clear in her position that her daughter would not be labeled in the school system. She also indicated that the school constantly pushed for her daughter to be in a segregated environment,

The outside of class that they changed the name various times, the literacy, the numeracy, whatever. They also had this big segregated class that met one period a day, and every year, I had to fight to keep her out of that. You know, because there was no way I wanted her to do that.

She then shifted the course of her narrative to the issue of the IPRC and her daughter’s transition into secondary school. She described ongoing attempts to reintroduce this IPRC process,

It had already stopped by then. Yeah, I stopped it before she went into high school, and then they, they were the ones that were left over who tried to reinstate it with these letters that, saying it, and I said, “No, no we’re not going there. That ain’t happening.”

Respondent #4 described how coercion to have an IPRC occurred when her daughter left elementary to go into secondary school. She was advised that unless an IPRC occurred, potentially, her daughter would lose her EA,

When it changed was the year that she was leaving (elementary school). She said, “You know what? I think, I think,” she said, “I know how you feel about the IPRC thing” she said, “but part of the reason it works is because I’m here.” She
said, “I don’t know who is going to be here when I’m gone, and how they’re going to treat things. Like it could be that they’ll say, ‘Oh well, she’s just a court resource kid, so let’s take away the EA time, whatever.’” And I actually agreed with her. I said, “You know what? You’re right, I think we should do this now, because a lot of it is working, because of the relationship.”

Respondent #4 also indicated that as part of the process, she was asked to consent to psychological assessment for her daughter, specifically for the purposes of resource provisions in high school,

Oh, my God, scream first. I was letting any school board have access to anything that came anywhere remotely near an IQ [intelligence quotient] score that they could pin on her and label her with. And my feeling was she had been there long enough. There was absolutely nothing that they could learn from a psych assessment they couldn’t learn from observing her or talking to [name of EA] or me. I mean there was nothing that a psychologist could tell from [name of student]’s past that I didn’t know. You know, we didn’t need somebody to sit down and do standardized testing that’s not even intended for kids with DS [Down Syndrome] to label her and find out whether she was functional or needed like skills, or educational support, or you know whatever the hell else number they wanted to put on her. It was a waste of my time, their time, her time, and because it’s stupid.

Even though the school knew of her position about psychological assessment and the IPRC process, respondent #4 indicated that there was a threat to withhold resources if she refused to comply with the IPRC process as her daughter was preparing to transition into high school,

Then we hit high school and I get a letter in September which is another story. I’ll tell you about it. Then I get another just to follow through the other IPRC threat.
Get another then about March 2nd, about another IPRC that for your child will be held on such and such a date. And I call them up and I very politely said, “Excuse me, my daughter has never been IPRC’d, so this will not be a review IPRC and if you want an initial IPRC, forget it. We’re not going that route. This kid is a core resource child. That’s it. You know” [spoken by respondent]. “Oh well, you know, it’s just a form letter” [spoken by school official]. I said, “It may well be just a form letter but I want to be very sure that you understand that when I come to that meeting next week, it is not an IPRC It’s an informal review of [name of student]’s year. We can talk about her year. We can talk about next year but it is just a very informal review and the only thing I’m signing is an SC5 which says she will continue to have core resource support for the following year, you know.”

Ultimately, respondent #4 only agreed to an informal review and refused to initiate the process in secondary school despite the threats that services would be cut if she did not comply. Within the course of this portion of her narrative, she described problematic aspects of the IPRC process for all parents. She described how she had been prepared by parental advocacy groups to circumvent negative consequences of appearing at such meetings unsupported, noting, “I’ve been with the [name of advocacy group] long enough that ‘the manager of [referring to the practice of] never go alone to a meeting’, that’s well dropped into my head.” Respondent #4 continued to rationalize,

When you go alone, nasty things can happen. People can gang up on you. You can get intimidated. God knows what might happen and even the most intelligent, well spoken, well thought out person can turn to mush when somebody starts talking about their kid in ways that are detrimental to their kid. So, you can all take on a witness, you got somebody to egg you on, somebody to say the stuff that you forgot to say because you get intimidated at the meeting.
Respondent #4 indicated that in order to secure funds for her daughter that the high school tried to get her to have a psychological assessment and label her daughter. This step was promoted to ensure paperwork that could substantiate claims for funding dollars,

And so, we managed to do that all the way through high school but you know about 3 years in a row, they sent me this stupid letter and I had to call them up again and remind them that this child has not been IPRC’d because at that point in time, there was no way that I was going to have anybody label her and classify her. And then the IPRC claim notes started. They wanted even more data at this point in time and I said “No. You know, oh, well, we need a psych assessment to get money for her” [spoken by school official]. And I said, “No you don’t. You need a description of her strengths and her needs. There are all kinds of ways to get a description of her strengths that don’t involve a psychologist who doesn’t know her, coming down and doing that. Um, I will help you fill out the IPRC claim form if you want, and yes, I understand that you have to lie through your teeth. Go ahead and lie through you teeth. Just make sure it doesn’t show up on any Ontario School Report (OSR) or IPRC receipt or anything like that.”

She confirmed that this was necessary, “To get an ISA [Intensive Support Amounts] claim.” She confirmed firsthand knowledge of the process,

I also worked for the board, so I knew the ISA playing process and I knew what an ISA 2 was, and I knew what an ISA 3 was, and I knew that she wouldn’t qualify for any of the claims. So, I mean, they wouldn’t say to me, can we lie through our teeth, but I as a parent, as a fellow educator, say that they have units of a joking matter. Hey, you guys. Like, I know you have to lie through your teeth to get this. Go ahead and put down whatever the hell you have to put down on a piece of paper. But, no, I’m not going to put her through a psyche assessment.

Despite this funding scenario, respondent #4 refused psychological assessment and labeling for her daughter based on her professional understanding of the process,
The bottom line is that the ISA 2 and the ISA 3 claim don’t have anything to do with the needs of kids at school. They don’t take into consideration what it’s like to run a high school of 1,600 kids including [name of student] in it and what kind of support she needs to manoeuvre in an environment of 1,600 kids. They look at all kinds of things that have nothing to do with her day to day like. They look at classes and that sort of thing, you know. Behaviour is the major thing they look at, and what this kid said, “Does this person do behaviour that’s injurious to himself or others? Or, Oh boy!” [spoken by staff]. I mean it’s like you want that kid to have a fit in the cafeteria and threaten to knife somebody. “Thank God they did that last Thursday, we could have written that in the ISA claim, you know” [spoken by staff]. That’s, that’s what, the kind of government stuff has done to us educators. We’re thrilled when a kid does something really horrible ‘cause we can write it down on the ISA claim. “Oh good document that, you know” [spoken by staff]. They’ve put us in such a double jeopardy situation that it’s horrendous. As, as a special ed teacher, you want nothing more than for your kids to improve in every single area of their life. That’s why you’re there. You want to help them to do more and more things and get more and more independent. And then, in order to get them the support they need, you have to document every rotten, shitty, yucky thing they do, to get them the support. That’s what they listen to when this 3 play process is done, when it’s absolutely ludicrous.

Respondent #4 noted a disjuncture of ISA funding category to obtain funding for services and the reality that services and resources were not guaranteed to students under the process, “It’s just a bunch of money goes to the school board. And, the school board decides how to divvy it up. It has nothing to do with her. Nothing to do with her whatsoever.” She continued to explain, “It just generates money for the school board to use however which way they feel like using it.” She went on to describe the lack of correlation between the allocation of funding dollars and the provision of appropriate services to accommodate students with disabilities,
And then, when the funds are not there, the person who wrote all the negative descriptives does not necessarily benefit from them or they might get some of them, but maybe not as much as they need. I’m telling you that there’s no relationship between the needs of a student, of an individual kid and the ISA 2 and ISA 3 funding process. The ISA 2 and ISA 3 process generate a whole bunch of money for a school board.

Respondent #4 criticized the ineffective character of the ISA funding process in meeting the reality of individual needs,

They’re just in tremendous need of revision, tremendous need of revision. And they don’t apply to individual kids, and the whole basis of them, I think, and this is what bothers me, the whole basis of them is distrust. You know, instead of the board saying, “Oh, we have these kids, and they need this much help, so, we need this much money.” Instead, instead of the school saying, “We have these kids, and they need this much, so it’ll require this much personnel, which costs us this much money.” Instead of anybody saying what they need, and having the need met. It’s like somebody up there is always saying, “Oh, we don’t trust your evaluation. So, in order to give you the support, we’re going to invent hoops for you to jump through.”

Respondent #4 described personal experience with the ISA funding process as a staff member in special education, confirming that the more negative a student’s documented behaviours, the more funding was generated. As her daughter entered into high school, respondent #4 recollected some of her experiences with staff in relation to accommodating her daughter. She cited an encounter with the vice-principal over an extracurricular activity,

Get a telephone call from the vice-principal. “I understand your daughter is planning on running for school council?” [spoken by Vice-principal]. Oh, my God, here we go again. You know, because, by this time, I can’t say that I’ve had
anything ever, oh, s**t. I’ve had lots of negative but I forgot to tell you about music. Music was a total disaster. [name of student] wanted to take music. She wanted to be in band, right. The Grade 9 music teacher, “She doesn’t have a sense of rhythm, she can’t be in the band” [spoken by the music teacher]. I said, “It says here all Grade 9 students must be part of the band. It doesn’t say they have to understand rhythm. It’s a requirement of the Grade 9 course that they must be in the band” [spoken by the respondent]. “Well, yeah, but some students aren’t in the band” [spoken by the Vice-principal]. “Well maybe this is what it says, and she’s here and she’s going to be in your band. Go away, leave me alone. She’s coming to band practice.” [spoken by the respondent].

Respondent #4 described how the Vice-Principal sought to exclude her daughter on the basis of her inability to participate to the level of other students. She further described the ongoing problems her daughter faced because she wanted to participate in band and noted the role of creativity in resolving issues,

Grade 10, they tried it all over again. Finally in Grade 10, I said, “You know, like you guys are musicians here. You know how the instruments work. Has it ever occurred to you that you might want to modify her instruments somehow so that if her rhythm is bothering you maybe it’s not as loud so it doesn’t bother you, or something like that?” [spoken by the respondent]. “Oh, we never thought of that” [spoken by the staff]. “Well, why didn’t you think of that? Oh we never thought of that. Well, why didn’t you think of that, you know?” [spoken by the respondent]. Eventually by the end of Grade 10, they figured out they could modify her bongo drums so that if she wasn’t playing exactly the right time and place, the poor conductor up there didn’t have to get bothered by it. So that was fine, so she got to be in the band, and everything was fine.
Respondent #4 used her creativity and open-mindedness to facilitate her daughter’s participation within her music class. By Grade 11, she described the reluctance of the music teacher to have her daughter in the band,

Grade 11, next year, then, well, they’re going to competition. So, I said, ‘You know what, that’s fair enough,’ I said, ‘You’re going to the competition, I agree. You know she is going to screw up your band. So, don’t take her to your competition. Go, get your gold medals,’ I said, ‘but every time you go to a local school and you have a band demonstration, you make her front and center so that every single kid, every single local school that’s meeting into your school, sees [name of student], so that every other kid realizes they can be in the band too.’

Respondent #4 encountered similar negative attitudes when her daughter wanted to join student council. She recollected,

The Vice-Principal calls and says, “Your daughter wants to run for student council, um, you know, she might not win, she might lose.” I said, “That’s the way the world works, you know. Sometimes you win, sometimes you lose” [spoken by the respondent]. Well, he said, “I really like her to be on student council, and I’m trying to work it a way that we can make that happen, if it’s still fair” [spoken by the Vice-Principal]. So, he says, “I think we should make it a policy in the school that someone from the Student Outreach Club” [spoken by the Vice-Principal], which is their polite way of saying somebody from the special ed population of the school, should always automatically be on student council. “And, since [name of student]’s come forward this year, then, she’s obviously the candidate. But the Student Outreach should pick a candidate every year, and they get a position on student council” [spoken by the Vice-Principal].

Through discussion with the principal, who came up with a creative solution, respondent #4’s daughter was allowed to join the student counsel. The respondent extended her description
of vice-principal attitude to the issue of teacher attitude in obtaining positive and beneficial integration,

I’d say for the most part of high school, she went to, she went to the regular classes, but unless she happened to luck into a really good teacher, she didn’t do the regular work, and she was often sort of sitting off to the side of the back of the room with the EA, kind of thing.

While respondent #4 described how her daughter was excluded and left to work on the sidelines of her classroom when a teacher was not supportive, she contrasted this with the educational benefits for her daughter when a teacher was engaging,

[Name of student] had, she had a fabulous religion teacher in Grade 9, who over rode the special ed department when they said, ‘Oh, well, [Name of student] should get a half credit’ [spoken by special education staff]. She said, ‘No, [Name of student]’s getting a full credit from my course, thank you very much, because she did this work, this work, this work, this work and she’s a fabulous role model for other kids. I wish they’d do their homework every night, and come prepared like [Name of student] does. She’s damn well getting the full credit’ [spoken by the religion teacher].

Respondent #4 also described the positive influence of her daughter’s history teacher,

She also had a really excellent history teacher and what this guy did was, he would teach her something every day. And, he would ask her it the next day. So, she got up in front of the class, and showed off what she learned the day before.

Respondent #4 indicated how positive attitude supporting integration extended to the EA,

I give all the credit to [name of EA]. She’s the one, who, forever, how, found programs, found things that work, tried this, tried that. Just kept working and working until she found whatever worked with [name of student]. And um, she
did that, I think, much more so than did any of the teachers or the special ed. teachers at the school.

Respondent #4 continued to describe how the positive attitude of the EA impacted her daughter’s education,

It was [name of the EA] who found the stuff and pounded them into [name of student]’s head, and made her do and put up with all of [name of student]’s stubbornness and resistance and, “I don’t want to do this. I want to do that” [spoken by the student]. “No. Why? Because I said so. And, You’re going to do it now for the next hour....Don’t give me any of your lip kid, because I’m not buying into it” [spoken by the EA]. She saw through all the bullshit and she just insisted that she learn the stuff, you know.

While the EA had a positive attitude that assisted in the integration process, respondent #4 also indicated that the classroom teacher shifted her responsibilities greatly onto the EA,

The teachers, for the most part, I’d say, were quite happy to delegate everything to [Name of EA], to the EA I mean they really weren’t overly involved. She was one of those people who just kind of took it on herself to do this stuff and the other thing. And, each year, she’d go in and sort of educate the teachers. The next teacher about what [name of student] was like. And, if they would come up with some ideas about which to tell her was good. Most of the time, they would come up with some ideas that were kind of weird. And, she would say, “Well, you know, we tried that and it doesn’t work and we tried that, and it doesn’t work, and why don’t we just do it my way?” [spoken by the EA]. You know, and for the most part, they were quite willing to buy into that. It made their lives easier, you know. They didn’t have to think and plan and all that stuff. She did it all for them. Do I think that’s necessarily the way it should be? No. Did it work? It worked really well.
Although she described negative teacher experiences, Respondent #4 also indicated that her positive attitude as a parent, led to collaboration with other staff members that extended to the EA, describing, “I broke all the rules. You’re not supposed to become friends with your EA’s. She had a great EA and then, she had another great EA in high school.” She continued to describe,

The reason she did so well, is because I have a good relationship with her. [referring to the EA]. We chat on the phone. She gets stuck with saying, “You know, ‘I tried this. I tried this. I don’t know what else there is to try.” And, so, you know, try this. You know that kind of thing. And, she’ll rap right on me all about [name of student]’s yucky behaviours, and you know, she could hit anybody and did yucky things. She’d tell me about it. And [name of student] must have thought we all have eyes at the back of our heads because I knew everything that was going on. So, it was really, really, nice for me to have a spy in the system. How else was I going to know what the hell went on every day but ask my kid. She’d sure as hell never tell me, you know. So, it was like having my own spy in the system and it was great.

Respondent #4 stressed the importance of close contact with the EA in order to keep track of daily issues with respect to her daughter. She attributed her daughter’s success to the EA on all levels, describing,

[Name of student] shone in elementary school ‘cause of her EA, and she shone in certain parts of high school because of the particular EA but when she was with [name of EA] she shone, because [name of EA] got to know [name of student] and she knew how to make her work, and knew how to cut through all the bullshit whereas others wouldn’t, just kind of sit back and in no rush to do any work.

Within her narrative, respondent #4 also described difficulties in social integration for her daughter. She outlined a plan so that her daughter would be part of a peer group and described,
All we want to do is put together a circle of friends for [name of student] at lunch time, so that when like from Day 1, she knows that somebody is going to be there at her locker, walk down to the cafeteria with her, and sit with her at lunch time. And hopefully, that person will bring, like, a bunch of her friends too, such as she and this girl.

When this suggestion was made, she described the teacher’s disengagement. Respondent #4 was told, “Oh well, we can’t possibly do that.” She described what she sought to support this aspect of integration.

Respondent #4’s intervention also extended to the IEP process. She described that in order to have her daughter’s IEP in the form that she felt was appropriate, she had to write the document herself,

The teacher that took to writing up an IEP, she sent it home, and I said, ‘You know, [name of teacher] I can only think maybe this could be a little better, you know.’ ‘Oh, do you, Well, hold on,’ she said, ‘Well, do you want to do a little draft maybe, and send it to me?’ and I said, ‘Sure.’ So, I did the draft, and of course that became the IEP So, I wrote up the IEP I literally wrote up the IEP.

She discussed the IEP document in terms of collaboration between herself and the school, noting, “Collaborative, in the sense that I wrote it, and they implemented it. If you want to call that collaborative, if that’s what it’s called. Respondent #4 clearly noted that there was no collaborative writing of the IEP. Further, she noted lack of uniformity in its implementation, given staff response,

This particular school? They’re not responding as well as they could be. They’re giving lip service, they’re responding a bit but they’re still not fully there yet. They’ve got a way to go. They’ve got a way to go. They don’t get it yet. They don’t really get it yet. The special ed people don’t fully get it, and the classroom teachers of course don’t have a clue because the special ed people are still taking
full ownership of the kids, and the classroom teachers aren’t being given the sense that the kids belong to them. Even though they do. I mean, every classroom teacher’s responsible for every kid that’s in his class but the special ed people are taking almost too much ownership.

Respondent #4 indicated that the IEP was ineffectual because ownership of the student’s needs was allocated to support staff, who were not clear on the process or its implementation. She noted a significant problem in the disjuncture between teacher and special education staff collaboration.

**Summary**

Respondent #4 already had an understanding about policy and integration given her professional background as a special education teacher. She indicated that negative principal, teacher and support staff attitudes blocked the initial registration process. Respondent #4 described how the local school operated on a segregated model. She rejected the local school on this basis and sought integrated placement for her daughter at an alternative school. At this location she described how positive principal and teacher attitudes led to positive outcomes. She described characteristics of teachers who supported integration as open-minded, creative and collaborative in their approaches. Throughout the course of her daughter’s elementary school, respondent #4 refused to have an IPRC for her daughter, given her understanding about the process and its implications. As her daughter transitioned to secondary school, she described mixed experiences in the integration process. Negative principal and teacher attitudes again weakened the process from academics to social and extracurricular activities, resulting in segregation for her daughter while physically present in an integrated placement. She cited the issue of discrimination based on the visible characteristics of Down Syndrome as a contributing
factor to negative attitudes. During the last 2 years of secondary school, she described how the school tried to pressure her into complying with the IPRC process. Respondent #4 described how she was threatened that without such compliance, that accommodation and support were not guaranteed. Respondent #4 only agreed to informal meetings but refused the formal IPRC process. Throughout the course of her narrative, respondent #4 recognized the importance of parental involvement and advocacy as crucial to integration efforts. Respondent #4 also described the importance of affiliation with parental advocacy groups in this process. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

Respondent #5’s Profile

The respondent is the mother of three children. Her daughter, the subject of this narrative, is a student with Down Syndrome. Respondent #5 is also a former teacher with professional experience in integration of students with disabilities into regular classrooms. Prior to elementary school, her daughter attended preschool in an integrated setting. When her daughter left this setting, respondent #5 went to register her daughter at the local school but she was immediately directed to a segregated setting. Respondent #5 was not provided with information about special education and process throughout this initial course of her daughter’s education, nor in the years following. She met with school officials in an initial confrontational meeting where the school insisted on segregation and the family refused and demanded integration. The school eventually complied but told the family that they would regret their decision. The family was also told that if they let other families know that the school was integrating their daughter, that the school would no longer allow their daughter to be integrated. Respondent #5 sought and obtained an injunction to prohibit the school from engaging the IPRC process but agreed to meet with staff for informal reviews about her daughter’s education. While the school was cognizant of the
family’s stance on integration, there was a continuous push to convince the family to segregate from elementary through to secondary school. Through elementary school her daughter was given some support; however, by Grade 7, required and appropriate supports were withdrawn. When her daughter was ready to move on to high school, there was no transition, or any other plan in place. Although respondent #5’s daughter was ultimately placed in a regular classroom setting in Grade 9, after 1 month, the respondent was called to the school for a meeting, where there were renewed efforts to segregate. Respondent #5 described the need for consistent parental surveillance, the consistent push for segregation, as well as the lack of access to curriculum and supports, as characteristics of her daughter’s educational experience. While she described the positive attitudes of some educators, she also indicated that others were negative and intimidated by Down Syndrome. Throughout the course of her narrative, respondent #5 also referred to her contacts with other parents for whom she had become an advocate and described their struggles with integration.

**Respondent #5’s Narrative**

Respondent #5 began her narrative with a description of what occurred when she attended at the local school to register her daughter,

I of course ended up going to my first day of school, ah, into the school, and I said, ‘Ah, I’m registering her.” They had 2 spots, took my name and everything. Next day, and I knew this would happen, the Vice-Principal would say to me, ‘You’ve got to go to [name of school]’ [spoken by the Vice-Principal]. I said, ‘Why?’ ‘Oh, because, that’s where her program will be’ [spoken by the Vice-Principal]. I said, ‘No, no, no. I was told to go to my home school and that’s where I’m going and she’s staying there with my other kids.’
Respondent #5 recalled that the Vice-Principal advised her that her daughter would have to attend another school. She described the placement as, “It’s another school in the neighbourhood. It’s in the area....They’d bus her.” Respondent #5’s attempted to explain the school’s position,

Well, I think their biggest fear is that other parents would withdraw, like would say, ‘I don’t want her in my class. I don’t want her in my class’ [spoken by staff]. That was the biggest fear.

Respondent #5 refused to have an IPRC given her professional understanding of the process and its implications. She described,

She was never IPRC’d because that had been an injunction put on it. So, they can never do it. So, ‘cause, I didn’t want, don’t forget [name of case] hadn’t been done. Nothing. Nine people sitting around the table, saying this is what we’re going to do. So, we couldn’t have that.

Respondent #5 explained that there was a subsequent meeting to discuss the situation between herself, her husband and school officials. There was an agreement that there would be informal reviews about her daughter’s progress in place of the IPRC meetings. She indicated that as a mother, it was important for her to look back and know that she had made the right decision for her daughter. Respondent #5 also indicated that she was aware that budget concerns were a factor in placement and that she did not feel that the committee had her daughter’s best interests under consideration,

And, so, at that time, you have all these people. Nine people which I thought would be better off doing some other things and teaching kids than having coffee and you know. So, I just felt they don’t know my child. I’m the one who has to look back 25 years from now and know I did the right thing. I didn’t feel they had
the best interests. Knowing what I know today even, I know that they’re into budget and they’re into other things and filling a seat, but to me, I want to make sure she has what she needs.

Respondent #5 recollected the content of the meeting and she began to describe observations made by the teachers,

They were starting to slant her and slot her. Well, into, well, she couldn’t do this, she couldn’t do that. She needs tons of support. Here, she, you know, being, watching everybody and doing and whatever. She’s not disturbing anybody. She’s rolling her mat, doing her work, putting you know, and just being. Later on, I mean, when we did her Grade 1 or 2 or whatever, they said she had no writing skills or reading skills. I said, “Right back in this tape, she could read her numbers in the videotape. I mean, what is this? You know, you’re noting, seeing her skills. You are just making up things. I don’t know why, because she is writing 2+2=4, so she’s writing 4. How could that be a prewriting skill, because prewriting means you’re, that circles, lines and lines across.” So, like what are they trying to make her look worse, when you, she knows. She’s obviously writing, spelling. She’s doing things, so they can actually see it in the videotape.

She revealed that she possessed videotapes showing her daughter engaged in various academic tasks, that those present claimed her daughter was incapable of performing. By the end of the meeting a decision was made to permit integration, however, respondent #5 noted the following discussion,

And, I don’t know who else was there. Maybe the principal and vice-principal and just enough people that they have proof of what was going on and there’s the secretary who’s taking the minutes. But, I remember as we stood up and as we were leaving, he said, ‘And, this is for this year and we want you to know, it’s not the right thing to do. And, you’re going to be sorry and all that.’ And, I said,
‘Well, it will be my decision and if I make mistakes, fine then. I have to live with it. When you make mistakes, I’m not going to live with.’

Respondent #5 also recollected comments by the principal, “He told me and my husband that we’d, that it would be called off, the way he said it. He would withdraw like the offer and everything.” She recollected the confrontational nature of the meeting,

We sat into a room with the superintendent at the time and he’s going to say. He said to us, ‘Ah, you’re going to be sorry. You’re going to be sorry. You’re going to be sorry.’

Respondent #5 confirmed that the local school board treated parents who were seeking integration for their children in a similar way. She described similar scenarios that were brought to her attention by other families in the same board,

They had to go along with us, and so, they told me, and this is the clincher, that I wonder if other parents, I know other parents have been told in our board, that “If we give you what you want, you can’t tell anybody” [spoken by school officials]. I don’t know if you’ve heard that before. I don’t know, but may be interesting, but, what came up and I was so shocked that my husband said, “Did you hear that?” I said, “Sure I did, and, I will tell everybody and I told him right there and then that I’m not keeping quiet about it.”

Respondent #5 was asked if she was provided with any information from the school concerning parental or exceptional students’ rights, to which she responded, “No type of handbook.” She went on to describe her daughter’s treatment at school in the elementary school period,

and so, she was handled very, very, well, a very smart man. He decided to give her the best teachers and then all the parents fought to get into that class. So, it
worked very, very well. There was enough support, and this is the clincher. I said, ‘The minute it doesn’t work, guess what’s going to happen?’ [spoken by the respondent]. He said, ‘What?’ [spoken by the principal]. ‘She’s going to be in your office because I’m not taking her home. So, I don’t want any behaviour. She doesn’t have any when she comes in. If there’s behaviour, it means there’s something wrong and you’re going to have to take care of it’ [spoken by the respondent]. So, we’ve always had support until Grade 7.

As her daughter continued at school, respondent #5 would attend meetings to discuss her daughter in place of the formal IPRC process but she was cautious to bring others with her at meetings,

I don’t know how we got there, because I guess they were trying, to try, for an IPRC and they came to, even into Grade 3. Like, they kept on saying, ‘Okay, now it’s time’ [spoken by school officials]. But, I always kept bringing my husband. She described that, “I would never go alone” and indicated that, “They kept on trying and trying and getting other people and keep trying” so that she would agree to segregate her daughter. Respondent #6 outlined the rationale presented by school staff,

And the gap, they kept saying the gap is going to grow. I said only if I let them stay in that sterile environment. And then what I started to do was years after that when things did work out and whatever, I always wrote in the back of her agenda or something, so when in the next year I went and they came and said, ‘Ah, the gaps are growing.’ I would say, ‘Excuse me’ I think the first thing I ever noted down was she knew what symmetry was. She came home with a 74 when she was writing something and said, ‘This is symmetrical.’

Respondent #5 indicated that the push to segregate was continuous despite parental resistance. She recalled, “So, each time, they would try to put her back in the DD (developmental
disability room, finally get her in there, you know.” The school would tell her, “We have her best interest, we want to do, you know. We want everything for her.” Respondent #5 described how the school used the promise of increased support to try and make her change her mind about placement, recalling, “They try very hard to convince you that it’s the right thing to do, and I’d be very sorry if I didn’t, that she’d have more support. They call it teachers; you’ll have three teachers.” Respondent #5 outlined the consistency of their initiatives, and added, “They kept trying because they thought, well, get her by Grade 3 so they tried again.”

Respondent #5’s commentary indicates that school staff centered their commentaries around a negative based perspective rather that noting any strengths in an effort to convince her that her daughter should be placed in a segregated class, “They didn’t care, as long as it was something. They wanted probably to put her down as D. D. (developmental disability).” She alluded to the issue of Down Syndrome and the immediate perception of developmental disability class, stating, “You know, for her, she had Down Syndrome and it’s right away DD, whatever, automatic.” As respondent #5 reminisced, she recalled, “I always envisioned myself having to go to jail for whatever I had to do. There would be nobody telling me what I had to do, but I had to get it all set.” Throughout the process, respondent #5 explained why she would not permit her daughter to be labelled,

I wouldn’t label a child. I wouldn’t because I just wouldn’t do that. It’s like swearing at a child or whatever. Or, you know if you treat them like crap. They’re not going to be. I don’t want her wearing that label all the time and I don’t want her to, you know, even when I do see kids in those kinds of classes, the teacher says, you know, if she needs help with one child, she’ll say, “I need help with my DD class,” but, which one in the DD class? You know, like, they all have names so you sort of forget that. So, I didn’t want her as a group.
Respondent #5 offered commentary about her involvement with other parents who were attempting to integrate their children, indicating that her experiences helped her advise others to avoid similar manipulation. She specifically spoke to the issue of the IPRC process,

I tell parents you have to go with people. You have to have witnesses and you have to have somebody who’s hearing the same thing you hear. You’ve got to go back and discuss it. I did try in Grade 9 to go to a meeting myself. It was Grade 10. I figured after 11 years of the school system and I can go myself. I cried the whole time I was there and it was the last time and I don’t think anybody should ever go alone.

Respondent #5 described how negative teacher attitude also emerged in her work with these families,

I don’t think they want any responsibility in having to. I’ll never forget that one parent, who we started for, out of early intervention intake. At school, we had this little meeting and one of the parents picked up their hand and said, “Will my son be able to read?” Like, they knew right away that this child was not going to read. “But, oh, some child will, some children won’t” but the laughter is like, “Ha, have high hopes here,” you know. Of course you’re not going to read. But, the whole thing is, right from the beginning you sort of see their attitude. We’re going to put you in this kind of class. You think they’re all going to learn to read? We don’t even teach the teachers how to teach them to read. So, they knew right off the bat it was just not going to happen.

Respondent #5 also recollected the necessity for her to intervene in the early elementary years, so that her daughter was able to participate properly within the curriculum,

Well, they’d have trouble, Grade 2. The teacher, who was my best friend’s mom, my brother-in-law’s best friend, said to me, ‘You know, we’re going to start a novel and she’s going to have to go out’ [spoken by teacher]. I said, ‘No, we’re
not. I’m going to read it to her and she will answer questions the next day. Just tell me which chapter you’re going to be doing and I’ll read it to her or, and she’ll still get comprehension. She’ll get spelling words out of there. She’ll still get, you know, vocabulary out of there.’ So, then, they had to do it, because they thought, once we had to do something hard, she’ll be out of there. So, every time they came up with, ‘But, we’re starting multiplication, well’ [spoken by teacher]. ‘So, she’ll do that’ [spoken by the mother].

Respondent #5 noted that appropriate environment was also an issue,

So, they decided, okay, well, she’s there, then we’ll put some other kids in and make it worthwhile. So, but the thing is the other kids were taken out. One day, I caught them taking her out too. It was Grandparents’ Day and I came at the wrong time of day and I saw her being read the same stories they were reading in the other room. I said, “Uh, uh, and I wrote it in her OSR (Ontario School Report) I want her in regular classroom, no matter what it takes. I don’t want her out of there unless all the other kids are coming with her” [spoken by the respondent].

Within the elementary school context, respondent #5 noted that even if her daughter came home with work, that the following would occur, “She’ll come home with something. If they’re doing government. We did the wrong government. Instead of the federal government, we did the provincial NDP.” Her comments indicated that there was no follow up or direction between the school to the home to ensure that her daughter’s work was understood so that it could be completed appropriately.

Respondent #5 indicated that resistance continued into secondary school. She described that there was no collaboration between elementary and secondary schools to provide smooth transition for integration into high school. This resulted in her daughter being unable to attend high school on the first day of classes,
First few days, I kept her out because I didn’t even know where to drop her off. I had no idea and finally they called me and I said, “This is how we transition kids into high school?”

Respondent #5 went on to describe that after only 1 month in Grade 9 that a meeting was called to discuss her daughter. She recalled, “There was 10, 12 people, so and then there was the EA for the DD teacher, right, not, the center had nothing to do with it, but they were there.” She described that her daughter was attending high school and, “She had been there for a month already and they were trying to convince me to go to the other school in [name of region].” A meeting was called to discuss her daughter and when she questioned the meeting attendees about what took place in the segregated setting, they informed her, “They would have more classes for her, more programs” [spoken by school officials].” When respondent #5 probed further, questioning, “By the way,” I said, “What would she do in that room? Do they, do they multiply? Do they divide? Do they read novels? What would she do in that room? They couldn’t tell me.” She concluded with a description of her commentary to the staff attending the review meeting,

I said, “She walks to school across [name of street] and [name of street]. She walks home. She, why would I send her so far away? For what reason? What do they have there?” [spoken by the respondent]. They don’t know. “They have more programs for her” [spoken by staff]. “What programs?” [spoken by the respondent].

By the end of the meeting, respondent #5 reminisced, “I was just caught off guard, you know. I just was, after so many years, why would they try anything like that?” While there was a history of integration for respondent #5’s daughter, that was supported by parental advocacy, however by Grade 9. Respondent #5 described renewed and concerted efforts by the local school
to segregate. She discussed how staff continued to try and describe their daughter with negativity,

> Whenever they would give me the negative things, I would say, I would say, ‘I don’t want to hear that. I want to see her strengths. They had nothing to say. They had nothing to say.

She continued to explain the importance of staff attitude in her daughter’s education,

> I wanted, there’s two ways of looking at the exact cup, half full and half empty. And, I wanted to make sure they see her as full. So, that was something I said to the superintendent, because he’s talking about deficits and his, you know, her needs and whatever, and I said, ‘I don’t want to talk about needs. I want to hear about strengths and then you’ll know my child. If you’re looking for deficits, then I’m not talking to you.’

She elaborated on the difficulties she faced with negative teacher attitude and explained a situation in relation to a secondary resource teacher,

> She sent me back a stationary that said it was her at special education. ‘Our job to make, to make these kids real human beings.’ And, I said, ‘She’s already a human being, so if you’re going on that precept, you know, I don’t know what you are doing.’ [spoken by the respondent].

Respondent #5 also explained that teachers who wanted her daughter in a segregated setting, in fact neither had an idea about what went on in such programs nor an understanding of the academic implications of such placement,

> Like, there was one teacher who made a comment like in Grade 8 and she said, ‘I don’t know why she’s not in the DD [developmental disability] room. She would be learning more’ [spoken by the teacher]. I said, ‘I can’t believe this. It’s toward the end of the year’ [spoken by the respondent]. And I said, ‘Why, what do you
think they learn in there?’ [spoken by the respondent]. Well, she’d be getting a credit” [spoken by the teacher]. I said, ‘They don’t give credits in there either’ [spoken by the respondent].

Respondent #5 also indicated how Down Syndrome created attitudinal barriers for some teachers,

First of all, I like to meet with teachers so they know me and not to be afraid. Just like when I had her with Down Syndrome, and I didn’t know what to expect. I’m sure that’s what teachers feel. ‘Like, I can’t do, I can’t do it’ [spoken by the teacher]. But, when they realize I don’t want a doctor out of this and that’s what they keep saying, I said, ‘I just want her to be the best she can be, you know’ [spoken by the respondent]. So then, they sort of relax. ‘Okay, phew’ [spoken by teacher]. You know. I can see that. But, it’s really. It’s been a hard journey.

Respondent #5, however, was also able to describe the effect of positive teacher attitudes on integration, indicating that there were excellent teachers as well within her daughter’s academic experiences,

They have picked great teachers for her. I mean her teachers have been so wonderful and that’s the thing, you know, because the teachers are wonderful and spend the extra time with her and do amazing stuff with her. But, I don’t feel with all those kids in the class. I mean, it’s she could be doing much better with support.

While respondent #5 described a mix of teacher attitudes, she also described inappropriate accommodations, noting how the resource provision that her daughter required to meet her needs in an integrated placement were withdrawn after Grade 7, “There’s nobody to help her at this point since Grade 8. That’s why I said till Grade 7. She’s been there but she’s not getting any help.”
Respondent #5 described that instead of providing such support, that the school placed her daughter in a smaller setting, apart from the regular class,

Apparently, there’s like six kids in an essentials class or eight kids or whatever. It’s a very small class. So, but then, I’ve asked for like history class, so they’d give her a little bit of support for that 1 hour or whatever, but basically, if it’s a small class and this is my big thing. If it’s something like Family Studies, she still needs some support because there is some written work and notes to take. But they, you know, and so, they don’t really seem to care about the support she needs there but what I did, say for history. The guy can’t handle 35 kids. It’s unfair for her to be in there and not get any support, anyway, so they threw in some support, but the support was the guy who was going on ski trips in the winter with the other group of kids, like they’re always off, so he was never there anyway. So, it was just a big game. She’d tell me, “He wasn’t there today. He wasn’t there today” [spoken by the respondent’s daughter].

Respondent #5 indicated that extra help was only available through a separate classroom arrangement. She explained that she was referred to the special education setting to obtain such resources. She was advised, “There’s more staff. There’s more teachers, [spoken by staff] not EA’s but they call them all teachers.” She described her response as, “I knew what was there and I told them, excuse me, “They are all not teachers and I said, I don’t want her to learn to the lowest. I want her to learn to the highest.” Although respondent #5 knew that her daughter required support, she noted that she knew that this support would not be provided in a regular classroom placement,

They are not going to give it to me anyway. She’s too good. She sits quietly. She does her best. What she does do is like the LD [learning disabled] students. She goes to [name of staff person] and she’ll help her at lunch time.
She continued to explain accessibility issues in relation to academics,

One time, I went after them. Doesn’t she get some marks for effort. But what I like is that all her work, they always, it amazes them because I think the department head will see her Science and say she’s got a lot of them right and she doesn’t study. It’s what listening and doing notes in class because she doesn’t bring a book home to study. So, she does get a lot of things and they are proud of her for doing it. But nobody’s really knowing how to modify it, so that she can succeed and get credit. It’s just not something our board does.

Respondent #5’s commentary indicates that despite her daughter doing course work, that there were never any efforts made by staff to allocate credits to her daughter. She also indicated the lack of efforts to modify her daughter’s curriculum,

They’re not modifying for her. They’re not giving her a question to do. They’re not saying, ‘Okay, this is what we want her to learn’ (spoken by staff). I know, ya. She had all that till Grade 7-8. She had a wonderful person who could plan for her that way. First year, actually, we kept up with all these subjects. She got two credits. She got Math because she’s wonderful in Math. She got Geography. And I don’t know if that’s because he was such a wonderful teacher. He was. But, then, I think they were told no credits.

When asked about program and IEP, respondent #5 indicated that the school did not provide the appropriate curriculum to her daughter,

I didn’t really find they do, because if they’re managing, like if she’s coming home learning about things like if you saw her coming now, she’d grab her books and do whatever and she would be learning and reading and doing. And, so, I, you know, as I see progress, It’s more than I would have saw in that segregated class.

Respondent #5 indicated that she was expected to compile the IEP for the school,
If everything was going well, they had no problem with me. Even to this day, the teacher says I have to do an IEP. Well, ah, maybe just in this subject, you know, whatever it is, because I felt the teacher was not doing enough.

In addition to the teacher requiring respondent #5 to write her daughter’s own IEP, she also noted that staff were not interested in speaking with her, ‘They don’t really want to talk to me.’ She further explained, ‘We haven’t done an IEP this last year.’ This indicates that the that IEP was not prepared in a timely manner.

Respondent #5 noted that her daughter’s school utilized Ministerial policy as a rationale to deny accommodations,

The word is, ah, the Ministry has strict criteria and it’s not our fault if she hasn’t reached those criteria. We can’t go away from that. We have to use the Ministry’s strict criteria.

She continued by noting,

It has to be because the last government fine-tuned modifications and accommodations and what it means if you change it. So, it is so much different than everyone else’s, then it is called a modification and if it’s just a matter of, they start playing around with the work accommodations and modifications. And, so, ah, in the last little while, I figured. You get so tired. She’s still learning. She feels good about herself.

To understand the distinction between modifications and accommodations, readers need to be aware that an accommodation means services and resources that are required to help a student with a disability to access regular curriculum, while modifications are changes made to standard curriculum based on the individual needs of a student. Respondent #5 described how lack of money and political will resulted in inappropriate support for her daughter,
Why, they like to say they don’t have money, but it’s not a matter of money. It’s a matter of, I don’t know. I think it’s a matter of will because I don’t think they want to have to do it because they’re have to do the next one and the next one and the next one so they’d rather just finally put you in the DD [developmental disability] room and not have to worry about you asking for too much, and fill up a seat ‘cause that way, they can get the expensive classroom [referring to the segregated classroom] filled.

Although respondent #5 was aware of these evident barriers, she also felt that there was a hidden mechanism to fund her daughter,

I am sure she is secretly followed in order to get money, but I don’t think that we know about it because we never signed anything. She’s probably secretly IPRC’d with no signature. I mean what are we? You know, if we ever found it, we said we’d sue the pants off of them.

Respondent #5’s commentary indicates that the funding model was problematic in securing appropriate resources for her daughter. She also described how students were generally placed in an effort to satisfy enrolment in segregated classes, rather than placement based on needs.

**Summary**

Respondent #5 had some understanding about integration and special education given her professional background as a teacher. When she originally sought to integrate her daughter at the local school, she was advised that her daughter needed to register elsewhere, based upon her local school board’s segregated special education service delivery model. These findings were similar in all other narratives. She refused to comply with segregation and relocate her daughter. Given the family’s advocacy efforts, the school ultimately agreed to integration, however were
told that the decision was conditional. In exchange for the placement, the family was told that they must not reveal that the board was integrating their daughter to other families, and that if they refused, that the integrated placement decision would be withdrawn. Respondent #5 indicated that an injunction was sought and obtained by the family to stop the IPRC process. Her knowledge about the negative impact of the IPRC process was similar to comments of all other respondents. As an alternative, respondent #5 indicated that she consented to informal meetings to discuss her daughter’s needs and progress. She also described ongoing efforts at these meetings through elementary and secondary school, to convince the family to consent to segregation in a developmental disability program. Respondent #5 described how negative principal and teacher attitudes contributed to these initiatives. These findings were evident with all other respondents. She recalled that efforts to modify her daughter’s program were either absent or inconsistent throughout elementary and secondary school. She also described the need for ongoing parental advocacy to avoid labeling, advocate for resource support and curriculum access. These findings were evident with all other respondents. She described how lack of appropriate supports was attributed to the Ministerial funding process. These findings were evident with all other respondents. She also indicated how the IEP was not compiled in a timely manner, inappropriate and further, that its compilation ultimately became a parental responsibility. Parental intervention was also essential to ensure that negative teacher attitudes did not prohibit access to regular classroom curriculum. She described that as her daughter entered into Grade 7, that even the limited resource provision that her daughter was receiving deteriorated and that attempts increased by the school authority to pressure her into consenting to segregated placement for her daughter. When she attended the annual meeting for her daughter, she described being caught off guard as the school authority suggested segregated placement for
high school. Respondent #5 again resisted but even though her daughter was allocated to an integrated placement, there was no transition plan in place for her, resulting in a late start to high school and missed attendance. Throughout the course of secondary school her daughter was placed in a smaller setting with other students who had disabilities, although her placement was integration. She commented that her daughter was capable of much more and described the continuous need for parental advocacy through the grades her daughter had attended thus far in secondary school. She described the ongoing personal and emotional drain she faced and cited the necessity of affiliation with parental advocacy groups. These findings were evident with all other respondents. Respondent #5 also described that she was advocating for other families who were undergoing similar treatment. These findings were evident with all other respondents. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondent #6’s Profile**

Respondent #6 is a single mother whose son has Down Syndrome. She indicated that at the start of her son’s education that she was not aware of rights and process in special education, however, indicated that through her son’s experiences, she gained insight into the process which contributed to her advocacy efforts. Throughout the course of her son’s education, respondent #6 was actively involved in seeking integration for her son through elementary and secondary education. Her son experienced a positive preschool placement, followed by a supportive principal at the commencement of elementary school, however, respondent #6 had to intervene and request a change of classroom teacher, given the non-supportive attitudes of his first teacher. These efforts were supported by the principal. Respondent #6 described the emergence of negative behaviors with her son during this period. She attributed these behaviors to improper accommodations, separation from classmates and lack of access to curriculum. By the end of the
year, an IPRC decision attempted to segregate her son into a behavioural class. She explained that the decision was made in the absence of rationale for such behaviours. Respondent #6 refused the placement and also refused to have her son subjected to a psychological assessment. He remained in an integrated elementary school and progressed to an integrated high school. Throughout the course of her narrative, she explained that her constant vigilance was required. She noted that modifications were always a problem and that staff in general did not provide them. She also explained that although she collaborated with staff in secondary school, there was usually no follow up. Throughout the course of her narrative, respondent #6 also interspersed comments about the experiences of other families who faced similar situations when they tried to integrate their children. Respondent #6 knew these parents because they were all members of the same parental advocacy group.

**Respondent #6’s Narrative**

Respondent #6 commenced her narrative with a description of her son’s placement in an integrated summer school program prior to the commencement of elementary school,

He was going to a summer program which was called [name of program] which was a continuing ed. inclusive program. That was run out of a school on [name of school]. It was a fabulous program. I know this isn’t to do with school, but it’s to do with educating you and acceptance of your child. This program was run by good people and was going before I ever learned about it and unfortunately they phased it all out after, but it was a situation where you took your child there and you didn’t have to go through a checklist of all the things he could or couldn’t do. They just said, “Who is this? Oh, fabulous, come and pick him up at four.” And there was all, I mean, where do you get that kind of thing? It’s like dropped out of God knows where.
As she was preparing to transition her son into elementary school, she described the positive attitude of the principal at the local school, “Not only did the principal take an interest in him, she said she would visit his summer program, which I thought was a first.” And she continued to describe,

So, this principal [name of the principal] was her name, came to visit [name of principal] at that summer program. She kept her word. So, we looked forward to him starting next September at [name of school] and he went there and he went into his age appropriate class, which was Grade 2.

She indicated that the principal was welcoming to her son and this marked his acceptance into an integrated elementary setting, however, she described the negative attitude of the first teacher,

The first thing that jumps out at my mind was that there was a horrible woman who taught that class and the reason I saw her completely horrible first-hand, was one morning he was showing he didn’t want to go to school and I sort of was kind of dragging him, thinking that if he went here, he would get used to it. You know, new place and all that stuff and she stood at the top of the stairs as the kids filed in and if they talked to each other, she blasted at them and I was in the line-up too. I said, “Good morning” and I said something about [name of student] is uncomfortable about coming, but then the line-up had to keep moving so we stood outside the classroom waiting for her to come. Then, when everybody was in the class, she came up past us sitting outside the doorway into the classroom and shut the door.

After having reported this to the school principal, a change of teachers was made and respondent #6 reported success, stating, “So, he went back in. He had to go back into Grade 1, but the teacher was wonderful.” She indicates that through collaboration with the principal, she was able to resolve these initial problems, by changing her son to a classroom teacher with a
more positive outlook. She went on to further note that as the year progressed, she only was contacted by the school over problems that arose,

It seemed to me that the only time I heard from them was when he’d done something wrong. Then, I’d get contacted. I remember that year very well. It was awful.

She went on to describe, “I had to go to school four times a day. Take him there, come home, get him at 11:10, because they would not allow him into the lunch.” Although her son was integrated, she suggested that he was out of the classroom for parts of the day, noting, “It was an inclusive setting for him. I still think that he was perhaps treated differently, put in different places.”

Respondent #6 recalled her son’s treatment during the next part of her son’s elementary period,

They put him in the hall way with a desk and a TA [teaching assistant]. Well, so he wouldn’t, you know, be disrupting the rest of the class or whatever. The story was, they wanted him, oh, and he’d concentrate better. But, then he started to show a lot of behavioral issues and then he would toss furniture. Down the stairs, and, you know, I know that he was reacting to being tossed out of the group.

She further explained,

And, at the end of that school year, when we had an IPRC for his placement for next year, all we talked about was him going into the behavioral class. And, I thought, you rotten sausages. You know you guys have put him into this sticking out position of, you know, moving him from the rest of the people.

Continuing with her recollection of the meeting, she recalled,
What sticks out in my mind is that they had said he was so ill behaved and I must have said, I can’t remember that, the way you’ve treated him, her putting him off in separate places.

Respondent #6 defined the negative character of the initial IPRC, noting that her son was presented by the IPRC using information obtained by personnel who saw the student the least,

I knew enough about, at the IPRC. They just sit there and the psychologist and all those people are supposed to sit there and make choices and decisions about your child and don’t know your child at all. So, I made up a binder and introduced him. I had photographs and information. What can I say? What can I do? All of those things. If you’re interested, I can show it to you. And I presented it to them and they passed it from person to person to person. Oh, that’s nice. That’s nice, dah, dah, dah, ah, but in the end, they still have their own agenda.

She also described the attitudes of professionals who were present,

The common theme is always, ‘Oh, he’ll get overwhelmed in a class that size’ [spoken by school officials] or ‘Oh, he has to be in a smaller class or he has to have time out.’[spoken by school officials].

Respondent #6 also described the physical set up of the IPRC meeting, “And, I remember they always used to have, you know, a lineup of people all sitting around the table and you never knew any of them. It was ridiculous.” In contrast, she noted her own isolation, “Those early years, I certainly didn’t have anyone with me.” When respondent #6 was asked whether the IPRC committee had explained special education rights and responsibilities to her, she responded, “I don’t think that there was that kind of effort put in at all. I remember IPRCs are intimidating for the best of well-informed people.” Her commentary also reveals that the process was set up in such a way that the parent would be faced with a line of people who were part of
the meeting, creating a very intimidating environment. Later, this respondent noted, “I heard about parents who had their kids in school. They never had an IPRC and I was in the city and I thought, why am I having one?” She also noted that the committee tried to convince her into thinking that their decision was the most effective,

Well, first of all, they have this wonderful way of delivering it, that, you know, maybe, you’re off the wall. And, that you’re asking for this, hugely demanding. That, you’re going to put all this stress on your child and that you know, you really ought to do it this way, because he’ll learn in a small setting better.

Respondent #6 further described how the IPRC committee requested a psychological assessment, so that they would be able to understand how to teach her son,

It was ridiculous, and, there was a psychometrician, and I remember that, and um, they would want to have [name of student] of, “We need to have a psychological testing” [spoken by school officials]. I said, ‘For what? What do you need that for? Just deal with what you’re dealing...’ [spoken by respondent]. ‘Oh, well, because if we figure that out, we’ll know how to teach him’ [spoken by school officials]. I don’t agree with that.

Respondent #6 intervened so her son would not be labeled, indicating, “I didn’t want anymore paperwork that was going to pinhole him anymore than he was already pin holed.” Although her son went into an integrated placement, she described the lack of modifications to his program,

When I wasn’t there, I don’t know how it manifested itself, but what I do want to bitch about is that no one ever modified his program. I can remember almost being off the deep end, helping him with projects. Mind you, he had more projects given to him in elementary school that he ever did in high school and I remember work, trying to work with him to do these projects. No one ever sent instructions
home. This is it. It has to be just this. They didn’t say five parts on one part, this part of this thing. Maybe a picture here, maybe there was no guidelines and I used to go absolutely nuts, because, first of all, I had to read whatever the project was. I had to understand the project. Then, I had to learn how to get him, then I had to modify it so he would be able to understand, so that “a,” I was not doing the project for him, which they would often say, “We don’t know how to mark this because you know, we think you did it” [spoken by teachers]. And, so, that was a huge frustration for me, this basically saying this is the project. It is due on such and such, then I’d work. They’d wash their hands. No one there brought home a kind of guideline modified expectation for him at all and this was the constant fight that I would go through.

She described the lack of program modification and lack of direction from school staff to accommodate. She was essentially left to figure out things by herself. There was no collaboration with staff between parent and school over these curriculum issues.

Respondent #6, described that the elementary resource teacher assisted with her son’s IEP, “Going back to elementary and I can remember all these years even with the nice lady that he had in resource who did it.” She however, noted that, “She [referring to the resource teacher] would probably copy last year’s.” These issues remained unresolved through elementary school.

Respondent #6 then shifted her narrative to her son’s entry into high school. At this juncture, she described that segregated placements were the norm for students with disabilities,

They didn’t know where to put [him] and they would probably do it to these kids all the time. Oh, well, you know, they’re not going, they’re not university level, so they would, and often those kids you would find out, then, he’d come and tell you all his classmates were going to have behavioural problems but very often you would find out, so those children, those children had other kinds of problems and that, where they kind of shuffled them into that room.
With the transition to high school, respondent #6 described ongoing problems to access courses and resource assistance. She describes a commentary by school staff who informed her,

‘We don’t have support in that room’ [spoken by school officials] or time tables don’t mesh properly or it’s a huge class. You’ll be overwhelmed, blah, blah, blah, blah….So, invariably, they had their own little choice.

Respondent #6 continued to explain that classes that were chosen were not available to him,

The class is filled up now [spoken by staff]. Ah, my gut feeling was about all of that was. We’d make a choice. No matter what they were, whatever the courses were, they seemed interesting and that would appeal. They would always change them. They would. They had their own agenda. Here the…here you can come and make those choices and either pay, because I didn’t get on time. But even if I did get on time, there would be some kind of story.

In addition to consistent resistance to her son taking specific courses and having his access to these courses blocked, she also noted the difficulties faced by her son over the issue of school planning to assist in socialization,

The school is always blabbing about being a community, should have been doing themselves, a [name of religious] community, I might add. But, ha, I just never saw it. Like times I would say that, how lonely he was and how difficult it was for him not to have friendships and you know that he needed an outlet to be able to talk to someone about that. And there would be this sort of sympathetic face and say, ‘Oh, yes, I know what it’s like’ and that would be as far as if ever went. And any time, I asked about peer tutoring, peer support this. ‘Oh, we don’t have a credit for that this year.’ Talking about all the other the other ways of bringing in natural supports to the school…whether for his lessons, or the social thing. Everything was just sort of, ‘Oh yes, well, that’s a good idea.’
Respondent #6 continued to describe that the ongoing problems with modifications that had plagued her son’s education since elementary school, continued into high school. She explained, “Modifying, that was always an issue, modifying whatever the program was.” She also noted an inconsistency in follow-up and accountability with staff that characterized her son’s education,

Often things were not followed up on. I also found that, you know, you would kind of connect yourself or you’d be directed to someone. It was very often the resource teacher who would put on a damn good show, while you were having a talk about all this stuff that’s to be done. The, after, you find out that [name of staff] didn’t get that done or there wasn’t an interest in it, or, you know, she [in reference to resource person] really didn’t intend to do it.

Respondent #6 recollected that while strategies were discussed at her request, staff appeared wholly uninterested in carrying through on process. These attitudes were reflected in the compilation of the IEP,

When I got to high school, I was told, what’s it called? [in reference to the IEP] It’s always continuing. We just embellish it [comments by resource personnel], but actually what you do is use everything from last year and if there was any successes at all, you might modify that a bit, but they were not done them individually for year, class for every year, so that the teacher, I said and that’s back to elementary school, can I not be part of the process?

While staff wrote the IEP, she noted that she was blocked from collaborating on content,

‘No, we’ll take your input but as far as sitting down and putting, working that thing together, no, no, way. You can look at it after that [spoken by staff].’ The teacher that took to writing up an IEP, she sent it home and I said, ‘You know, Julie, I, I can only think maybe this could be a little bit better you know [spoken by respondent].’ ‘Oh, do you? Well, hold on,” she said. ‘Do you want to do a little
draft maybe, and sent it in to me?’ [spoken by staff], and I said, ‘Sure.’ So, I did the draft, and of course that became the IEP. So, so I wrote up the IEP, I literally wrote up the IEP.

Respondent #6 further noted that even though the IEP was in her son’s file, that she was unsure if any teacher ever looked at the document,

First of all, it’s intimidating, and then as the years went by, I thought they were a pile of fools because you go through all this b. s. [bullshit]. You never get what you ask for and why are we doing it? It’s just paperwork and no one. I don’t think anyone ever looks at the IPRC and then of course there was always the issue of the IEP and that’s another, that’s another big joke….I don’t think the teacher ever looked at the IEP.

She further explained that she had reached this decision following conversation with one of her son’s teachers,

So, I’ve formed this opinion that none of them had any information. Oh, but I’ve never seen his OSR [in reference to teacher’s comments]. So, you have, have you seen the IEP? [question from mother]. Oh, no, I’ve not seen the IEP. Oh, the, the resource teacher said she would be emailing all the teachers and giving those instructions.

As to the efficacy of the IEP, respondent #6 explained, “Oh well, you know, we can still use the one from last year. I think they hated them. When he was in elementary school, they were like 20, 30 pages.” There was some indication by respondent #6 that the IEP was inappropriate. She commented that it appeared that the IEP was not consulted and modified, but rather copied and inserted into her son’s file as a matter of administrative process. She also indicated that the IEPs were not implemented in a timely manner. Respondent #6 noted that, “They’re supposed to be done within 30 days of your placement in the school. Sometimes, I got them in May. I have
no respect for them. To me, I have no respect for them.” Respondent #6’s summary indicates that the IEP process existed as an administrative necessity; however remained one that was evident through documentation and not through the reality of student access to curriculum and education.

Respondent #6 described how she was told that the IPRC process had to be in order so that her son could have resources, but then described how no such resources ever materialized. She described, “Oh, the IPRC always, they said that. That, they had to have those IPRCs in order to be able to put the staff and supports in place.”

While respondent #6 advocated for support systems, her commentary indicates that these resources never materialized. She indicated a sense of apathy with staff who often did not follow through to meet her son’s needs. When she questioned lack of resources, she was told that funding was not available because of the government. She also described how the most negative description of students was desirable to attain the greatest amount of funding, stating,

I knew the bleakest they could paint the child, the more dough they would get and then they’d say, “We really don’t know if we’re going to get it” [spoken by staff in relation to funding].

She described how staff had advised her, “Oh, our hands are tied, you know. The government’s made it so hard on us.” Respondent #6’s commentary indicated that the funding model served as an excuse to fail to provide resources and further that the funding model necessitated the most negative portrayal of a student in order to access funding. Even with the funding model in place, respondent #6’s narrative indicates that resource allocation was still not guaranteed by the school.
Despite these obstacles, respondent #6 continued to persevere so that her son could be integrated into a regular classroom placement, although she commented upon the unwelcoming environment,

I can remember in my gut looking back, that it wasn’t a kind of, “Oh, wow, is he ever welcome,” sort of thing. But, I think it was more a kind of we’ll have to get assistance. We’ll have to get somebody to support the teacher.

Respondent #6 described further attitudinal issues as if her son was an imposition on staff, and further admitted to be overwhelmed by the situation,

I just don’t know why. I’m so overwhelmed. That always used to almost prelude everything. And meeting I had to put me in that framework. That I would often fall for it. ‘Oh, she’s so busy. Oh gosh, does she have time for this?’

Her commentary describes how the negative attitudes of teachers would question her own personal agenda to integrate her son. Respondent #6 also explained that staff viewed her son differently and suggested non-academic activities for her sons that were not standard activities for his peers,

There was another man that came in and he was a pretty easy going guy. Kind of, off the wall a bit and I remember him once saying to me, ‘Well, such and such isn’t working. He should learn how to cook’[spoken by school official], [to which she responded], ‘Why isn’t everyone in the school learning how to cook?’

Respondent #6 indicated that throughout her son’s academic experience that negative attitudes led to lack of teacher accountability. She also described that this accountability extended to social integration and efforts to make this process possible,
Never, in all the years of school, have I ever heard anyone want to make an effort to have anything happen. You know, right from elementary, you know, you can’t force kids to make friends and they, I heard that every year right up until now. We can’t force and I’d say, “You know what? They told me that back in elementary.” Nobody’s willing to look at that social thing and the circle of friends that came in and was organized in the school.

Respondent #6 reflected upon her experiences and noted that she was, “running myself ragged all the time and then you can thank the educators for that. There’d be times you’d have doubts.” She further explained the debilitated feelings that she experienced by continuous advocacy with a lack of results,

When you keep not having results. It was so hard to keep on fighting when you, I know parents who gave up that fight and put kids into segregated classes because their personal lives were just becoming shattered from the energy put forth into it. And, I must say that in many ways, I made that choice if I didn’t follow up on something. I thought, you know what? I don’t want this to kill me. I need to be around for this guy.

Respondent #6 indicated that there was an ongoing emotional drain because advocacy was continuous, and she was faced with a lack of results for her efforts. She indicated that advocacy groups were her source of information to assist in her son’s education, while the provision of such information was not forthcoming from the school,

For [name of student]’s entire life at school, this was information that I got from outside agencies. I don’t think anyone ever told you what an IPRC was. You know they told you that it was something so they can serve your child better, or so that your child can get the best out of the system. That’s about as much as they would say about the IPRC.
Respondent #6’s commentary indicated that affiliation with advocacy groups was crucial in obtaining information about special education issues and the IPRC process.

Summary

Respondent #6 commenced her efforts for integration as her son entered into school. She described initial positive reaction from the principal, however also noted that there was initial negativity from the teachers which resulted in her son being moved to a different classroom. While she noted a positive support for the resource teacher in the elementary school setting, she also indicated that there were ongoing problems over the issue of modification, IEP, program and resource provision. She indicated that this situation was chronic, lasting throughout the high school period. Respondent #6 described how the school administration blamed the impact of the funding system on their inability to access services and other resources for her son. She noted that although the funding mechanism sought information about the needs of children, that there was no guarantee that the student would actually ever receive appropriate accommodations through resource allocation. She recollected that there were inconsistent efforts to appropriately accommodate her son, and that these efforts were non-existent in terms of social integration. Respondent #6 indicated a lack of professional capacity to address her son’s needs and even when made cognizant, there was no follow-up. In reference to the IPRC, respondent #6 commented that she was advised that the process was essential to get resources for her son; however she noted through the course of her narrative that such resources were not provided. She described the IPRC as intimidating, further observing that the committee did not know her son, but presented him with uniquely negative characteristics in this process. Respondent #6 also commented on the stratification of students with disabilities into segregated classes as the only viable placement. In order for her son to remain integrated, it was necessary for respondent #6 to
be consistently advocating. She also was able to gain support and knowledge about special education from family support groups since this information was not forthcoming from the school body. Respondent #6 indicated that her source of information about special education came from outside advocacy sources, rather than the school. She described how she was also aware that other families faced similar problems in the integration process, given her affiliation with these advocacy groups. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondent #7’s Profile**

Respondent #7 is the mother of three children, one of whom has Spina Bifida. She is a social worker by profession. She was consistent in her efforts to secure integrated placements at the elementary and secondary school levels for her son. Respondent #7 gained knowledge about integration, disability, and policy through these endeavours. In addition to assisting her own son, respondent #7 became a strong advocate to help other families who were experiencing difficulties in their own integration efforts for their children. Respondent #7 initially had her son segregated in a preschool, since she was unable to find an integrated program. This led to her researching alternative possibilities, resulting in a support system at a local preschool. She went to the local elementary school to register her son, but was refused registration, and directed to a school with a segregated disability program. This led to IPRC proceedings, a Special Education Tribunal Hearing, a Special Education Tribunal and ultimately a judicial review in the court system. While these processes occurred, the family sought alternative placement for their son. They were successful in securing an integrated placement in another school board. As respondent #7’s son entered into secondary school, he continued in an integrated placement. Throughout the course of her commentary, respondent #7 indicated that both elementary and secondary school
periods were wrought with inconsistent support, collaboration and inadequate access to curriculum. She described the paramount importance of parental involvement to ensure that her son would not be labelled and segregated. As she went through her story, she recollected similar treatment towards other families whom she assisted in their struggles for integration. She interspersed this commentary into her own recollection of events pertaining to her own son. Respondent #7 further indicated a lack of Ministerial accountability to ensure appropriate accommodations for students with disabilities and cited a flawed funding model as a paramount contributing factor.

**Respondent #7’s Narrative**

Respondent #7 commenced her narrative describing her son within the early years of the preschool setting. At this point in time, her son was placed in a segregated setting,

> He started in the segregated preschool when he was, I guess, about 3. Went there for a couple of years, then, by the time I did all the work to get the support going in the local preschool for inclusion, he was 5.

She discussed the importance of seeking an integrated placement so that her son would share experiences with his siblings; however, she had no definite vision of her son in an educational environment,

> I really didn’t see [name of student] in an educational setting. I saw him in a preschool playing with other kids, growing up with other kids. It was really important that he be in the same, have similar life experiences to his brother and sister.

She did not have a sense of integration and attributed the lack of this perspective to social conditioning where students with disabilities were not part of a general education classroom,
And, I didn’t have any understanding how that would relate to academics. I saw a school environment as very different. I was conditioned to think that. When [Name of student] was in preschool, even though he was doing really well and all of that stuff, I thought the school system could outright reject him even from there and it was true, they could.

Respondent #7 described her early feelings about her son’s potential,

[Name of student] had gained a lot of skills that we didn’t think he was capable of, just from being with other kids as he had in life at home with his brother and sister who are all close in age. And, it was really positive for them. It was positive for me to know other parents and other kids and just be part of a community. But, so, I was really keen on the issues of inclusion.

At this point in her narrative, respondent #7 described the family’s move, out of province,

Anyway, the situation was so, we then found out for sure we were going on sabbatical, so [Name of student] went for one year to school in [Name of place] which was a segregated school and it was all that we could do, given that we were both back at school and there were three little kids on the road. It was kind of what we thought he was going to get because we really didn’t have much hope that the local public school was going to work. So, it was just that sense of kind of feeling defeated.

She continued to describe that her son’s placement in a segregated school during this period of time,

We went to [Name of place] till the year he was 7 and 8. And he got into a segregated school there. But, I would say, looking back, it was a really positive experience in that there were really keen people. They were. There was lots of interesting stuff going on. The groupings were awful. Like, there was this class with all of these kids with disabilities. There were really big problems with that,
but the staff was really keen. They were young women. They dressed up for work. They loved their jobs. They just put a whole lot of extra into it.

Respondent #7 then referred to the gains made by her son during this period,

What that meant for [Name of student] number one, was that year in [Name of place] that he got glasses finally. Having been seen by ophthalmologists in [Name of hospital] every year who just didn’t bother. It was a huge attitudinal issue. As soon as we saw eye doctors in [Name of place], they prescribed eye glasses. It was a huge change for him. He started to learn sign language in the school and he was just, he just picked up. He just learned and learned and learned and learned. While we were both studying, it was the start of computerized toys. He was getting all the answers right. He was just blooming and progressing so well and that development per se really continued into school

Respondent #7 recollected her experiences when the family moved back to Ontario,

We lived in [Name of place] and it was in [Name of place] but it was all that was available at that time in terms of a program any kind of child care center and it was the first support we found from anybody in our community in terms of enjoying [Name of student]’s progress and that sort of thing. But we didn’t want him to be segregated. We didn’t want him to be there. Then, I started a system of support in our local preschool so we had in mind that we were just starting to learn about school situations you know and, and that although my husband’s a teacher, [Name of student] ‘s our oldest kid so we did go to the local public school and I talked to a principal as if [Name of student] was going to go there.

She went to visit the local school principal with the intention to register her son into a regular class,

So, when I went, so it was a huge leap to go to the principal of the local school and say how about it, and I was very easily discouraged and as I said, I made huge
mistakes. But, we still, at the back of our minds were thinking, he might not get to school at all and it was actually, we kept him in preschool longer. He was there till he was seven.

She continued to describe her initial interview with the local school principal when she went to enroll her son,

> I wasn’t really sure what that would mean in a school setting and I wasn’t at all prepared for this interview with the principal and what I totally did wrong when he asked me about [name of student]. I introduced [name of student] basically the way I introduced [name of student] to many anaesthetists the night before surgery that [name of student] met along the way. And, I used to have some short cuts because [name of student] had so many people in his life. You know, that was generally the way other than just living in a small town, where people knew us, whenever I introduced [name of student], it was mostly, and he just kind of recoiled [referring to the principal] and just kind of said, “I don’t know what we can do for him here” because, after all, he wasn’t a surgeon. You know, I was, he just kind of said he couldn’t imagine what support that there would be, enough support, and he really didn’t know, but we could continue the discussion, so he did leave it open.

Respondent #7 went on to describe that an IPRC was called in order to discuss placement, however concluded by noting,

> Simply, they told us the schools and the particular school in our area, I think was called [name of school] but they have a number of schools in [name of city] where all the kids there are high needs kids.

Respondent #7 was essentially told that students with disabilities were educated in specific schools alongside other students with disabilities, within the local board. She explained
that the lack of appropriate resources in the regular class setting and the lure of resources in the segregated setting initially led her son to the segregated setting,

We said, “Look, this kid has done so well, such great progress in communicating and the world is opening up to him” [spoken by parents]. And, they said, “That’s wonderful.” It was just this really encouraging meeting and of course, you’ll want the speech pathologist to spend lots of time with him” [spoken by the IPRC committee members]. So, we got sucked in that the only place the speech pathologist would spend time with him would be the segregated school. We were just so wrong.

Initially, her son went into this placement with the promise that he would receive services. Respondent #7 noted that programming at school in the segregated initial setting for her son, did not meet his needs, and was, in fact, not in his best interests,

He was finger spelling for example, wanting to finger spell, not just to sign and like he was very, very motivated with communicating and learning, but the stuff at school was crappy like we, so we had a stupid thing where we were supposed to send pictures of breakfast foods he’d eaten, you know for a picture book. Well, I started to plan breakfast around what pictures I could find. It was just stupid stuff in terms of programming. It wasn’t and where it, what happened with him. Then, he was more physically disabled than the other kids in the school. So, he didn’t get to do the physical stuff they were doing like recess and play and he mostly got frustrated. He just threw stuff. He crawled around and he just, they had toys everywhere in the room, in the classroom, and, he just went crawling and heaving stuff and we calculated that like they watched TV in school. We calculated that he had about, maybe, a half an hour of any kind of programming. So, we saw him getting way more frustrated. So, then it was hard to, because then they were saying not only does he have all these disabilities, that we already knew about, but he has all these other problems. And, he learned things like animal signs, like here, he’d gained, he’d been teaching us signs. He came home with just
animal signs and stupid stuff. It wasn’t useful for him ‘cause the teacher didn’t know how to sign.

Respondent #7 indicated initial consent into a segregated setting given the promise of required therapy, and extended her comments to note that this scenario in her advocacy experiences was common to many parents,

I think, over the years, I’ve seen more parents find more reasons why their kids should be segregated, more fancy reasons like IBI [intensive behaviour intervention] and I got stuck in going to the segregated placement because the speech pathologist is there. There’s a lot of parents who walk up to the school and say, my kid needs a speech therapist before they’ve thought about anything else about the kid’s life, which I can see. I made that mistake years ago, but I hope that people still wouldn’t be doing that.

Respondent #7 described her initial consent to a segregated placement, where, “We were totally misled in that, so and we were led to believe that this was a very temporary thing.” Respondent #7 also indicated that during the early period of her son’s education, that she had no idea about rights to services and resources for her son, explaining “I didn’t think about there being an EA or there being any extra staffing” and further, “I had no clue.”

Respondent #7 described that this presentation of resources was standard practice to convince parents into thinking that they could secure resources and therapies for their children. At the same time, she described that consent to segregation for these resources had long-term implications for students,

The law does say regular class first, but I think it still is entirely possible for people to do what we did and just show up at a segregated placement and not realize you’re trapped there. So, it’s still, and especially because kids regress so much in segregated placement, that it would be hard to, once you’ve gone to, once
you’ve started in a segregated class of any sort, ah kids are going to be unmotivated and demoralized.

Respondent #7 went on to reflect upon the initial placement and its inherent negativity for future integration,

And, I think that it’s just hard as ever if your kid has been in a segregated class to get him out. The law makes it marginally easier, but that’s kind of splitting hairs, because the kid will be doing so badly in a segregated class that the system will say this his needs cannot be met in a regular class.

Respondent #7 confirmed that while students had a right to integration, this was not standard practice, most specifically for students with more involved disabilities,

It’s helpful for those who know their rights and know kind of how and have some support and kind of land on their feet in the midst of all of that. To, to be helped more than we were at the time, but it is definitely, it doesn’t really, I mean the qualifiers are that the placement, regular class, should be considered, first of all. I know that isn’t being done at most IPRCs especially for kids with significant disabilities.

Respondent #7 explained that segregation was enforced by the IPRC process. She recollected that generally during IPRC meetings that the committee members were hasty in trying to dispense with students. She described their lack of interest and apparent lack of concern for the implications of their decisions,

They’re there with all their notes and all their reports and things, many things which, you know, you may not have seen them before. They’re in a real hurry. They want to get this done, like in 10 minutes because they’ve got 100 other kids for their IPRCs coming down the line. So, it’s very rushed. You get the sense that they really don’t care, that they’re not interested. It’s just paperwork.
She then redirected her narrative to the first IPRC meeting that she attended for her son,

They [those present at the meeting] would have been the consultant, the superintendent and the, the consultant was a woman named [name of consultant] who never had anything to do with [name of student] at the time, to my knowledge, at the board level. She came in and she, her job was to identify and have IPRCs for massive numbers of kids.

Respondent #7 also commented about the intimidating nature of the IPRC process,

“Horrible, IPRCs are horrible in the sense, you know you go into this room where there are tons of people you don’t know. And, but you certainly have the sense they are very powerful people.” She added that, “And this is not just the first one. I would say this is over all the years. It’s very, very intimidating. There is no question it’s intimidating.”

After this commentary, respondent #7 was questioned as to whether schools followed their own agendas, she noted, “Absolutely.” When she was specifically asked, “Did any of those officials at any time provide you with any type of written information?” Her response was, “No, no.” Respondent #7 also indicated that she was not told about any risks or benefits of assessment, most specifically about psychological assessment, for her son. She in fact only received advice from a psychologist outside of the school,

And once we knew that psychologist who was designing that program, she was warning us not to have IQ testing done, particularly because of the, how difficult it is to get any kind of valid score for somebody who has a risk of communication ability or experience.

Respondent #7 further noted the dangerous implications of permitting testing to occur with no understanding of the implications of such test storage in relation to the OSR,
I went in and looked through the OSR [Ontario School Report] and pulled out negative stuff which I hadn’t realized. We didn’t have IQ tests, but we had reports from doctors like an eye doctor that talked about severe MR [mentally retarded]. So, how damning that stuff was.

Respondent #7 described that after her son was placed in a segregated classroom that she attended at her son’s school to observe; however, she was ultimately faced with negative teacher and principal attitudes,

I just showed up at the school and with [name of student] and I came in with my little notepad and I just invited myself into the class to observe and to be a partner in this. So, by recess that morning, I went to coffee with the teacher and I had all my notes and they were very unfriendly by now and you know kind of like you could see the resistance building and then probably about the next day, we got this note, form type letter from the school to say that the little communication book that we’d set up to come back and forth with [name of student] would be discontinued and that they were not, they were feeling obviously. It was a very terse letter but just that kind of thing was going to happen.

Following up with the school principal, respondent #7 described his explanation of the letter,

When we phoned them about it, the principal said, ‘Well, we felt you were starting some kind of witch hunt’ which was just mind boggling, when you know, it was totally a shock to me.

She continued to express her concern over this situation and commented, “To think that they wouldn’t want me to do that, that it wouldn’t be so important that we would be working together” Respondent #7 indicated that at this point,
I knew all about the legal rights. I’d been to seminars in Toronto before we went to Vancouver. I was prepared for that to come along. But I wasn’t and you know, looking back, I know everything that [Name of student] gained, he gained from being with other kids. By being in a family with a brother and a sister, by being in that nursery school, going camping and doing stuff as a family. We never wanted any kind of removal of him from that setting. He did all of that. The horrible things that he’d had to endure apart from us were medical and surgical. We did everything we could to stay together and not have him off anywhere.

With these insights, she also reflected about a positive experience that she encountered with one of her son’s teachers,

I was in the school another time and the teacher said to me, ‘You know [Name of student]’s reading. He’s recognized words and I was overjoyed. I really hadn’t thought of him having, doing those things. It was a quite a big surprise to me and I said, ‘Wow, that’s amazing, like how you have done this’ and they said, ‘We don’t know, it’s a miracle.’ So. I just kind of, my mouth was just hanging open, it’s like, if teachers don’t know. I’m not a teacher. If teachers don’t know how to help people do these things, the, like, are they teachers?

Respondent #7 collected the concerned reactions expressed by both her younger son and parents about her older son’s school,

You know, so, and [Name of sibling] my younger son would often be with me when it was his half day with the kindergarten afternoons. I guess, and he’s a real, he’s always been a questioner, you know. He just always looks at situations and kind of like, ‘What’s going on here?’ [by sibling] And I remember him saying, ‘Mum, this isn’t, [Name of student] shouldn’t be in this school. Kids in this school don’t read. They don’t have a gym. They don’t have a library. Like, why is he going to this school? This is a bad school for him’ [spoken by sibling] which was dawning on us by then you know.
She continued to explain that this concern extended through the family,

    I remember that fall and I like, which was October, actually, I remember [Name of student] stayed with my parents, and even my parents said, ‘What are they doing in that school?’ It just looks like babysitting. My parents who have no, you know, would be very negative around [Name of student]’s opportunities, segregation and all the rest of it. They would. Even they picked up that it was just kind of a waste of school.

She described ongoing attempts to try and improve the situation, noting, “Very early on in the year, so, we stuck with it. We kept trying to improve it and you know, bring in ideas and whatever.” She continued to explain,

    I guess, what I’d have to say is we were hoping the IPRC would lead to a change in his placement. That the whole, you know. I knew what the process was etc. and that while we’d really, we’d really hit rock bottom, earlier on in the year, but we kept hoping we could improve the situation and that he could get a better education and all the rest of it. We started to become aware that that was not going to happen.

Respondent #7 indicated that following the next IPRC, the placement decision was for segregation and explained her next step as, “We didn’t sign it and found out what we could in terms of an appeal.” She continued to explain that,

    I remember going away on March Break and it was dawning on us that we were going to be in for a fight. That it was really going to be a fight and that people who had kind of been really helpful at the beginning were really lined up against us now and there were a lot of them. We were more than ever convinced of {Name of student]’s abilities and the kinds of opportunities he needed, so we were prepared to appeal it but you know, it took a long time. I don’t think we had
a second meeting but it took a long time, so, I’m sure the deadlines were exceeded.

As the matter continued on to appeal, she described that,

They were pretty armed, not ready for us to win. It was also a major problem because [Name of husband] taught for the board. He was a teacher in the school board and the Director took it very personally.

Despite this situation she explained that,

The family applied to appeal the IPRC decision. The appeal board was 2:1. It ruled that he should stay in the segregated school so we were prepared to appeal that. The next step was to go to the school board, itself and they would have to ratify the decision. We took a whole lot of people with us. We crowded the room.

She then went on to describe this process,

That was a very interesting process. We had a psychologist prepared to speak. [Name of person] was with us, the lawyer, and at that point we were arguing about rules as well, about whether the Statutory Powers and Procedures Act applied to school Appeal Boards, and blah, blah, lots of procedural stuff. They, were really bugged about all these people at the board meeting. And we really did a lot of community organizing with that. We called on all those people we knew at nursery school, friends like we had. It was a big, it was important to us that people know what was going on because we had been treated so badly and all of us, well, we were allowed. They tried to make the rule that only one of us could speak, that we were a delegation to the board, that only [name of husband], either [name of husband] or I and nobody else could speak.
As the meeting progressed, Respondent #7 described board efforts to silence the family and ignore the presence of their supports. As the meeting continued, she described how the officials seemed to be making unilateral decisions based on their discretion,

They were just making it up, as we, like here we are at the meeting. There’s all these people there. They’re really ticked off. So, kind of what rule can they come up with here that will make it difficult. So, we ended up arguing about that and we ended up. I think [Name of husband] and I both spoke but we had to quit and change our presentation, because the psychologist was not allowed to speak. So, all of our gang was there at the time, and we all got sent out so the decision could be made in camera which again we thought was totally unfair, that supposedly, to protect our privacy but even the parents weren’t allowed to stay.

She described the situation,

They obviously, they had really geared up a lot of stuff, to just stamp the decisions and promote that, and they especially didn’t like that [Name of husband] was an employee of the board, and he having the nerve to challenge the school board. So, we had the board meeting and by then, it was pretty public because these people were there. Then we went straight to the media and that made them very angry and it was always the Chair and the Director who spoke. They were actually the Superintendent, like I said at the IPRC meeting. There was a consultant and the Superintendent. They were now, completely out of the picture. They personally wanted to be the ones who spoke to the public about this horrible thing we were doing to the board, you know, all the mess.

She concluded by noting that, “We lost. The school board of course agreed with the Special Education Appeal Board. Nobody, we by then, [Name of student] wasn’t in school, so, we didn’t return him to school in September, but further respondent #7 described initiatives to find their son an alternative placement as their legal clashes continued,
We hunted around and we found that he could go to a program in [Name of program] which was the next school board district. That was the last year. NO, there were 2 years of that. It was a Community and Social Service funded program. It would actually be for the kids who weren’t accepted into the T.R. schools.

Respondent #7 described her son’s environment and staff attitudes during this period of time,

It was a really dynamic program with some really keen people who were really pro family and just ready to do whatever kids needed. So, we found that we could get him in there. This was probably by October. So September, he was just home and we were in crisis because we thought we were going to win the appeal and something was going to happen and it, we started to dawn on, this is going to be a long process. So, he went for half days in a program that was in a school, so it was like a segregated class in a school. It wasn’t run by the school board but it seemed like it was. And people were really positive about knowing kids with all abilities and the kids were really keen to work on sign language and words and all the stuff that we wanted [Name of student] to do, but just going in and out of a school, gave him a huge increase in his self-esteem and he started doing stuff we didn’t think he could so. Like, he just, he just, one day, he never liked helping in the kitchen. They used to go hand over hand and he hated it. The other kids were like, climbing in the cake mix and he was screaming and yelling. All of a sudden, he was standing up at the kitchen counter, helping me mash, helping me do the dishes. He just, he was, like developing stages that we thought you kind of had to go through all the steps. He was taking leaps and bounds because he was a kid you know. That’s the way we saw it.

Respondent #7 then returned her commentary to the legal issues, noting, “Two years, because we had 2 years of legal steps after that” and continued to explain filing for and losing the subsequent level of appeal at the Special Education Tribunal, explaining,
They said he should go back to that setting. Meanwhile, the school board had played some tricks and since we said that he needed communication programming, they renamed the T.R. class the Communications class. Same teacher, same everything. So, we kind of got caught into some of the programming issues, you know, within that, his programming needs which of course, they said had nothing to do with placement But we insisted they did. So, we lost the Tribunal. So, we went to Judicial Review in the Supreme Court of Ontario. That took another year.

She explained that, “We really got stuck in all the legalities of that, but meanwhile [Name of student] was doing well” and “We decided that we would move to the next school board. So, that all the kids could go to the same and we moved to the area in the neighbourhood of the school where he had been attending half days.”

Respondent #7 went on to describe her son’s placement in the setting and noted that he remained in this segregated placement, however, “It wasn’t all that we wanted, but it would, at least we will live in the neighbourhood and the kids would all go to school together. So, we moved on that basis. The first year was fairly good but the situation wasn’t great, like all the kids and their disabilities, they, together that was a bad combination.” Continuing on, she described experiences with the next teacher whose attitudes about what her son should be doing at school, significantly clashed with the perspectives of the respondent,

But the second year he was there, the teacher, she was really bad. She wanted him to be doing a lot of prevocational stuff in the classroom. She’d come from working in the institution school and we’d locked horns with her all the time. So, we didn’t change the placement, but the principal, in dealing with all this conflict that was happening, he got, I pushed him around a bit, so that he said, ‘We’ll, let’s try [Name of student] in a regular class, but it wasn’t at first. It wasn’t an official placement but then, we had a couple of MAP sessions and we brought way too
many professionals, but some of [Name of student]’s friends in the school and what the kids wanted, kind of prevailed, but you know, they saw it. The kids were getting older. By Grade 7, he wasn’t officially in regular class, but all of his time was spent in regular class with assistance.

During the course of these developments, she described the teacher’s attitude,

The teacher wasn’t really sure that this was a good idea or wasn’t really thinking of him as her student. Ah, the suggestions that we made to her, she mostly rejected, like we said, keep him with this group of friends that know him and there’ll be lots of support. They’ll have all kinds of ideas. She said, ‘No, we won’t do that. We’ll have like the helper of the week kind of stuff.

She, however, continued to describe a change in attitude with the teacher,

We went to the teacher interview and we said, ‘Wow, like he, we just heard he’d been reading out loud in class, which was a huge thing for him. And she looked at us with her eyes closed. She wouldn’t like, she actually, we were in a conversation. She was there with her eyes closed. She said, “Well, I did what you said and there’s a group of friends and they’re supporting him and there’s huge gains, but she really found it hard to admit to us. So, by Grade 8, at the IPRC, that year, we said, ‘We will not accept the segregated placement. He will be in a regular classroom this fall anyway.

There was some disagreement with identification and respondent #7 noted her response to them over placement,

He shouldn’t be, have to be identified with T.R. to be in a T.R. class and we are not accepting that identification and look at all the strengths he has. We documented a very positive picture of his strengths. They said, ‘Oh, we have all kinds of kids doing all those great things, and we call them T.R. and put them in
T.R. classes. It was like tearing your hair out, you know. What an awful system and I was on SEAC by then, and I knew lots of things about the board.

She indicated that the placement was integration, commenting,

They’d become used to it. We’d worn them down. We’d worn the principal. I had worn the principal down. We had lots of power plays. I kind of pegged him. I figured it was quite nasty sometimes, but he was a very mild mannered man. He really kind of liked [Name of student].

She continued to describe what occurred within the classroom as integration occurred,

He said, ‘We don’t know what he can do.’ So, maybe, we should give him the benefit of the doubt, you know. Maybe it would be wrong if we held him back from academic learning because if we found out that he could do it, then we’d feel really badly. That’s kind of what he got to, but he wasn’t really willing to force any teacher. So, part of the problem we encountered in Grades 6, 7 and 8 was some of the teachers were really old school and I knew that later when my other kids were in their classes, but the principal wasn’t willing to make them do anything they didn’t want to do. That became a problem for [Name of student] when he was part-time in and out visiting classes.

She continued to describe a transformation that occurred:

The big turnaround was grade, in Grade 7, the teacher, I guess started to tell the principal about the gains [Name of student] was making because she was doing it the way we asked he do it and so then this enigma thing came, and he said ‘I would like to change his placement. I would like him to be in regular class, but only, for the year, we’ll agree to that. I know that’s what you’ve been pushing for. We’ll agreed to it, just for social reasons. So, at that point, I just kind of said okay. So, then, a week later, I’m back saying, let’s talk about the academics and he got really ticked off at me you know, like we agreed. I said, ‘Well I’m not going to agree now, you know, and no kid goes to school for social reasons. And I did all
of that out in the hall where other people could hear us and it was kind of intentional because I knew that he was going to. I would out power him in the hall. You know, because it was too messy and he wanted everything to be nice and neat.

Respondent #7’s narrative recollection indicated that very strong advocacy was required to ensure that her son received a proper education. She continued to explain during the course of these events that,

The other thing that happened, we had these MAPS meetings with the other kids going into Grade 8. [Name of person] came and facilitated. It was early in that process. I had just been at McGill and we kind of created MAPS and we started to think we should try this out and one of the things we did. We had, we had all these professionals there and the segregated teacher who had been [Name of student]’s teacher even for the times he was in regular class. She said her dream basically was for him to live in a group home. We said our nightmare would be the group home, so I believe that the principal, it clicked for him. His life was going to be hell if those parents had to deal with that teacher. It was going to be like total. There was never going to be resolve. You could never resolve that, so his, to have his life tied up, we’ll keep that mother away from that teacher. So, let’s not deal the special class anymore. And therefore [Name of student]’s officially in regular class. He has access to a different teacher who was a nice woman and we strategized regularly with the Grade 8 teacher. [Name of husband] and I, the resource teacher and you know, what the Grade 8 curriculum was. How we could fit [Name of student] into it. He started to do spelling tests. He did really well, like spelling hieroglyphics.

Respondent #7 described that the controversy between teacher and parent aspirations for her son was markedly diverse and irreconcilable. She indicated that this was recognized by the principal who arranged for her son to be in a regular class, specifically from a management point
of view, to avoid conflict. She reflected on this positive management role pertaining to the principal. Respondent #7 also indicated that effective collaboration and planning were part of the integration plan and process. She went on to describe what occurred with her son within his program in this environment,

It was still him and the EA, it wasn’t, the kids were involved. They asked the kids, ‘What should we do?’ The kids figured a team. That team, the principal, the resource teachers, the Grade 8 teacher, somebody from the school board. [Name of husband] and I looked at Grade 9’s. We sort of had a criteria. We had a tally scale. We kind of, it was fairly formal. What would be right. What [Name of student] needed because they were all going to go to the same high school. So [Name of student] was the first. The decision about which high school had to related to all 3 of them, so with them, we all as a team, visited the 3 public high schools and they all fell short of our expectations. Even the board people. But, we went to the Grade 8 night We walked in. I had talked in a session, of special education, [a] special course about all this IPRC stuff we’d been through, and, the legal stuff. I’d done a presentation once and the man who was, he was a resource teacher, so I met him there at the school and he’d said to me that night I’d done the presentation. When you’re thinking about high school, come and see us at the Catholic school, which I considered pretty amazing considering this horrible tale of fighting and confrontation. So, we went to the Grade 8 night and he was there and another woman was there and he said, ‘We’re glad you’re here. Thank you so much. We don’t know what you need, but we want to be the kind of school that can do it. So, that was amazing because in every school, like people ran when they saw us coming down the hall. Honestly, it was very public.

In the new setting, respondent #7 explained that a resource teacher showed up who had experience with inclusion, recollecting,

the resource teacher that had been very inclusive, and, she came looking for an adventure in Ontario and landed in the middle. You know, we got her. She got us.
Given the novel nature of the school, she also described difficulties,

But the problem was that they, there was a growing problem because it was they were calling it a special needs program instead of special education, so it was kind of lower than special education in expectation, not in her eyes and she was, you know, very much, she came in as an advocate for inclusion. It was a new, a new, a pretty new school, just had been going for a couple of years, didn’t have a real building yet, so everyone was pioneering and everything was pretty open and [Name of student] was really, really welcome in classrooms with academics and the teacher, the resource teacher, gave them kinds of modifications and alternate things to do. They mostly figure out modifications….and he did very close to regular curriculum, just you know it was a really positive.

Respondent #7 described the impact of positive attitude, planning and collaboration as effective tools in securing a positive integrated placement for her son within this period. She also reported, “Lots of positive vibes from the principal, the teacher and everything.” However, as her son entered into the following year, she described how the opposite occurred, given negative teacher attitude that led to her son being shifted into resource rather than regular class, in order to deal with the teacher’s inability to meet her son’s needs,

The next year, another resource teacher came along that didn’t get it. And it became a struggle for her to understand that, and she wasn’t providing the teacher with much help. It was once they built the school, there was a resource room. It was always a pressure for him to be in the resource room. Finally, we just said, don’t ever, you know, he must never go there, and the EAs weren’t [pause] the resource teacher didn’t get it. The EAs weren’t really facilitating academics, but there were some good classroom teachers who were really happy to have [name of student] in class.
Respondent #7 also described that as time progressed there was a mix of experience. She described,

The stuff varied from class to class. The first year the resource teacher was really keen and I think it was because of her will that a lot of this happened. People weren’t quite sure. The principal kind of sat on the fence a lot. But, the resource teacher that came in next wasn’t respected by the rest of the teachers. She was just kind of a loser.

Respondent #7 reflected upon the impact that the staffing change had upon the quality of special education,

They hired a special needs resource teacher as well as the special ed resource teacher, which was a dumb move, I think. About, except that for one year, they got a really good person. After that, they got second class special ed.

Respondent #7 indicated a lack of consistency in academic programming as time progressed and attributed this situation to support personnel and attitude,

The social stuff and the school wasn’t really far, partly because the EAs were ECE [Early Childhood Educator] people who were babying kids and they were more happy. They were happier to be in the resource room than in the rest of the school.

She also described how a change in resource personnel could influence the level of integration her son experienced at school,

There was a whole new team of resource people, by then they had a resource room which I think she imagined she was going to be in all the time and where the EA started to feel more comfortable than the rest of the school. Like they had to copy there and certain stuff and that stuff. And so, and a couple of teachers that had done most of the work the first year.
Respondent #7 described the need for parental intervention into this situation and recollected that, “Finally, we just said, don’t ever, you know, he must never go there and the EAs weren’t, the resource teacher didn’t get it, the EAs weren’t really facilitating academics.” Respondent #7 noted that her son’s programming and its appropriateness was dependent on the attitudes of teachers and EAs who were working with him. She described this process in the secondary system,

In terms of setting objective in each course, ya, it usually happened too late in the semester. But, and the other whole big issue was credits. We always pushed for credits, mainly because we think that should be the expectation. There should be a plan put in place to earn credits based on your individual education plan. I think we became known and those credits people in high school, as if it was only us. Credits would have encouraged there to be good planning right the way through. Every other kid goes into a class and says here’s what I do to succeed. It was always loosey goosey. I mean and there have been some great people in [Name of student’s] life who have been very positive about his learning but mostly it’s been wow, we never thought he could do it. Isn’t it amazing, which is cheap really. I mean they should have wanted him to do it from the beginning. They should have been harder on him and you know said aim higher like, so you’ve got those words. You go 1’0 out of 10 on that Spelling test. We’re moving up to the next level or whatever it might be rather than just saying we have no framework, but it’s good. We wanted there to be a framework. The closest we came to that was a grade, it was probably Grade 12. It was his last year of school.

Respondent #7 outlined how her son was stuck in the resource room, but how her intervention was required so that he was not in this environment but rather in the classroom. She also described the ineffectual role of the EAs, whereby they were not implemented to support her son’s academics. To the contrary, she also described the effect of positive teacher attitude in nurturing positive integration,
There were some good classroom teachers who were really happy to have [Name of student] in class. We worked and worked and worked with it and he always wanted to go to school. He loved his school. I think partly because his brother and sister were there. I think he had some tough time, but he had some, also some great times. Just learning, you know we have this video of his Grade 9, which was he was the first kid and his accomplishments were valued and it became more and more difficult.

Respondent #7 described that, “[Name of student] who is a brilliant musician…his music is his life, wasn’t allowed basically, that teacher didn’t want him in the class.” Respondent #7 noted that there were also situations where a teacher flatly refused to include her son in their class. She recalled, “When we finally got him in the class, he was treated really badly. So, he saw a lot of that that he, you know, there was such a double standard.” She described that although positive integration was occurring, driven by positive teacher attitude, that as her son progressed, that her son became aware of where he was not welcomed at the school. She described the impact of this realization on her son, “By the time he was in about grade 9, grade 11, he was aware of where he was welcome and wasn’t more. So, he, he would shut down if he wasn’t welcome and then people saw him and say anti-social.” Respondent #7 described that the effect of negative attitude extended to social integration,

[Name of student] went to dances. He danced. He was part of a club in school. He just, he sat alone in the cafeteria most of the time, by lack of choice. He never wanted to sit with the group of kids with disabilities. He always avoided that entirely but that meant that they didn't facilitate him being part of other groups.

Respondent #7 also gave anecdotal evidence about the effects of positive teacher attitude and how it related to outcomes. She extended this relationship to the EA,
There was an excellent teacher and some, lots of group working. He was just thriving. He was doing wonderfully. She’d agreed to meet with me every Friday afternoon after class to go over the plan. The EA was really, really positive, really good person. The two of them said to me at one of these Friday meetings, “[Name of student} is doing so well, say on learning, vision, the eye etc. that we’d like to keep him there longer because we think that he could learn a lot more but the class is moving on to digestion or something.” I said, “No, you cannot do that. The reason he is doing well is because he’s part of the group and the last thing we need is more of him thinking he isn’t like everybody else. You know, and that he should just ignore all this instruction going on around him and just do his little thing alone in the corner. We don’t want any of that to happen and you know,” [spoken by the respondent] gave them a lot of encouragement about the reason it’s working is because he’s part of the class. It’s interesting, because that Science teacher’s first child has very significant disabilities because she’s living the life of a parent and advocate, but she was wonderful. She was very well connected in the school and the student council and everything else.

She also noted that when there were differences of opinion as to program, that the exercise was very positive because of ongoing parent and staff collaboration. She described the necessity for her presence to collaborate with teachers in writing the IEP,

I don’t know what there was in writing and I wouldn’t have known of it as an IEP, but we were always between the teacher and myself, working on what are the goals and how are we going to measure those goals.

Respondent #7 concluded by attributing sound integration practice to people working directly in the neighbourhood school,

I can say without an exception in the case in the situations that I know of that it’s always because they happen to find some people, just the people. They human beings, not the policies, the people who were open to it, were willing to work with
The other piece to it is, they are families who are willing to collaborate and work as a team because there are still many families who for some reason feel that, you know, you need to take them. It’s your responsibility and I’m out of here and that doesn’t work. So the situations where it has worked well has nothing to do with the policies of the board, nothing to do with The Ministry of Education. It always has to do with front line people who are involved in my experience.

She expressed the necessity of unrelenting parental pressure to secure integration,

In order to get accommodations, I think the only, the accommodations come once the kid is there, once the principal is convinced that this parent isn’t going to give up easily and that and the teacher is convinced that this is a student who is going to be in her class, then the accommodations, then the people will get serious once September comes.

Within her discourse, respondent #7 also discussed the understanding that she gained about resource allocation through her past experiences and critiqued the funding system,

It’s disastrous because it pays school boards more money for kids to fail. It rewards them. You know, I think the school boards are addicted to documenting kids negatively because they get so much more money for it. I’ve never seen anything so horrible. That money doesn’t go to those kids. Once you’ve documented the kids, the money goes to the school board. It may be in reserves. It may be spent on anyone else. You could leave kids with disabilities high and dry without supports.

Respondent #7 also referred to the Ministry as a barrier to integration,

I think Regulation 181 works if you’re already in a regular class and if you’ve got some resources there to, you know, you can see it working for kids, on some of the right team work and some of the rest of it. So, good, because you know,
maybe, you can hold onto a good situation longer. But, I don’t think it helps kids get into a regular class.

She continued to explain why she reached this conclusion,

It really says, only some kids should be here. It’s back to the labeling. Before that, there wasn’t a requirement to choose one of the Ministry labels. Exceptional or non-exceptional could do. While I don’t particularly like anybody called non-exceptional, the good part of the regulation is that it entitles you to an IEP, because I think that it can be the root to bring some help to the teacher as well as to the student and there is good working in the regulation around the IEPs that parent, what’s parent consultation with parent, we have defined by a lawyer, as meaning something really significant. But, again, you have to press the point. If it’s in the IEP, it should exist. And, there’s a good, we’ve worked around making teams know, so that willing principals and willing teachers will put something in an IEP, so it will be a support for everybody.

Respondent #7 also noted that the presumption in favour on integration as set out by Ontario Regulation 181/98 could be disregarded to the express purpose of the school authority. She indicated that schools flaunted obligations for programming and further commented that the issue of services was not met by the Human Rights Commission,

The law says parental wishes means nothing and student needs completely determined by the boards, because they’re the ones whose opinions are counted, kind of in any appeal or anything like that. I’ve been involved in a couple of appeals which actually got into some programming issues, but the boards just flaunt that anyway. They don’t. They miss all the deadlines. They mess around with that and human rights issues have been pretty much not addressed even by the Human Rights Commission. So, you know, the legal struggles are still huge, still. People are going through some of those same things. I think it’s better in that, if families are well connected, they can at least find out the stories of kids in
high school, who are, [name of student] was in an OAC [Ontario Academic Credit] law course you know, OAC English. Some of his best classes were further on in high school, where because a teacher just got with it and we had team work. They were willing to listen to what [name of student]. They were willing to listen to other kids. They were willing to listen to us as a family. And, they were excited with the results. I guess, I’m happy that the law makes it harder for boards to kick kids out of regular class than it used to.

She continued to explain that the educational establishment really defines the process of needs and hence the ability as to whether they can or cannot integrate, in that,

They’re [the school authority] the ones who get to define the needs, you know, the assessment information, the preparation for an IPRC, in whether or not they ever provide any accommodations that anybody should have had in the first place. Whether there’s any knowledge about how to do this, so they’re quick to say, this is, I right off the bat, prejudge, this kid’s needs cannot be met in a regular class, before they’re ever tried. There’s no, really, and really, all that boils down to is the classroom teacher could say. I don’t feel like teaching this kid, therefore, his needs can’t be met in my class. I mean it’s really up to the, it could be as much up to the whim of the teacher as that. More, I think more so, it’s up to the principal who can just, he would adjust resources and say we’re not going to provide resources in the regular class, so we won’t meet the student’s needs in a regular class.

Respondent #7 further noted that the willingness to allocate to regular class placement was dependent on the type of disability,

I think a lot of it depends on the disability they identify. You know when you look at the placement statistics across the province, you know in some systems. In Ottawa, every student at high school labeled gifted, is placed in a segregated program. In Kingston, none are, so there’s great differences between boards in the
province and the Ministry doesn’t keep good track of that, doesn’t appear to be interested.

Respondent #7 consolidated her position as she continued to explain, “The October reports. They’ve got all that data but they seem, I would say, just the condition it’s in shows that they have no interest whatsoever.” Respondent #7 further indicated that the Ministry has no interest whatsoever in follow up of policy initiatives,

That’s local prerogative, that’s up to them, but then when you go back from that and say, it’s supposed to be in accordance with parental wishes and student needs. Are the kids in Ottawa so different from the kids in [name of area] ? Of course not….They have no interest, no interest in even documenting the differences in placement statistics. The statistics that they keep are full of errors. They don’t know, and they’re very old. They don’t keep them current.

Respondent #7 further explained that within the context of the educational environment, that the ability to integrate occurred with more or less facility, depending on where the student actually resided,

The practice could be, vary very greatly from class to class, from school to school, from board to board and sometimes that works in your favour if you can, you know, work as we did, work out some situations.

Criticism of policy as unable to meet the needs of integration was clearly stated, as Respondent #7 noted,

There’s two things happening about the policy that should be happening and are not happening, that is that regular class should be considered at every IPRC that happens in the province and justification should be given whenever an IPRC recommends a segregated class. Those things aren’t happening, so that’s very clearly, I mean that could be monitored very easily…and it’s not happening
because people don’t want it to happen. They don’t. But, for those who, who insist on regular class, there’s huge pressure for those kids to leave because the policy doesn’t say any more than that.

Respondent #7 was asked to clarify her summation in terms of Ministerial policy. She was asked, “Do those schools not all operate under the auspices of the Ministry of Education?” to which she replied, “But they’re not held accountable.” Respondent #7 indicated that Ministerial policy was not followed in a uniform manner, with integration as a placement of first consideration occurring in some areas but ignored in others. Acceptance of integration as a part of local school mechanism, therefore, was described by respondent #7 as dependent on the place in which the student resided. Further, respondent #7 indicated that the Ministry had neither measures of accountability in place to monitor the process, nor did it collect statistics to follow this process.

Respondent #7 indicated that she was a consistent part of advocacy efforts for her son throughout his education and she further explained that integration was not a readily accessible placement. She indicated that integration of a student with disabilities would just not occur in an environment without parental intervention,

I don’t, I don’t think it would happen almost anywhere. It wouldn’t happen. It’s possible that it could happen, depending on the pushiness, moral support, knowledge of pedagogy all the rest of it, that some parents might have and the support system that they’d have in place. But, it would almost never happen for a student with a significant disability. Nobody wants it to happen. It’s a huge struggle that we had back then.

Respondent #7 described the importance of integration for all students within the regular classroom setting as reflective of a community. She reflected upon the need for a collaborative
team approach to ensure that such inclusion occurred and cited the importance of parental role in this process,

Unless the kids are in the school together, you won’t work on the classroom stuff. Show up and be forceful and you know, make sure that they do it and once the school realized their job will be better if they get accommodations too, then you’re in it together and you’re working on it together. So, knowing what I know now, would help me a lot in terms of the pedagogy because [name of student]’s needs academically should have been met in a regular class all the way through and could easily have been and it wouldn’t have disrupted other kids. It’s what I want. You know, when a kid with learning disabilities went to a segregated class away from our neighbourhood, we all suffered. You know, that was wrong. It shouldn’t have happened. So, you know, everyone is diminished if anyone gets sent away and I think from teachers, teachers, just have to be told. Policy isn’t strong enough. All of that doesn’t matter if you say this is going to happen as a team.

She commented that this involvement would also have to be consistent and that it required significant parental will,

It’s still, it’s still up to you to be gutsy and stick with it, and to threaten them and to find the principle weaknesses of the principal or whatever else it might take or you know. I mean, I’ve done lots of that and I hate it, but I’ve done it where I have to.

Respondent #7 also described the importance of parent networks and affiliation with advocacy groups to obtain information about the integration process,

I did go to some public schools and I also found the most important information came from other parents that I had talked to. I had also got connected with the [name of advocacy group] and other parents who had fought these issues. So, they influenced me as well, in realising what things were really important in life.
Respondent #7 referred to program implementation and the issue of the credit system. Her narrative indicated that even though her son’s participation and performance in class was the same as that of his peers, his accomplishments were diminished in relation to them, since he did not receive real full credits,

It was his last year and the report card finally comes and he got a quarter credit and so we questioned. We finished with the school. We could go back in the fall and say what the heck was that. Well, it’s because the principal told him only aim for a quarter credit. So, his mark was a mark towards a quarter credit. He did everything everybody else did in that class, with a little more assistance, fewer repetitions, but he did everything else the class did. It should have been a full credit.

Respondent #7’s commentary indicated that her son’s education was wrought with inconsistencies that were the result of staff attitudes. When these attitudes were positive, his program was more on par with his peers, however, when the attitude was negative, support, planning, and proper academics became exceedingly difficult to obtain.

Summary

Initially, Respondent #7 had no experience with advocacy, however indicated that she had some understanding about integration. She described that her son’s preschool program occurred within a variety of segregated placements. She noted that he attended preschool longer than was age appropriate and also noted that within these settings, that she worked towards resource support for her son. Respondent #7 indicated that negative principal attitude blocked her son’s initial registration. She qualified that her description of her son’s disability prompted the principal to suggest that a segregated placement was appropriate for her son. She described how an initial IPRC was held, where she was misled by committee members into thinking that a
segregated placement was appropriate for their son so that he could be provided with speech and other therapies. Respondent #7 indicated the intimidating nature of the IPRC process and described the behaviour of the IPRC, committee members as rushed and intent upon processing files, rather than having concern about students under consideration. She referred to requests for psychological assessment, describing how no explanations were provided as to the risks and benefits of the process. She later commented as to the dangerous potential of such documentation within the Ontario School Report (OSR). Their family members stated that this setting was inappropriate and not beneficial for their son. This led to a refusal to comply with the segregated placement decision set out in the subsequent IPRC. While the family appealed at all levels and eventually sought judicial review, their son was placed in another school. Although this was a segregated placement, respondent #7 collaborated with the principal for increased opportunities for integration until the IPRC decision was changed to integration. Later, the family unexpectedly was invited to have their son attend the Catholic school system, where he was integrated into high school. Respondent #7 indicated the role of positive principal, teacher and resource personnel in this process. Respondent #7 described that within the second year of high school, the quality of the integration process diminished because of negative attitudes, poor planning, inconsistency, lack of appropriate support and inappropriate academic programming. To the contrary, when attitudes were positive, collaboration with staff and parents, effective program planning and strategizing were noted characteristics of practice. Respondent #7 indicated ongoing commitment that was required by parents to ensure that integration occurred. She mentioned the importance of parental networking for support and guidance. She also indicated that the Ministerial funding model was a barrier to integration since there was no established accountability mechanism to ensure that resources funded through this process were
directed to the students whose profiles were used for the acquisition of those funds. For a
summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondent #8’s Profile**

Respondents #8 chose to jointly respond about their experiences while integrating their
youngest daughter who has Down Syndrome. Both parents had no previous experiences with
integration and disability prior to the birth of their daughter; however, one parent was a social
worker. The respondents indicated initial difficulties in registration given that the local school
board operated on a segregated model. While the school compromised initially to parental
request to integrate, the integration occurred without supports. The school called an IPRC that
decided upon a segregated placement for their daughter. The respondents described the pressured
and intimidating nature of the IPRC. Refusing to accept this placement, they engaged the appeal
processes available to contest the IPRC placement. Throughout these processes, they described
the need for affiliation with parental advocacy groups as well as strong parental advocacy to
obtain integration. This support was also needed to avoid segregation and labeling. They also
described how they were encouraged to have psychological testing for their daughter without
being informed as to the risks and benefits of the process. They recollected their loss at the
appeal levels and their subsequent registration of their daughter into the Catholic school system
where she was integrated, noting the extreme difference in attitudes between public and Catholic
boards over the issue of integration. The respondents actively sought and obtained integration at
elementary and secondary school levels for their daughter. They described a continuum of
experiences that were similar to their own in relation to other parents whom they had assisted
from the time their daughter was in elementary school. This trend of experiences continued at the
time of the interview. Both parents continue to remain active in advocacy for the integration of
students with exceptional needs. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.

**Respondents #8’s Narrative**

The respondents described their initial experiences when registering their daughter at the local neighborhood school,

We called ahead and we just told them that she was coming, almost like a registration for kindergarten and told them that we were interested in having her integrated into kindergarten and I got the message that we really don’t do that here.

They recalled their feelings about how they wanted their daughter to be educated from the onset of school,

Well, it was just basically one conversation on the phone that I said that I wanted my daughter integrated and to go to that school, um and ah, maybe it was in trying to say in future, you know like I wanted her integrated. I wanted her to go from kindergarten to Grade 1. I wanted her to go all the way through, and that, that’s what I wanted for her.

Prior to contacting the school, respondents #8 were already aware of other families who wanted integration for their children,

We just knew that other school boards had been integrating kijds into schools and we had seen and heard about all that and that’s what we wanted for our daughter, wherever we were going to put her into school.

The respondents also described the movement of parents at the time with similar perspectives on integration for their children,
I think at the same time, there were other families who were starting to ask and think and wanting similar things to us. And, I think if we as people who wanted a certain thing and got it and maybe we shared that with another family and other people, that maybe other people would start wanting the same things. And I think they didn’t want to change whatever system they had in place in order to accommodate us or any other people along the way. That’s where I got the impression as we were going through this whole process, that as soon as we give it to you, then we have to give it to them. And, then all of a sudden, you know, it opens the floodgates to a lot of things they didn’t have any experience and they didn’t know. Even if they have another system right there with them. The [name of school system] which had always had integration and a whole bunch of other things. They could learn all about this if they wanted to, but I don’t think they were interested in changing or doing anything.

The respondents also noted that they had indicated their plans for placement to the principal when they first met to discuss registration; however, a segregated placement was proposed, solely on the disclosure of disability. The respondents indicated that the overall attitude from the school authority was negative. They attempted to rationalize the thought process of the school authority,

Well, they didn’t know how and they didn’t want to put out the extra effort. They were hoping that, you know, if it didn’t work out, we would all say, “Well, we tried it and now we know she has to go to [name of school].

Respondents #8 recalled what occurred during their first meeting to discuss their daughter’s registration at the local school,

I think the first meeting we had was in the office of the principal and I think it was fairly informal and I think they were just trying to tell us that they had decided
that the best place for [name of student] to go would be to another little town by
bus in [name of area] which was about 12 to 15 kilometers away.

The respondents indicated that their local school board was organized to segregate
students with disabilities,

The attitude of the upper administration and the system they had in place that
labeled individuals and then put them into a special class that is one kind of
attitude. And then, the other attitude is like an attitude of ignorance and fear. At
the local school, because they had not had children naturally come into the system
then they never had to deal with it. And that created another kind of attitude of,
“We don’t need to try because the child is going to be moved anyway.” I didn’t
really get the sense it was personal at the time, any one person, but it just seemed
like the individuals who could help were totally unsupported. The teacher
themselves, maybe the principal, because the system was already set in place and
there was no room within that system without them sticking their neck out, for
them to try and do anything different.

Since it already had a system in place for dealing with students who had disabilities, the
respondents concluded that there was no room for the school authority to consider integration.
One of the respondents however, described that she visited the segregated placement that was
suggested for her daughter, describing a classroom setting in isolation, where staff could provide
either vague or no response to her questions about education within the classroom. It was also
evident that her daughter would only have an opportunity to mix with the rest of the student
population who was not segregated during recess and lunchtime. She explained her observations
during the visit,

They actually asked me to go and have a look at the room and when I went
actually to the room, I found it was a room all by itself, set up like a kindergarten
class with activity areas but and someone just told me a little bit about what they would be doing and then I said, ‘Would they go out into any other classes?’ Well, you know, they would be out at recess and they would be out at lunch with the other kids, but there would be no way of her leaving that classroom and going into any other classes out into the general public, so it was like if we sent her then, she’s going to be in that class and that’s it. She’ll be on a bus, she’ll get there, get back on the bus, come back home and she’ll have no access to anybody else in that community where she is attending school and she won’t have access to anybody else in her own comity because she won’t have any kids that she went to school with in her neighbourhood, so that would isolate her totally. And so that was another key factor why we didn’t want her to go there.

The respondent understood from feedback that should her daughter attend such a placement, that she would be isolated from the school community at large. The respondent also described program content,

I had no idea what exactly her program would look like, other than the fact that I went to the room. It was set up There was a doll area where they could play dolls and she was like 6 or 7 so dolls would be a good thing for her. So, maybe they would have an area where she would go and learn something else but I wouldn’t know unless she was actually there and in the program.

They described how the IPRC process was used to ensure segregated placements. The school authority neither disclosed information about rights nor responsibilities inherent in the process. The respondents recounted, “They didn’t help us at all through the whole process. They made it difficult.” They recalled the physical set up of the meeting, “We went into that one big room and we had about 15 people on that side and just us two all by ourselves,” and continued to describe the attendees from the board,
I think at that particular meeting, where there were those people on the other side. That it wasn’t just the principal and you know, a teacher or whomever was intimately involved in her life but it became the Superintendent of Special Education or somebody who was there also at the meetings. So to me, it was like, you know why is he here, so he’s representing those people at the school board level where they make all the policies and so on. So, it wasn’t just us, as families, and the school itself, it became more than that, and so it got to be, you know, even though we may say we didn’t feel intimidated, we sensed that it was a form of intimidation to bring in the higher up people, knowing that they were part of the decision making. And, that you know, we were just at this little school somewhere and this is what we wanted for our little daughter. And, we were coming up against all these people who were supposed to be so well educated and they were not just at this level, but they were at higher levels. They weren’t at the top, but they were somewhere in there and they reported to them and we know that that’s what it was all about.

The respondents tried to make sense of the school’s position, but also confirmed their own position about their daughter’s future placement,

I think they just felt, that, ah in Grade 1 [name of student] would not be able to cope and it would of course, they have available at their disposal, a number of resource people and personal experience with a number of individuals that could make a case for why [name of student] couldn’t fit there. So, if I was looking at it from their point of view, I would say that was an opportunity for [name of student] to fail, which isn’t the way we were looking at it. We were looking at it as, ‘She’s going to be in Grade 1.’ To us, it wasn’t a trial. She was going to remain in Grade 1. We had not intended at any time to have her go to the other class, part way through the year. We had said very emphatically, ‘No special class. She’s staying in that school.
While respondents #8 indicated that approximately 15 people represented the board at the initial IPRC meeting, they also recalled how they were not provided with the credentials of those reporting on their daughter,

We had no knowledge of this individual’s qualifications until we started to look at the report and wonder that ourselves. Because, my initial question I think was, how long have you spent with [name of student] and under what circumstances. And, it was just, I think a very brief time in observation in a Grade 1 classroom.

Respondents #8 continued to describe how they questioned the qualification of staff who were assessing their daughter and whether they had any expertise to support their opinions,

Well, no one gave any information about what their qualifications were, ah, they were introduced by name and possibly what their position was, whether it was a resource teacher or a core resource person. But, they did not describe ah, you know, what their knowledge or experience or any of that was.

One parent also recalled, “I actually was taken by the fact that I didn’t know any of the people that were there except for the principal.” He further sought clarification about whether any of the committee members actually knew their daughter,

I asked the question not in the first IPRC but in the next year. I asked a question of each person about how much time they had spent with [name of student] and there were some people on that committee that had never met her.

Further questioning resulted in parental understanding that staff presenting information about their daughter at the IPRC, in fact had never really spend enough time with their daughter to make any reliable conclusions,

It was very noticeable the numbers of people and I think that was when I actually did ask each of the people how did they know [Name of student], like what was
their experience with [name of student] and to be absolutely shocked that hardly any of them had even spoken with her for 5 minutes.

Respondent #8 concluded by saying, “That was a pretty scary thought for us.” The respondents indicated mutual alarm at the understanding that those presenting information at the IPRC were individuals who either had not met their daughter or who had only spent negligible amounts of time with her. The respondents described the final outcome of the meeting,

And they didn’t feel she should go into the Grade 1 program, automatically, so there was a disagreement at that point and there seemed to be almost like a compromise. Yes, we will allow your daughter into this Grade 1 program and they just didn’t seem very committed. Like, from the start it sounded like they were doubtful it was going to work, but they almost were giving into us. It seemed like just to....I don’t know whether to make us happy but they didn’t really seem to believe in it.

The respondents indicated that there was a complete lack of understanding as to the person behind the disability presented at their initial school meeting. They recounted immediate opposition and resistance. In addition, the respondents noted a lack of commitment on the part of school officials,

I know we also wanted to try to present to the people at the table who [name of student] was, like she wasn’t a case, she wasn’t a student number, she was a real beautiful girl, a lovely person who there just seemed to be a lack of feeling through the whole thing, like again, I’m a social worker so sometimes you get into that situation. It’s a case and every case has a real person and a real family behind it. And, I don’t know how they could.

The respondents indicated that segregated placement appeared to be the directive from higher administrative levels to meet the protocol for board funding,
Later we started to wonder who these people were, that are making those decisions and we got the impression that they were and pardon the expression were just the “puppets” of a particular program or policy that the school board had, that is what happens to all children who are labeled, with a particular label and that they don’t have any power to be honest with you of determining anything beyond what the school board mandated had to be done.

The respondents described how special education funding was funded through segregated classrooms,

We learned as we went along but we found out that the funding was based on the special class like special education funding was tied to that class. It wasn’t tied to an individual and so if they were to [name of student] to stay in that class, there was no special funding within their special education budget for any assistance. It had to be in that class. It had to be in that other school. And there again it just didn’t make sense to us that they would spend all this energy and time and effort to keep one little girl out of Grade 2.

They also indicated that the school authority saw integration as a potential risk and future trend. They realized that by permitting integrated placement for one family that the same request could potentially be made by other families in the future. They explained,

They didn’t want one person to have to get all these things and then have other parents and other people then ask for that, then they would have to open up and change and develop programs and develop things they hadn’t had before, even though it was probably part of the legislation and stuff that they’re supposed to accommodate all these things. They just didn’t want to do those things.

They confirmed that the process appeared to be similar for all students with similar labels. By the end of the IPRC, the school and the parents, however, reached a compromised for
Grade 1, where they would allow their daughter to try and be integrated into the regular grade one classroom, recalling,

We continued to kind of compromise and figure out how she can stay until the end of Grade 1. At that point, we found out that [name of student] is in a Grade 1 with three or four other kids that have special needs, whether they’re English as a second language, or behaviour or whatever and there is no EA attached to it at all. I think we had to go in not having one for the first part of the year and see how she managed.

Respondents #8 described negative teacher attitude and lack of appropriate resources to support the placement during the Grade 1 year,

The, I know that the teacher, was a teacher, who had been teaching for many, many years. So, when she was given student, she just looked after whatever problems or whatever things were in her classroom. She didn’t ask for extra help. We had to go as parents and say [name of student] needs some extra help. Can we make sure she gets what she needs in the classroom? And so on, and it gives the teacher the time and the energy and stuff so she can look after everybody in the classroom. At the beginning of the year, I think that we compromised with [name of student] going into kindergarten in the morning with a withdrawal for 40 minutes at the end of kindergarten cause it’s the same. And, then Grade 1 in the afternoon and we found it didn’t work, so we just put her in Grade 1 for the rest of the year. And, that’s kind of when we needed to...so the compromise was a whole bunch of little steps all the way along. Okay, so we decided that she would go into kindergarten in the morning with her other teacher. When kindergarten finishes. When kindergarten finishes, it always finishes earlier that everybody else does for lunch. So, then she went into a withdrawal room for 40 minutes or so until lunch time, and then she’d have lunch and then she’d go to the Grade 1 in the afternoon. And we, and so there was a lot of going from one place to another to another, not really belonging to any specific spot and then we just found it wasn’t working. So,
when we had our little meeting, I guess in December to decide what was going to happen.

One of the respondents further indicated that problems arose because of negative teacher attitude about how to treat their daughter because of her particular disability,

Can I tell you one incident? There were a couple of little incidents throughout the year. [Name of student] would go out into the playground with the rest of the kids and she loved being out there and on the slides and she used to go out with the kindergarten teacher and they’d all come back in and everything would be fine. And, one time, she went out and it was time for her to come back in and go to the Grade 1 class. And, she was having too much fun and she didn’t want to go. And, so, they didn’t know what to do. ‘How are we going to get her in here?’ So, the Grade 1 is right across the hall from the kindergarten teacher and they were, you know, someone mentioned that [name of student] was out and wouldn’t come in. Well, the kindergarten teacher just went out and said, ‘[Name of student] you get down out of there and get in here.’ They just didn’t know that asking her and demanding of her that she would actually come in and that’s what they were supposed to do. And so I ended up in the principal’s office and then they were, and that’s when she kind of said, ‘You know, we’ve never really dealt with someone with Down Syndrome.’ And I guess they didn’t know what to expect. Well, I said to her, ‘I expect from her the same as I do for my son or any other child. If you expect something from them, you get it from them.’ And another that was just one incident, but then, there were other times that they didn’t allow her to go on school trips or other things because they just felt that there was a safety issue. Even if there was somebody with her. There were just a lot of little things that whole year that made it a very difficult time for us and I think it’s because the school and the people were not prepared and didn’t know how to handle it. And, they’d never had the experience and no one came in and I mean I had to ask for a resource person to come in and help the Grade 1 teacher.
This commentary indicates that inability to respond to the student’s behaviour emanated from negative attitudes about Down Syndrome and the inability to view the student as a student first whose behaviour required regulation on the playground. The teacher’s perceptions on Down Syndrome inhibited her from intervening with the respondents’ daughter as she would another student in the classroom. The respondents recognized that features of Down Syndrome played a role in exclusion and discriminatory understanding about students.

They indicated that as parents, they had to make arrangements for support and that later on, “There was some discussion of having a volunteer go in.” In light of this suggestion by the parents, respondents #8 indicated the conclusions reached within the discussion with school officials about supporting their daughter with volunteer assistance,

What we were being told is, any assistant for the teacher, because they’re presenting their story. They have maybe three or four children in the class and it’s difficult for the teacher. So, there is some need for assistance for the teacher if they have any type of special needs there. We couldn’t quite understand why it was that an EA somebody that would help the teacher was only available in that special program and was not available to come to even for a part time into another school. Now there was some person that came by a couple of times a week but they really weren’t helping. I think they were more observing what was going on and so that didn’t sort of make any sense to us. And then, we tried as I say, in terms of compromise. It wasn’t so much that we were, I know, one of the things that came across to us was parents and educators are partners in this, so we’re trying to be good partners. So, we suggest, well, what if we were able to find a volunteer, would that be okay?’ And, I don’t know if they gave us any answer right away on that, but eventually they said, ‘I’m sorry [name of parents], that wouldn’t be allowed because of our contract with the staff and under the contract that would not be allowed to have a volunteer come in because of liability and other problems. And, so, it ended up then, that whatever assistance might be
available to [name of student] they were not willing to put forward and they would not allow us to actually to have somebody come in.

The respondents, however, went on to explain that resources were readily available in the segregated placement, noting,

They just bussed everybody to that one spot because it would be central located. Central location, so they, I guess they thought of certain schools as a family and they took all the kids with disabilities and bussed them to one school and EAs and special ed. teachers and so on, all at one school.

The respondents described an ongoing process whereby they remained uninformed about process by the school authority. Respondent #8 continued to explain her assumption that disclosure would be provided prior to her IPRC meeting,

Well, I would think that anybody going into a meeting would want to have everyone in the meeting fully informed, of, of, what the purpose of the meeting was, what your responsibilities were, what the possible outcomes could be. And, we just didn’t feel like, we wondered to ourselves why, why would the school board, if these pamphlets were available, why would they not give them to us? So, we knew about appeals and all of these kinds of things instead of just hearing about it at a meeting.

The respondents noted that the lack of information passed to parents continued to be an on-gong issue. They described,

I still have parents who call me and ask me about this, because they’re coming up against these actual situations and just even last week, I talked to a parent in my community who in the public system was having this problem because in her school, the principal and people there are not telling her about how she can process and get the things she needs for her son.
Respondent #8 also revealed the lack of informed consent as he agreed to assess his daughter. His presumption in the absence of any other information was that assessment was to be used as a measurement tool to plan for strategic educational planning.

Well, at the end of the school year, we actually had our daughter tested. We allowed that because we knew that she had progressed age wise with the, I guess, activities, things that she was supposed to progress with, during the school year, at her own level, quite well, so, we didn’t think that it would be a terrible thing to have someone sit and test her and say what she’d done. And, basically, when the results came back, it was that she had progressed at her own level of 8 months over the 10 months that she was at school. And, that’s wonderful, except for the last line and it said, “potential trainable retarded.” Ah, you know, so, and, that would help them decide, I guess where they should place her in the future.

Respondent #8 further noted that he was doubtful about the assessment because he was never told about the assessor’s qualifications, namely,

No, we had no knowledge of this individual’s qualifications until we started to look at the report and wonder that ourselves. Because, my initial question, I think, was, how long have you spent with [name of student] and under what circumstances and it was just, I think a very brief time in observation in a classroom.

Respondent #8 further explained, “I didn’t sense there was any risk at all. There was nothing mentioned to us. We were a little uncomfortable with it, I know.” She continued to note that her perception of the assessment was that it was to serve the purpose of indicating her daughter’s academic performance in the given year,

And, we felt that she should be able to go on. So, when the possibility of having one done, we just thought, “This is going to just prove that she’s done so well. That, they’re going to say yes, she can go.” So, I think that’s the whole point of it,
that, you know, it wasn't going to determine anything other than, how well she did that year.

She added that she did not recall, “Anyone else explaining anything to us about you know, if the results are in such a way, this is the result. This is where the result is headed. ”

Respondent #8 also indicated that she and her husband permitted assessment because they wanted the school officials to have an indication of their daughter’s progression, describing,

That was a good and positive experience and it showed how well she did. So, we thought. Well, why not have the school have their own psychologist see how well she did this year, because we all felt that she had done extremely well in kindergarten.

She further added that, “And we felt that she should be able to go on, so when the possibility of having one done, [psychological testing] we just thought, this is going to just prove that she’s done so well. That they’re going to say yes, she can go on.” While the respondents permitted the assessment process, however, they had no indication as to potential results. One of the respondents described, “So, I think that’s the whole point of it, that, you know, it wasn’t going to determine anything other than, how well she did that year.”

While the respondents noted that permission was given, however, she noted that it must have been given with consent, “I didn’t get the impression they would just do it without our permission, so I’m sure we signed a form.” Ultimately, the respondent concurred, “I can’t recall anywhere within the form any indication of risk.” As the results came back on testing, however, the parents indicated the label, “trainable mentally retarded” and indicated that this label was the impetus for segregation. They explained,
We found that out after. That was the one line in it that we found out after. It is one of the reasons why they felt that because she was trainable retarded that she should end up going to a particular program or place that they had decided that all kids that fit in there go.

The respondents indicated that they were in agreement for assessment of their daughter because they felt that the results would show positive growth for their daughter to the board officials. While they noted that they agreed to the assessment, they indicated at no time, that they were advised as to the risks and benefits of such assessment. Once the results were received, rather than the board officials understanding their daughter’s growth as a positive factor over the year, the parents indicated that the label of “trainable mentally retarded” found in the report was an impetus to placement in a self-contained setting.

Respondents #8 also recollected that observations had been made and recorded without their knowledge,

I can’t recall when we found out, but they had actually been doing assessments without our knowledge during the year. I don’t mean psychological assessments, but they’d been having different staff come in and observe her and make notes and we found out later that this was occurring without our knowledge and they, to me, it seemed to me like they were documenting the failures, ah, so then, that they could make a case. Not that they needed to, because again they never offered any full integration within the neighbourhood school for someone with a disability. However, they seemed to feel that they needed to have anecdotal information that would be able to be used to prove that [name of student] couldn’t handle a regular class.

In addition to non-disclosure about potential outcomes of assessment, the respondents also indicated that they were not provided with written information about special education and
process. They described, “We found out later and asked later for actual forms that the public
school board actually printed that were supposed to be available to parents and were not given to
us before the meeting.” The respondents further added, “We weren’t handed anything.”

The respondents indicated throughout the course of their narrative about their daughter’s
original placement, that there was no provision of appropriate resources. They explained that no
resources or assistance were forthcoming, however, at the same time, they were aware of the
tremendous costs of busing and segregation. They recollected,

I think that’s what was really discouraging. We were asking at the very most for
an assistant to help [name of student’s] teacher in the regular class. They didn’t
have the funds or couldn’t make that happen but they were able to spend, I’m sure
much more than us, because they had a lot of staff as [name of other parent] said,
coming in, plus their own legal people and so on and superintendents giving
testimony it must have cost them at least double that and yet they were spending
all this money to keep her out and we couldn’t understand why.

The respondents further described the vast amount of funding that would be required for
their daughter to be bused away and segregated. They commented on the moneys spent for
transportation out of region that were allocated with facility,

And another thing is, for her to be bussed from our place to [name of region]
which is where the school was, would cost thousands and thousands and
thousands of dollars every single year for whether it was her or if she’s in a group
of people.

As they described this allocation of funds, they also referred to funding for integration
and concluded that the price of segregation was much higher than that of integration. They
explained that,
They didn’t have the political will to do it. They put their money into busing. They put all their eggs into 1 basket because they thought it was more efficient when in the long run it cost more for them to do a whole bunch of other things.

The respondents described that after initial integration, the school authority once again tried to segregate for the Grade 2 year, calling an IPRC.

There was definitely a sense, I wasn’t intimidated, but there was definitely a sense of intimidation, in the sense that you have all of these people sitting. And, I think that the thing that bothered me the most is, that ah, they try to portray themselves as professionals like a lot of the talk and anything coming from that side was teachers are professionals and resource people are professionals. And, our thought was, ‘Who are we? Like, are we not, know our daughter the best of anyone? We are professional parents.’ Okay, so I think that was even at this point with all that had gone on, we were very optimistic and hopeful people. Maybe a little naive at this point in the process, but we always felt that we were always willing to work toward something with people. But, we weren’t getting anything at all and it did eventually come to this crunch.

They described an inability to understand the rationale of the school officials,

You can’t help but think, why in the world would the parent, ah, you know, isn’t really in the school have to be the one, who has to coordinate all this. You know, we’re paying tax dollars. You’d think that somebody, anybody would maybe think, ‘Oh, here’s something we can do. Is there any way we, as a team can do something about this?’ But it seems like, the feeling I got was a feeling of isolation everyone was trying to isolate us and make us feel like, we, maybe were way out in left field, that what we were asking was unreasonable. And, this is when we started to get into knocking heads because we were coming up to the end of Grade 2, another IPRC.

The respondents described a lack of collaboration in the IPRC process,
And again it ties into the system. People sitting there at a table that know the upper administration will not allow them to make any other decision but also maybe on the level of the IPRC. They’re dealing with people who are fighting back a bit now and now and are not co-operating the way they want. They seem to want parents to want to co-operate but do you think the board will co-operate with the parents? I don’t know. So, I think there was probably, ‘This is all we’re going to let it go,’ as well. Like, it was a bit of both. But I think we knew what was going to happen and again we went into that meeting, I believe still presenting our case. And presenting what we felt we wanted and what was in the best interests of [name of student]. And it, I just felt we could have been talking to the wall because there was no way that anything we could have said or done in that meeting, that would have changed the decision that was already made, I feel before they ever came to the meeting. It wasn’t a meeting to discuss. It was a meeting to receive their decision, not discuss [name of student’s] placement.

The respondents indicated that the IPRC process was in place so that the upper administration could control the decision in the process and he commented that, “I think they had intended all along to go with a particular proposal or placement in their own minds and they didn’t want to give us any opportunity to actually fight them on it.”

And they did that because they just bussed everybody to that one spot because it just would be centrally located. Central location, so they, I guess they thought of certain schools as a family and they took all the kids with disabilities and bussed them from one school and EAs and special ed. teachers and so on, all at the one school...especially if they told you that they were trainable retarded.

Their comments indicated that the local school was apathetic to the needs of their daughter in that they were unwilling to put effort into the integration process. Further, they noted that they felt that the school was hoping to be able to confirm that they attempted to place the respondents’ daughter, failed and that the ultimate consequence would be that the student would
be relocated into the congregated setting that they had referred to in their initial meeting over registration.

I think what sort of boggled our mind a bit, too, is we’re talking about Grade 1 here and it just didn’t sort of make sense to us about why it is so difficult to have somebody coming for kindergarten go into Grade 1 that, that would be so difficult to do.

Within the process, the respondents reflected upon the difficulty to reverse a segregated placement decision,

It was like you have to go and experience it and then when you got there, how would I ever get her out of there? Like to say, ‘I want an IPRC because this isn’t working. I want to take her back and put her into a public school in her neighbourhood and have her integrated into all that stuff.’ I didn’t see a way out. I thought once you got over there and this all happened, that would be her life.

While the system continued to press for segregation, the respondents described that aspects of the program were never described and that parents were expected to comply with placement directions in the absence of disclosure about programs and services,

I mean, we went to that meeting fully expecting that they would say, [name of student], “Our decision is [name of student] will be placed in the special ed class in [name of region].” So, that was what we thought they were going to do, and that’s the way it turned out. Now, I can’t recall, I think it was in the meeting itself that they just told us that and then a few days later, gave us the decision in writing but they had said, “We’d gone as far as we could go, Grade 1 and from Grade 2 on, that’s it. This is our system and there’s no way that she’s going to stay in Grade 2.”
The IRPC committee decided on a segregated placement, but respondents #8 described how, “We refused to sign it” and further that, “The label was ‘trainable retarded’ I think that was the class and that was the label.” In response to the decision to label as “mentally retarded” and further to segregate for placement, the respondents replied,

We basically told them, that it’s unacceptable, that we want our daughter, there’s no reason she can’t continue to attend the regular school and that we refused to have her go to another community and to a special class.

The conflict over placement at the IPRC meeting, led the family to seek legal intervention to commence appeal proceedings. As the process continued, the respondents heard information presented at a trustee meeting indicating that their daughter had behavioral issues. They described,

We actually took our daughter with us because part of the discussion between the school board and the trustees who could have turned over the decision, was that she was a behavioural problem and that was part of the reason she shouldn’t stay at the public school.

They recalled the meeting with the trustees,

Actually, we didn’t hear anything about behavioural issues in the trustee meeting until after I believe. And it was then that one of the trustees commented that, ‘Oh, we thought you know, your daughter had some behavioural problems. It was never mentioned in the meeting with the trustees at all.

After hearing this information, the respondents indicate their concern of sharing of information without their consent, noting, “It’s a little scary because we weren’t sure if some information was being shared with the trustees and not with us. We weren’t sure why and how
that could be appropriate.” They described the next process in their struggle to integrate their daughter, commenting,

Then the trustees I believe had to either ratify or not ratify that decision prior to going to a tribunal because that would be the very next step. We had indicated we’re appealing this all along. So our next step was to go to the tribunal, to make application to the tribunal so, this was sort of the last chance to see if there was any movement at all on the part of the school board.

The respondents indicated that they followed through on the appeal process after “went to another meeting and of course we got the same answer again.” After the appeal, there was a Special Education Tribunal hearing, where they recalled,

That was a difficult process, because [name of spouse] and I you know, were both witnesses and we were both grilled by the school board and so on and we called our own witnesses. It got into quite a bit of cost for being not so much of a legal thing. I think it probably ranged with witnesses and other fees up around $20,000.00 or so, or maybe more, ah, by the time all was said and done.

Throughout the process, the respondents recalled,

We were surprised that it and it just seemed to us that at every level, the school board seemed to be sort of dragging things out as much as possible, to sort of, kind of discourage you from pursuing it any further. They just kept kind of pushing it that way.

As the parents worked through every level of appeal in the system, they indicated that the process was emotionally and financially draining. They also described the physical set up of the Special Education Tribunal,
The other thing that you would note is that the, in the tribunal room, there was always a side like in a courtroom that was for the school board and a side that was for us. There was always a rotating number of people from various departments and stuff that came in to observe to see what a tribunal was all about and learn from it so that if some way or somehow they were ever having to be into one, they would know what to expect and what to do. Like there were always loads and loads of people on their side all the time through the whole thing.

Reflecting upon the process to this point in their joint narrative, the respondents indicated that negative attitudes towards integration for students with disabilities emanated from the Director of Education. They described his views on segregation that were well publicized and permeated throughout the school board at each level,

I also think it was the Director of Education and his attitude and it’s hard to say that one person could have all that influence upon these kind of decisions. We found out later and it’s well documented through speeches that he made and so on that he obviously felt that such people belonged not in the regular system, that they, you know, they were going to be limited in what they were going to do. Like in other words, they don’t have the same value and that made us really sad to think an individual who was running a whole school board would have that much impact. You know, on a system and on families and on children. But when it comes down to it, he was the individual who make those decisions. He had the power to overcome, to oversee and change those things but in his heart, it seems from what we could see and what we understand from him, he didn’t feel it was proper to have children such as [name of student] in the regular class. They belonged somewhere else.

The respondents indicated a completely negative attitude from upper administration who held no interest in implementing integration at the local school. One of the parents further commented that this type of scenario was still commonplace in the school system,
I think that there are still the same kinds of problems but there are places where there are enlightened people, accepting people who have helped kids to be integrated. Okay, and that was a case in our time in some of the school boards. But, there are still a lot of places and whether it’s an individual school or if it’s a whole school board or not that there are still a lot of problems. And, you hear about them today. They may be better educated parents in some ways, there are still a lot of parents out there who have no idea what an IPRC is, what an IEP is, which is something new that the Ministry has for special needs kids and there just seems to be so much more to learn and so much more to absorb. And, I don’t think the school boards are doing any better at sharing information with parents that they ever did.

One of the respondents compared this attitude to his experiences with teachers and principals with positive attitudes towards integration,

So, sometimes, it is an, the individual school, the principals or the people within it. Sometimes, it is the school board’s problem, but that’s what you know. if someone can. I figure is that you can live somewhere and if you happen to be in the wrong neighbourhood and at the wrong, teachers or principals or attitudes within that particular school. You don’t get anywhere, where you can be down the street and at a different school altogether, and the attitude and everything is different, and you know everything is fine.

The respondents also indicated that lack of information to parents and disclosure about the rights to resources was an ongoing problem with other families that they were helping. They referred to a family whose son has,

I think, a mild case of cerebral palsy. He has some memory problems, but he’s in a regular Grade 2 according to the teachers there. He’s supposed to be doing a “C” average in the classes that he’s doing, so he’s really capable of being there. There are some occupational therapy and there is an EA that comes occasionally
to help him get things on and off and so on. But, there’s still a lot of things that she wants or needs for him and she can’t get the principal or other people to talk to her and get what she wants or vice principal. They are just refusing access because she goes in and asks for things and they haven’t. They’re finally getting a meeting and but she’s asked for other meetings. She’s gone in and spoken to the principal and she doesn’t like the way certain things are happening, but nothing has changed....She didn’t even know what an IPRC is. She had to go on the government website recently to find what an IPRC was.

The respondents indicated that the mother had no understanding of her son’s rights to services and that these rights had never been disclosed. She further added that the woman’s son never had an IEP, “Because they never sat down and developed one.”

The respondents also explained that it was important to know other families engaged in these activities because they viewed themselves as being engaged in a power struggle with the school authority,

Somehow we were fortunate to bump into some individuals that, ‘cause I think that the worst thing in the world is to feel like this is your problem and that no one else in the world has the same problem. And much to our surprise, I guess when we started to reach out and find ways that maybe we could help ourselves throughout this situation. We found other individuals and one was through the [name of advocacy group] that had been formed by parents that had similar things that were happening to them and we found a tremendous strength in that, that we were not alone which is so important. I think if you believe in something, it’s always nice to know that there’s other people that believe in the same thing because whether it’s intended or not, the school board system seems to make you feel like the outsider and very much like the black sheep and they talk about co-operation and partnership. But when it comes down to an issue that you can’t agree on, that completely switches around to “We’re right and you’re wrong and we have the power.” And so, it became this power struggle and we found being
able to have a group of people or some other individuals even one or two others that had been through similar things or know what we were talking about, really gave us some strength and power. And, then I think at that point we began to realize it was a human rights issue, that it wasn’t just a matter of just what’s going to be the placement next year. It was actual discrimination against our daughter because she was born with Down Syndrome which was not fair. And, we would not tolerate that and as much as we wanted to work with people, you really have to sort of change our of your own personality and say, “We’re going to fight this and it’s not right and we’re going to make sure that this. We’re going to go as far as we can with this because this is not correct.”

Their commentary indicated that it was important for the respondents to ally themselves with a parental advocacy group for moral support. Respondents #8 were not successful at any level of appeal for their daughter and decided to look for an integrated placement in another school board. They concluded by explaining that their daughter was successfully integrated into the Catholic School Board.

Summary

Respondents #8 had no advocacy experience when they sought to integrate their daughter. Their initial attempts to register their daughter at the local school met with negative attitudes and resistance from the principal and other staff members. While a segregated placement was immediately sought by the school, respondents #8 explained that they were facing a local school board operating on the segregated special education delivery model. They recalled that the school consented to an initial period of integration, however no resources were in place to support this placement. They described the deterioration of this process and indicated that an IPRC was called by the school. While the school formally recommended segregated placement at the conclusion of the IPRC, the family refused to consent pursing all recourse available to them.
through the appeal processes set out within the legislation. Throughout the course of these narrative accounts, they described the power structures within the IPRC, appeal and tribunal processes that they felt were in place to exhaust parental initiatives for integration. Such characteristics included physical set up of meetings, the large number of school personnel in attendance at these meetings, lack of disclosure about process, as well as the withholding of resources so that the integration could be properly supported. The negative outcome of the appeal processes led to respondents #8 seeking an alternative integrated placement for their daughter which materialized in the Catholic school system. Respondents #8 indicated that there was a complete contrast in attitudes over integration within the Catholic system as compared to the public system. Their narratives indicated that positive attitudes within their daughter’s new setting did not present further confrontation. For a summary of emergent observations from respondents’ profiles, see Table 6, p. 259.
Table 6
*Summary of Emergent Observations From Respondents’ Profiles*

<table>
<thead>
<tr>
<th>Respondent profile</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td># 1</td>
<td>1. There was a systemic refusal to consider integrated placement as the placement of choice in the local school.</td>
</tr>
<tr>
<td></td>
<td>2. The respondent recognized that features of Down Syndrome played a role in exclusion and discriminatory understanding about students.</td>
</tr>
<tr>
<td></td>
<td>3. The respondent was forced to seek alternative education when the local school did not support integration.</td>
</tr>
<tr>
<td></td>
<td>4. Negative principal and teacher attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.</td>
</tr>
<tr>
<td></td>
<td>5. There was systemic refusal to consider integrated placement and the process of identification and placement detracted from meeting student needs.</td>
</tr>
<tr>
<td></td>
<td>6. A deficit-based funding model resulted in an uneven distribution of provincial funds and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.</td>
</tr>
<tr>
<td></td>
<td>7. In order to find out about the rights of their children, the procedures, resources, and services, parents needed to become connected with parental advocacy groups.</td>
</tr>
<tr>
<td></td>
<td>8. Ongoing parental intervention was required for the establishment of appropriate accommodations and access to peer curriculum.</td>
</tr>
<tr>
<td></td>
<td>9. Significant emotional and financial costs were incurred to deal with confrontation, payment of services, and continuous intervention to ensure appropriate accommodation.</td>
</tr>
<tr>
<td>Respondent profile</td>
<td>Observations</td>
</tr>
<tr>
<td>-------------------</td>
<td>-------------</td>
</tr>
<tr>
<td># 2</td>
<td>1. The respondent viewed integration as essential to community membership.</td>
</tr>
<tr>
<td></td>
<td>2. There was systematic refusal to consider integrated placement as the placement of choice in the local school.</td>
</tr>
<tr>
<td></td>
<td>3. Negative principal and teacher attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.</td>
</tr>
<tr>
<td></td>
<td>4. The respondent indicated that there was no collaboration between elementary and secondary schools to provide smooth transition for integration.</td>
</tr>
<tr>
<td></td>
<td>5. The respondent was not provided with information about the special education process nor the rights and responsibilities inherent within this process.</td>
</tr>
<tr>
<td></td>
<td>6. The respondent recognized that overt features of disability played a role in exclusion and discriminatory understanding about students.</td>
</tr>
<tr>
<td></td>
<td>7. The respondent described withholding resources as a means to ensure segregated placement.</td>
</tr>
<tr>
<td></td>
<td>8. A deficit-based funding model resulted in an uneven distribution of provincial funds and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.</td>
</tr>
<tr>
<td></td>
<td>9. Ongoing parental intervention was required to ensure integration.</td>
</tr>
<tr>
<td></td>
<td>10. The respondent had to secure information about procedures, resources, and services through parental advocacy groups.</td>
</tr>
<tr>
<td>Respondent profile</td>
<td>Observations</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------</td>
</tr>
<tr>
<td># 3</td>
<td>1. There was a systemic refusal to consider integrated placement as the placement of choice in the local school.</td>
</tr>
<tr>
<td></td>
<td>2. The respondent was not provided with information about the special education process and the rights and responsibilities inherent in this process.</td>
</tr>
<tr>
<td></td>
<td>3. The respondent was forced to seek alternative education when the local school did not support integration.</td>
</tr>
<tr>
<td></td>
<td>4. The respondent recognized that integration was denied because of visible disability.</td>
</tr>
<tr>
<td></td>
<td>5. Negative principal and teacher attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.</td>
</tr>
<tr>
<td></td>
<td>6. There was no collaboration between elementary and secondary schools to provide smooth transition for integration.</td>
</tr>
<tr>
<td></td>
<td>7. Resources were more available to students with physical disabilities than to students with other exceptionalities.</td>
</tr>
<tr>
<td></td>
<td>8. Resources were only available in segregated settings for schools that did not support integration.</td>
</tr>
<tr>
<td></td>
<td>9. A deficit-based model resulted in an uneven distribution of provincial funds, and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.</td>
</tr>
<tr>
<td></td>
<td>10. Ongoing parental intervention was required for the establishment of appropriate accommodations and access to peer curriculum.</td>
</tr>
<tr>
<td></td>
<td>11. Significant emotional and financial costs were incurred to deal with confrontation and continuous intervention to ensure appropriate accommodation.</td>
</tr>
<tr>
<td></td>
<td>12. Need for parental support and information led to affiliation with advocacy groups.</td>
</tr>
<tr>
<td>Respondent profile</td>
<td>Observations</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------</td>
</tr>
<tr>
<td># 4</td>
<td>1. There was a systemic refusal to consider integrated placement of choice in the local school.</td>
</tr>
<tr>
<td></td>
<td>2. The respondent recognized that features of Down Syndrome played a role in exclusion and discriminatory understanding about students.</td>
</tr>
<tr>
<td></td>
<td>3. Negative principal and teacher attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.</td>
</tr>
<tr>
<td></td>
<td>4. A deficit-based funding model resulted in an uneven distribution of provincial funds, and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.</td>
</tr>
<tr>
<td></td>
<td>5. There was pressure to comply with a psychological assessment.</td>
</tr>
<tr>
<td></td>
<td>6. Continuous parental involvement was required for integration to occur.</td>
</tr>
<tr>
<td></td>
<td>7. The Individual Education Plans were described as inappropriate in academic content or ineffectively implemented.</td>
</tr>
<tr>
<td>Respondent profile</td>
<td>Observations</td>
</tr>
<tr>
<td>-------------------</td>
<td>--------------</td>
</tr>
<tr>
<td># 5</td>
<td>1. There was a systemic refusal to consider integrated placement of choice in the local school.</td>
</tr>
<tr>
<td></td>
<td>2. Negative principal and teacher attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.</td>
</tr>
<tr>
<td></td>
<td>3. The respondent recognized that features of Down Syndrome played a role in exclusion and discriminatory understanding about students.</td>
</tr>
<tr>
<td></td>
<td>4. The respondent described the withholding of resources to support integration.</td>
</tr>
<tr>
<td></td>
<td>5. A deficit-based funding model resulted in an uneven distribution of provincial funds, and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.</td>
</tr>
<tr>
<td></td>
<td>6. The respondent received no documentation about the special education process from the school authority.</td>
</tr>
<tr>
<td></td>
<td>7. Continuous parental involvement was required for integration to occur.</td>
</tr>
<tr>
<td></td>
<td>8. Appropriate education was not provided.</td>
</tr>
<tr>
<td></td>
<td>9. The Individual Education Plans were described as inappropriate in academic content or ineffectively implemented.</td>
</tr>
</tbody>
</table>
1. There was a systemic refusal to consider integrated placement of choice in the local school.

2. The respondent reported pressure to consent to a psychometric evaluation.

3. Negative attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.

4. Resources to support integrated placement were withheld.

5. A deficit-based funding model resulted in an uneven distribution of provincial funds and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.

6. Significant emotional costs were incurred to deal with confrontation and continuous intervention was required to ensure appropriate accommodation.

7. Parental involvement was required to ensure that labeling did not occur.

8. In order to find out about the rights of their children, the procedures, resources and services, parents needed to become connected with parental advocacy groups.

9. Appropriate education was not provided.

10. Individual Education Plans were inappropriate, not implemented in a timely manner, were poorly consulted, and failed to serve their purpose.
<table>
<thead>
<tr>
<th>Respondent profile</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td># 7</td>
<td>1. There was a systemic refusal to consider integrated placement in the local school.</td>
</tr>
<tr>
<td></td>
<td>2. The respondent was not informed about the special education process nor was she informed about the implications of assessment.</td>
</tr>
<tr>
<td></td>
<td>3. Negative principal and teacher attitudes about inclusion led to negative and sometimes confrontational meetings while positive attitudes led to positive outcomes and collaboration.</td>
</tr>
<tr>
<td></td>
<td>4. Resources were withheld to support integration in the regular classroom but were said to be available in segregated environments.</td>
</tr>
<tr>
<td></td>
<td>5. A deficit-based funding model resulted in an uneven distribution of provincial funds, and there was no process of accountability to ensure the appropriate distribution of funding to meet student needs.</td>
</tr>
<tr>
<td></td>
<td>6. The Ministry was a barrier to integration since there was a lack of Ministerial role to ensure integration and accountability between policy and practice.</td>
</tr>
<tr>
<td></td>
<td>7. Continuous parental involvement was required for integration to occur. Significant emotional costs were incurred to deal with confrontation and continuous intervention was required to ensure appropriate accommodation.</td>
</tr>
<tr>
<td></td>
<td>8. Appropriate education was not provided.</td>
</tr>
<tr>
<td>Respondent profile</td>
<td>Observations</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------</td>
</tr>
<tr>
<td># 8</td>
<td>1. There was a systemic refusal to consider integrated placement in the local school.</td>
</tr>
<tr>
<td></td>
<td>2. Negative attitudes were present at all levels of the system. They emanated from the Director of Education to the principal, teachers, and other staff at the school board involved in special education. There was also note that when positive attitudes were held by the school authority, that integration was appropriately supported.</td>
</tr>
<tr>
<td></td>
<td>3. The respondent was not informed about the special education process nor was she informed about the implications of assessment.</td>
</tr>
<tr>
<td></td>
<td>4. Resources to support integrated placement were withheld.</td>
</tr>
<tr>
<td></td>
<td>5. The funding model resulted in an uneven distribution of funds to segregated placements, and there was no process of accountability to ensure the appropriate distribution of funding could be allocated to the regular classroom to support integration.</td>
</tr>
<tr>
<td></td>
<td>6. In order to find out about the rights of their children, the procedures, resources and services, parents needed to become connected with parental advocacy groups.</td>
</tr>
</tbody>
</table>
Chapter Five
Discussion

As readers will recall, the purpose of the present study was to investigate the experiences of parents who sought inclusive education for their children, all of whom had visible disabilities. Parental narratives demonstrated a disjuncture between integration as the norm, as a standard implicit within the legislation, and the actuality of its provision. The study demonstrated the continued use of “disability” as a construction used to segregate students labeled with such classification outside the parameters of regular classroom placement. These findings reflect the continuity of historical evidence, previously cited within this study, as to how “disability” is used as a marker for exclusion in the educational forum.

The Social Construction of “Disability” as Excludable: A Continued Trend in Education

The social model of disability characterizes the term “disability” as a social construction, articulating that impairment has been used to construct disability. In terms of an historical trend, this study indicates that the social construction of disability continues to the present day within the context of education. According to Shakespeare (2010), this model refers to the barriers constructed by society to prevent their full inclusion. In relation to the present study, labels of disability have been utilized as a means for exclusion, rather than as a means for accessibility to education. Davis (2010) has indicated that, in such a model “the ‘problem’ is not the person with disabilities; the problem is the way that normalcy is constructed to create the ‘problem’ of the disabled person” (p. 1). He has also articulated that, “The implications of the hegemony of normalcy are profound and extend into the very heart of cultural production” (Davis, 2010, p. 17). This particular interpretation reflects the essence of Foucault’s (1977) political control
theory where power structures have been erected to establish roles of dominance and marginalization. Brock (2003) has described these political allocations as ones of “deviance” and “normalcy” that produce a hierarchy of power. As such, society does not simply exist, but to the contrary, is manufactured according to this duality. Fleras and Elliot (1992) contend that ideologies embody “a framework for organizing, maintaining and transforming relations of power and dominance in society” (p. 54). This coincides with the theory of functionalism, that Henry and Tator (2010) term “a consensus model of society – one that envisions the smooth, orderly and stable nature of societies” and note that, “It looks at whole societies and examines the ways in which its parts contribute to the successful or unsuccessful functioning of the entire social order” a perspective that dominated “the early and mid-twentieth century” (p. 22). While the Eugenics Movement historically magnified this functionalism through institutionalized segregation, this separation led to the formation of hospital schools. Barnes (2010) has indicated that division of individuals with disabilities from other groups resulted in, “specific categories and groups, with differing treatment for each group” (p. 24). He notes that, “The legacy of this policy remains with us today” (Barnes, 2010, p. 24), a comment that is illustrated by the parental narrative analysis of this study. Oliver (1985) illustrates this functionalism noting,

Thus, the initial development of a segregated special education was a consequence of the vested interest of the ordinary school sector who were concerned that their payment by results benefits would be adversely affected by the presence of a variety of demanding and disruptive pupils. (p. 78)

and further indicates that, “Subsequent trends were shaped by the growing power of a variety of newly developing professions, notably doctors, teachers, educational administrators and psychologists” (Oliver, 1985, p. 78).
While separate places were found for the existence and containment of institutionalized populations, a social construction of even deeper magnitude arose in the embodiment of special education that emerged from within the walls of the institution and continued to pervade the future opportunities of children with disabilities. They were effectively allocated to what Baynton (2010) has referred to as “a silent exile on this Earth” (p. 33). The far reaching and lifelong effects of such social construction in the world of education are of paramount importance particularly in reference to Justice Warren’s commentary in 1954 in *Brown v. Topeka Board of Education*, where he concluded that education was the cornerstone of future prosperity.

The social construction of exclusion in education is discussed by Hughes and Patterson (1997) who say, “disabled people have been cast in the role of the other and cast out: imprisoned by what Foucault (1977) called ‘the great confinement’ and excluded from and denied access to many of the key sites of power and privilege” (p. 325). Special education within the institution created the first segregated classrooms for students with disabilities, a tradition that established an exclusive type of educational social construction where expectations in academia, for students with disabilities, was both impoverished and the catalyst for future social and economic marginalization.

**Social Construction of Disability in Educational Placement**

As readers will recall, this reality remained one of passive acceptance for parents who were dominated by the patriarchal medical profession that utilized impairment as an indicator of necessity for segregation, most particularly in education. However, by the 1970s parent groups began to question policies that determined this type of future for their children. Activism advanced this cause by incremental steps of empowerment. Stainton (2005) has described that, “the essence of empowerment is about enhancing, securing and/or legitimating the power of
oneself, another, or a collective” (p. 289). This evolution reached its pinnacle in the province of Ontario as the Ministry of Education adopted the position in 1986 that “integration was the norm” for students with disabilities and by the late 1990s integration was to be considered the placement of first choice at all Identification, Placement and Review Committees. Within this context, parents had recourse to the special education legislative framework as a tool to secure mainstream placement with appropriate supports for their children. The special education framework established in the province of Ontario is the culmination of progress for integration and inclusion. The standard of integration as the norm for students with disabilities, implicit within the legislation, serves to question the legitimization of segregated placements. With this in mind, special education and rights policies will be reviewed in conjunction with parental narratives to determine whether the position that integration is the norm for students with disabilities in Ontario has materialized in the daily practice of its educational institutions.

**Foundational Principles of the Special Education Framework**

The following overview encapsulates its five inherent principles that will provide readers with a point of reference for respondent analysis and discussion:

1. **Definition of exceptional student, special education programs, special education services and rights to parents to programs without charge**

   Section 1(1) of the *Education Act* (Education Act, R.S.O., 1990) defines students with disabilities as “exceptional students” and further establishes definitions for the terms “special education program” and “special education services.” There is an onus placed on the Minister of Education to provide appropriate special education programs and services to these pupils without charge. Under *Ontario Regulation 181/98*, s.17(1), there is a presumption in favor of integration
as a placement of first choice where the placement meets student needs, pursuant to s.17(1)(a) and where the placement is consistent with parental preference as set out in s.17(1)(b).

2. The provision of programs and services for “exceptional students”

The duty to provide programs to exceptional students is initially set out in s.1(1) of the Education Act (Education Act, R.S.O., 1990). This process is further enhanced by the establishment and implementation of the Individual Education Program. The duty to provide and monitor an Individual Education Program (IEP) is established by Ontario Regulation 181/98, s.6(2) and s.6(3), that set out the duty to establish the IEP in a timely manner and to provide ongoing review and modification of the document. This process is to be carried out in consultation with parents and is considered a working document, evolving in a continuum to meet an individual student’s needs.

3. The identification and placement of students in the IPRC process

The Identification, Placement and Review Committee process is established under Ontario Regulation 181/98, s.10(2). S.(7) of the regulation requires that IPRC committees consider integration as a placement of first choice. Integration is to therefore be considered prior to consideration of alternative placements.

4. The right to appeal

S.19 of Ontario Regulation 181/98 sets out the right to appeal identification and placement decisions.

5. Disclosure

Disclosure of information about the special education process is established through the Parent Guide. S.13(1) of Ontario Regulation 181/98 that places a duty on “each board” to “prepare a guide for the use and information of parents and pupils.” S.13(2) places a further onus
on boards to, “ensure that copies of the guide are available in the board’s jurisdiction and at the board’s head office.” Disclosure of risks and benefits to assessment are also essential components to binding consent under the *Health Care Consent Act* (R.S.O., 1996).

Within this study, respondent narratives described experiences in the integration process. Given the presence of the special education framework, parents had recourse to legislative guarantees reflected in its principles. Their request for inclusion now had a legislated nexus to provide them with inclusion as a placement of first consideration, as well as a means of identification, services, programs, in addition to rights to appeal and disclosure. Within this context, parents should be able to request inclusion and utilize the tools available within the legislation to support such a placement. The special education framework therefore came to symbolize the establishment of a rights based model for parental advocacy. As such, its operation should signify a shift in power arrangements from a patriarchal and authoritarian power structure to a model of collaboration between the educational establishment and parents. Stainton (2005) describes that,

> One commonality underlying most current changes in policy and practice is a move away from a paternalistic model, where we decided “what was the best for these people” assuming they were incapable of making choices, or at least “good choices.” (p. 290)

Pinto and Rioux (2010) have also indicated that,

> A rights approach to education by contrast, highlights the need for holistic perspective, requiring a framework that takes into consideration not just the right of access to education throughout all stages of childhood and beyond, but also the right of quality education and the right to respect in the learning environment. (p. 622)

The purpose of this study has been to determine the experiences of parents within this framework who have sought inclusion as a placement of first choice for their children.
Respondent narratives have produced similar initial themes that have been noted throughout each respondent’s narrative. A detailed description of such thematic comparisons may be reviewed at the end of Chapter Four in Table 6, p. 259.

**Emergent Respondent Themes**

Consideration of these comparative themes demonstrates the following overarching three themes, summarized in this list with their related subsections:

1. Attitudes determined whether integration was considered as the placement of first choice

2. Attitudes determined the operation of the special education framework. This theme included the following subsections for individual consideration:
   a. Disclosure
      i. Non-disclosure of rights to informed consent
      ii. Non-disclosure of the Parent Guide
   b. IPRC Process
      i. Programs
      ii. Provision of programs and access to regular classroom curriculum
      iii. Provision of service

3. Deficient legislation was used as a means to enhance institutional control. This theme included the following subsections for individual consideration:
   a. Presence of differential treatment
   b. The absence of a legislative mechanism for service provision
c. The non-binding nature of the appeal process

d. No Appeal Mechanism for Service Provision

Elaboration of the three themes and their related subsections begins here.

1. **Attitudes determined whether integration was considered as the placement of first choice**

In all cases, parental preference for integration as a placement of first choice, pursuant to s.17(1)(b) was not taken into account. All respondents were initially directed to segregated, self-contained placements. There was no analysis to determine how integration would meet students’ needs, pursuant to s.17(1)(a). In all cases, parents were redirected to congregated settings as the only viable placements for their children, in the absence of documentation and solely on the basis of disclosure of disability. This treatment is prima facie discrimination, a prohibited ground under Ontario’s *Human Rights Code* (R.S.O., 1990). Rioux and Pinto (2010) have described how,

> The participation of children with disabilities in regular schools is too often the prerogative of education boards, who decide whether a child can learn within existing educational environments, rather than pressuring for systemic change and organization in school curricula that would grant the right of education to all children. (p. 621)

In addition, the voices of students were absent from all consideration in terms of decision making within the narratives. Rioux and Pinto (2010) observe that,

> Perceived as having little to contribute to society, the education of persons with disabilities is thus often devalued – parents, teachers and school administrators decide whether a child with a disability will attend school or not. (p. 262)
and further noted that, “The best interests of the child become the best interest of those around the child” (p. 262). This position was illustrated throughout respondent narratives.

Perceptions of disability were further reported by 4 respondents who reported on the relationship between visible disability, negative perceptions about disability and subsequent recommendation for segregation. Five out of the 8 respondents were forced to relocate after initially being denied integration for their children at their local schools. They sought integrated placements for their children in alternative settings. Three out of 5 respondents did not report changing schools, instead deciding to persist in their efforts towards integration for their children. The role of attitude was paramount in determination of placement, a finding that has also been noted by Rioux and Pinto (2010) who describe that, “access to education for children with disabilities is often blocked by barriers in physical environments, lack of adequate supports, underfunding and prejudicial or demeaning social attitudes” (p. 626). Respondent narratives indicated that the attitudinal position held by the school authority served as a precursor to whether integration as a placement of first choice would be accorded to those requesting such placement.

2. Attitudes determined the operation of the special education framework

Initial attitudes towards integration served as a catalyst to how the school authority engaged with the available tools inherent within the special education framework. Respondent narratives indicated that, in the presence of negative attitudes and a refusal to integrate, the school authority used the tools within the special education framework to the detriment of the student. This was apparent in relation to disclosure, the IPRC process and the provision of programs and services. In the presence of positive attitudes however, tools from the framework were utilized for student benefit. This reflects the research findings of Rioux and Pinto (2010)
who describe similar outcomes from a worldwide interview survey of 100 participants per country conducted by Disability Rights Promotion International that set out to determine how experiences of students with disabilities compared to the standards established in the *Convention on the Rights of Persons with Disabilities* where “some” respondents,

describe rewarding experiences of educational inclusion and achievement by persons with disabilities. Most often, however, they provide accounts of discrimination, exclusion and disrespect, with significant consequences for the human rights, the life opportunities, the dignity and autonomy of those interviewed. (p. 624)

These findings are reflective of the present study where only one respondent was able to secure integration with supports after initial negativity.

**a. Disclosure**

Disclosure rights materialize through the process of informed consent in relation to psychological assessment as a precursor to the special education framework. A secondary means for disclosure is the Parent Guide.

**i. Non-disclosure of rights to informed consent**

All respondents who commented on assessment indicated consistent pressure to consent to psychological assessment. No respondent was provided with information concerning the consent process that is governed by being informed as to the risks and benefits of the procedure for which one is providing consent. In the absence of this understanding consent is non-informed and as such contrary to the law and non-binding. *The Standards of Professional Conduct*, established by The College of Psychologists of Ontario (2009) and the *Regulated Health Professions Act* (S.O., 1991) place this duty upon psychologists who are requesting consent to conduct assessments. In the presence of negative attitudes towards inclusion, no such
informed consent was provided and results from assessments were used as a tool at the IPRC process to rationalize segregation.

ii. Non-disclosure of the Parent Guide

All respondents indicated that they were not provided with a copy of the “Parent Guide.” They reported that their understanding of rules and regulations was provided to them through affiliation with parental advocacy groups. By default, families with no affiliation to advocacy support groups are deprived of disclosure of information concerning the special education process and the rights and responsibilities of parties involved within this process. It should be further noted, as a general observation, that such a position has severe implications for immigrant families who lack fluency in both verbal and written English in accessibility to the rights and responsibilities inherent within the special education process. In the absence of such disclosure, parents would be unable to make informed choices about their children’s educational rights. This situation is exacerbated in the context of linguistic non-accessibility. The absence of disclosure of the “Parent Guide” as well as the absence of disclosure about informed consent characterized the conduct of educational institutions with negative attitudes towards inclusion. The absence of a mechanism to ensure informed consent and a mechanism to ensure disclosure of the “Parent Guide” are two legislative inadequacies that act to the detriment of students with disabilities and their parents. Firstly, consent to assessment requires “being informed” which means that risks and benefits of such assessment must be presented to parents in order for the consent to be informed and therefore binding. No respondents were advised of either risks or benefits of such assessments. The student population within this study was comprised of 6 students with Down Syndrome, 1 student with Spina Bifida and 1 student with cerebral palsy. Standardized assessments for these populations present risk factors for validity. Individuals with
Down Syndrome have diversified neurological structures (Pueschel, 1992). Scores obtained on psychometric evaluations are a non-valid means of assessment for individuals with Down Syndrome, in that they test performance for individuals with atypical neurological features based on “normal” neurological composition. Communication issues are an additional risk factor for this population. Communication on standardized testing was also a risk factor for the two other students within this study. Sattler (1988) has indicated the risks of assessment for pupils with diversified communication needs who are tested using evaluation methods that are designed to test individuals with standard communication. Barnes (2010) also indicates that testing continues as a mechanism to, “separate the ‘normal’ from the ‘subnormal’” and further indicates that such classification, “conserves the notion of impairment (p. 26).” Rioux and Pinto (2010) have further indicated that “the common use of such developmental scales as age of IQ further diminished any presumption of need for education or literacy” (p. 622). In the presence of negative attitudes, assessments obtained in this manner were used as a tool by the school authority to secure segregated placement.

Secondly, the legislation indicates that schools must keep copies of the “Parent Guide” in the board office; however, the legislative language itself does not place an onus on the school authority to provide copies or discuss the contents of this guide with parents. This legislative deficiency negates families with the information that is required for an IPRC and subsequent appeal mechanisms. In the presence of negative attitudes, this provides the school authority with the tools to implement decisions without consent when parents are unaware of process and timelines.
b. The IPRC process

In all cases, the IPRC was used as a mechanism to support the educational institution to exert its authority to segregate. There was no indication that integration was considered in relation to student needs by the IPRC, pursuant to *Ontario Regulation 181/98*, s.7(1)(a), or that parental preference to integrated placement was ever considered under s.7(1)(b). All respondents described the IPRC process as manipulative, intimidating and further noted that all committee members had not met or hardly met their children. Respondents described how school officials who presented information about their children had spent the least amount of time with their children, describing their children solely on the basis of negative characteristics.

Within this process, commentaries suggested that a highly manipulative process was used by teachers, principals, and the school authority to ensure segregation of students when the agenda of their boards supported segregation. To the contrary, when attitudes were positive towards integration, when parents relocated to other schools, the IPRC was used to confirm integrated placement and to focus on meeting the needs of the student.

i. Programs

As readers will recall, the IEP is a document that lists program and service characteristics that are based on the individual needs of students. Only 4 respondents directly reported on the IEP, noting that in practice, procedures were not followed by school authorities. Although Regulation 181/98, s.6(8) indicates that the IEP must be completed “within 30 days after placement of the pupil in the program” all 4 respondents indicated that this procedure was not followed. They also indicated a need to be vigilant over the process to ensure that their children had access to regular classroom curriculum. In addition, while s.6(2) states that the development of the IEP must be “in consultation with the parent,” 3 of the 4 respondents
reported no teacher collaboration. To the contrary, in the presence of positive teacher and principal attitudes, there was ongoing collaboration concerning individual student program and service needs.

ii. Provision of programs and access to regular classroom curriculum

All respondents noted non-provision of appropriate curriculum in the presence of negative teacher attitudes. Conclusions by McGhie-Richmond, Underwood, and Jordan (2007) have also confirmed that, “There has been limited analysis of the instructional experiences of students with disabilities and students at risk for school failure in regular or inclusive settings” (p. 28). Access to regular class curriculum in students’ programming was based on principal and teacher attitudes. Five of the respondents indicated that positive teacher attitudes towards integration led to appropriate programming. They described these teachers as creative, open-minded and self-reflective in their teaching practices. Such attitudes are discriminatory and construct barriers to accessibility which is an infringement of the Human Rights Code (R.S.O., 1990) of Ontario. Rioux and Pinto (2010) also indicate similar findings, where opportunities opened to persons with disabilities to receive an education of the same quality as that provided to other learners are often significantly diminished by the lack of adequate accommodation of their particular learning characteristics and needs, a circumstance with significant social, cultural and economic impacts in their lives. (p. 629)

Rioux and Pinto (2010) further note that, “The constant discrediting of their learning abilities and their methods of learning that people with disabilities so often face is a form of discrimination that fosters exclusion along disability lines” (p. 630) and that, to ensure respect for all in and through education, the responsibility to change falls not on the individual but on the school system that must accept a diversity of learners and be responsive to their different abilities and needs. (p. 630)
The proactive position enunciated by these researchers is in line with the requirements for accommodation set out in Ontario’s Human Rights Code (R.S.O., 1990) and the publication by the Ontario Human Rights Commission concerning the duty to accommodate in educational settings, described in Chapter Two. Respondent narratives indicate that these processes were inoperative in their children’s educational contexts.

**iii. Provision of Services**

The results indicate that programs and services were up to the discretion of the school authority and that they are not held accountable for their decisions, in any process determined by the legislative framework. Rioux and Pinto (2010) indicate that, “It makes a charade of inclusion. Being ‘in a classroom, but not an integrated and equal participant in the very fabric of learning contradicts the purpose of schooling” (p. 622). The absence of accommodation that provides for accessibility through accommodations was reflected as thoroughly lacking in the majority of respondent narratives, a direct contravention of guarantees established under Ontario’s Human Rights Code (R.S.O., 1990). Institutions operating in the province of Ontario have a duty under the Code to provide such accommodation needs to the point of undue hardship. In all cases, school authorities negated services in the presence of negative attitudes in the context of no mention or proof of undue hardship.

All respondents noted that they were told that resources were unavailable because of inadequate funding. Seven out of 8 respondents reported a lack of ministerial role to ensure accountability in this process. These observations have also been confirmed by Valeo (2003) who describes, “There is a serious lack of direction from the Ministry regarding the role and discussion of programming in placement decisions by school boards” (p. 14). These findings further exacerbate the issue of lack of accountability for program and services allocation,
delivery, and compliance. Six of the respondents reported being told that services were only available in segregated settings. Funding of services was used as a barrier for integration and as a rationale for exclusion into segregated placements. The practical reality of such circumstances meant that where parents managed to get integration as the designated placement, where attitudes remained negative, students would be integrated without appropriate supports. This was then reported as a means of justifying segregation with the rationale that these students were unable to cope in mainstream education. To the contrary, in the presence of positive attitudes towards integration, service provision was not an issue.

3. Deficient legislation was used as a means to enhance institutional control

The study indicated that although the special education framework provided the means for integration, that there were deficiencies in the legislation that permitted institutional domination to the detriment of children with disabilities. Barton (as cited in Rioux & Pinto, 2010, p. 621) has indicated that this type of “socio-political perspective…reminds us that current conceptions, policies and practices are neither natural nor neutral” and continues to note that such context provide a forum for “critique” in that, “it gives particular attention to the position and responsibilities of government and the political will required for the development and implementation of appropriate legislation and support.” The deficiencies indicated from narrative response and the legislative language included the presence of discriminatory and differential treatment, the absence of a legislative mechanism under the framework to ensure, monitor and provide an appeal mechanism for service provision, the non-binding nature of the appeal process, the absence of a mechanism to ensure disclosure regarding consent and disclosure of rights and responsibilities under the special education framework. Each of these elements is set out as follows:
a. Presence of differential treatment

The language utilized within the Ministerial categorization of developmental disability and mild intellectual disability is discriminatory because it separates children with this identification as students who are incapable of integration, in the presence of Ontario Regulation 181/98, s.7 where all students have the legislative guarantee of integration as the placement of first choice. The Ministerial definition of the category of Developmental Disability as set out within Ministerial guidelines that states,

A severe learning disorder characterized by:

a) an inability to profit from a special education program for students with mild intellectual disabilities because of slow intellectual development;

b) an inability to profit from a special education program that is designed for slow intellectual development;

c) a limited potential for academic learning, independent social adjustment, and economic self-support. (Ministry of Education, 2001, p. A 20)

Where, Mild Intellectual Disability is characterized by the following definition, as it relates to the above noted descriptors of Developmental Disability, namely,

A learning disorder characterized by:

a) an inability to profit educationally within a regular class with the aid of considerable curriculum modification and supportive service;

b) an inability to profit educationally within a regular class because of slow intellectual development;

c) a potential for academic learning, independent social adjustment, and economic self-support. (Ministry of Education, 2001, p. A 20)

Within the context of these descriptors, Mild Intellectual Disability is defined as, “A learning disorder characterized by” having, “an inability to profit educationally within a regular class with the aid of considerable curriculum modification and supportive service” (Ministry of Education,
Within the definition of Developmental Disability, students are categorized as, “an inability to profit from a special education program for students with mild intellectual disabilities because of slow intellectual development” (Ministry of Education, 2001, p. A 20). This means that students defined as having mild intellectual disabilities have no potential to profit from regular classroom education. The definition further demeans the potentials of students with developmental disabilities by indicating that these students fall within the levels below those students defined as having a mild intellectual disability. The category states that developmental disability means, “A severe learning disorder” (Ministry of Education, 2001, p. A 20) that is further described as, “an inability to profit from a special education program for students with mild intellectual disabilities because of slow intellectual development” (Ministry of Education, 2001, p. A 20). Such definitions suggest that students with developmental disabilities fall outside of the level of acceptability for inclusion. This Ministerial categorization does not therefore permit equitable consideration or access to integration as a placement of first choice as set out in Ontario Regulation 181/98, s.(7). The wording of the definition leaves students with segregation as the only viable placement under the current definition. This observation suggests that students with developmental and mild intellectual disabilities are outside of the spectrum of inclusion. This constitutes a basis for differential treatment on the basis of disability which is an infringement of access to services as set out by the Ontario Human Rights Code (R.S.O., 1990).

In the presence of such an argument, however, at the preliminary stage, an argument can be made that in the presence of an appeal mechanism within the Education Act (R.S.O., 1990), that there is duplication of process, leading to the human rights application being dismissed.

According to the Human Rights Legal Support Centre (n.d.),

Early dismissal may occur under section 45.1 of the Code (and Rule 22 of the Rules) when the Respondent or the Tribunal believes that an earlier proceeding
may have made a decision that has already appropriately dealt with [italics in original] the substance of your human rights application. (Human Rights Legal Support Centre, n.d.)

The Centre further indicates that,

Section 45.1 empowers the Tribunal to dismiss an application in these circumstances. An application may be dismissed without a full hearing on the merits of the application where the substance of the application has already been decided by another legal proceeding and cannot be re-litigated at the Tribunal. The primary purpose of section 45.1 is to avoid the duplication of proceedings or the re-opening of human rights issues that have already been appropriately dealt with elsewhere. (Human Rights Legal Support Centre, n.d.)

In the presence of a person reviewing such an application, it is essential to understand that while the appeal process is in place, it is not in place for the appeal of services. This essentially means that families cannot appeal under the Education Act (R.S.O., 1990) for services and turn to the Human Rights Code (R.S.O., 1990) that in turn can dismiss preliminary application for duplication without consideration of the deficiency in legislation.

b. The absence of a legislative mechanism under the framework to ensure, monitor and provide an appeal mechanism for service provision

While the IPRC mandate is placement and identification as set out in s.10(2) of Ontario Regulation 181/98, there is no mandate for this committee to either discuss or ensure services within the placement. This means that students can be identified and subsequently placed with no supervisory mechanism to ensure service provision. Practically interpreted, this equates to students having no mechanism within the jurisdiction of the IPRCs mandate to ensure appropriate accommodations. This is a clear violation of the right to such services as outlined in the Ontario Human Rights Commission publication mentioned earlier in Chapter Two that establishes the legal right to accommodations based on individual needs. Respondent commentary indicates that this is a chronic problem.
c. The non-binding nature of the appeal process

All respondents indicated that they were never advised of their rights to appeal following IPRC meetings. This has significant implications since lack of disclosure to appeal rights, effectively denies the right of appeal. Firstly, parents are unaware of their rights to reconvene the IPRC under s.19(1) of Ontario Regulation 181/98. In the absence of parental request for appeal, in 15 days following the IPRC, the board has a right under s.25(1) to place the child according to the IPRC decision. This effectively means that parents have not been given disclosure to their rights and as such can never exercise their legally protected rights to appeal. Consequently, there is a very real risk that their children will be placed in self-contained classrooms without parental consent.

All parents reported receiving information about process through parental advocacy groups. All respondents indicated the necessity of such affiliation to be informed about special education, policies, procedures and legal rights. All respondents indicated that integration would have never been the placement emanating naturally from school board decisions, and described how the materialization of integrated placement was only the product of their consistent vigilance and intervention.

Of specific concern to non-disclosure of this information is s.19(1) of Ontario Regulation 181/98 which allocates 15 days in which to launch an appeal of an IPRC decision to request an appeal. Should 15 days elapse after the IPRC decision has been rendered, without the parents filing for an appeal, pursuant to s.25(1) of Ontario Regulation 181/98, the school board has the authority to place a student in the setting determined by the committee, as noted, “The time period provided in Subsection 26(3) for filing notice of appeal from the decision expires without a notice of appeal being filed” (Education Act, R.S.O., 1990). Should the parents remain
dissatisfied with the outcome of this reconvening, s.26(3) of *Ontario Regulation 181/98* advises parents of their rights to the first appeal level at the Special Education Appeal Board. Although this appeal right is allocated, even if the appeal hearing takes places, it is up to the discretion of the school board to support the decision or to ignore it, as they see fit. Compliance is not confirmed under the legislation, where it is simply noted under s.30(2) of the *Ontario Regulation 181/98* that,

In deciding what action to take with respect to a pupil, the board is not limited to the actions that the special education appeal board recommended or could have recommended.

There is no clear legislative section that binds the school to compliance of the appeal, nor a mechanism within the *Ontario Regulation 181/98* to ensure compliance. If parents wish to appeal the Appeal Board Decision, they need to make application to the Special Education Tribunal. Once again the absence of disclosure to the process can have detrimental effects given that, under s.31.(1) of *Ontario Regulation 181/98*, “The board shall implement a decision under subsection 30(1) where one of the following events occurs” and of particular importance to this is s.31(1)(2), where,

Thirty days have elapsed from receipt of the notice under subsection 30(1) by a parent of the pupil and no appeal has been commenced in respect of the decision under section 57 of the Act.

This means that in the absence of parental understanding regarding time limitations, parents can be in disagreement, have no knowledge of timeliness or appeal rights to the Special Education Tribunal and consequently have their children placed against their wishes.

d. **No appeal mechanism for service provision**

Further, the Special Education Tribunal has no jurisdiction over programs and services since their mandate is to resolve disputes about identification and placement. This
means that students can be labeled and placed without the ability to appeal access to appropriate education, resources, or services to accommodate their individual needs. The mandate of the Special Education Tribunal falls outside of a mandate to ensure service provision. Provision of services and the appropriate accommodation of students with disabilities based on individual needs is a cornerstone to responsible inclusion, however, systemically within the special education framework, providing such services is outside of the jurisdiction of the Special Education Tribunal. At this final appeal level, this means that there is no inherent process to ensure that pupil rights to access appropriate accommodations as set out under the Ontario Human Rights Code (R.S.O., 1990). The findings of Valeo (2003) indicate that, “Ontario legislation is very clear in prohibiting discussion of programming at any level of appeal.” (p. 3). Stainton (2005) indicates that instead of “being concerned about equal capacity requires differential treatment based on differential need” (p. 291), and adds that, 

this dilemma becomes more acute as the nature and complexity of needs increase. This complexity makes it impossible to establish general universal provisions which will satisfy all individuals’ needs. (p. 291)

The respondent narratives indicate both a failure to provide services in addition to the individual entitlement to have services based on an individual basis pursuant to individual student needs. Stainton (2005) advocates for service users having the right to control how resources are used to meet their needs, however, both user voices and voices of their advocate parents were suppressed within the context of parental experiences within this study. He notes that, 

While the state rightfully remains responsible for ensuring taxpayers’ monies are spent prudently and with reasonable fiscal controls, the notion of governance recognizes that once a legitimate interest or claim in established, those most directly involved in that claim have a further right to determine how best to meet the needs inherent in that claim. (Stainton, 2005, p. 296)
All respondent narratives illustrate the absence of such agency. Stainton (2005) has indicated that,

The increasingly centrality of independent personal planning support and coordination for people with learning disabilities reflects this imperative to support people to not only identify but also actively pursue and manage their supports. (p. 294)

This ingredient is described by Stainton as a necessary ingredient to a rights-based framework.

**Conclusions**

This study indicates a disjuncture between the letter of the law in Ontario’s special education legislative framework and the reality of its implementation in Ontario schools according to the experiences of the subjects. Similar findings have been described by Gabel and Danforth (2008) who conclude that,

In countries such as the United States, the United Kingdom and others has been a creative and confounding effort to defend the status quo practices of often segregating disabled students while simultaneously embracing a new rhetoric of inclusive education. (p. 17)

and add that,

Whether the portrait is of national governmental initiatives or of classrooms in local communities, the view is like a hologram – what you see depends on where you stand in relation to it; however, regardless of the image represented, you know that with slight movement it will change. (p. 17)

Rioux and Pinto (2010) further describe that, “The participation of children with disabilities in regular schools is too often the prerogative of education boards, who decide whether a child can learn within existing educational environments” (p. 621). These findings reinforce a major finding of this study which attributes attitudinal factors as a barrier to inclusion.
While attitudinal barriers towards disability are discriminatory and contravene Ontario’s *Human Rights Code* (R.S.O., 1990), this study illustrates that attitudes determined placement and the subsequent beneficial or detrimental use of the tools available in the special education framework. In the presence of negative attitudes, the school authority profited from legislative deficiencies to allocate segregation as the only viable placement for students with disabilities.

This indicates a distinction between the requirements of human rights legislation and the actuality of its provision in the educational context. Pinto and Rioux (2010) also describe both the gap in “education and human rights” and the rationale for this difference noting,

> Using human rights as a framework means addressing the economic, social and environmental factors and not just the access to schools. It requires addressing the barriers to inclusion and participation found in pedagogical theory, access to places of learning, capacity testing and success measuring tools and strategies.

(p. 635)

Their research presents a viewpoint synonymous to the present study, in that research needs to be undertaken to determine how to remove barriers to inclusionary practice. Research studies of this nature would involve commencing with inclusion as a placement of first choice, allocating supports as required and monitoring progress as a first step, rather than the current procedures which place the power of decision making and placement in the hands of educational elites who are able to segregate without the slightest consideration for inclusion, where they remain unaccountable for their decisions.

The study further indicates that in the presence of positive attitudes towards integration that the school authority utilized tools present within the legislative framework to integrate students with disabilities and meet their individual needs within the context of regular classroom placements. These attributes need to be further studied so that they may be replicated in teacher education.
While the special education framework within the province of Ontario is symbolic of parental advocacy and the right to integration as a placement of first choice, legislative inadequacies provide the tools to prohibit such accessibility. Rioux and Pinto (2010) described similar findings in a worldwide study conducted by Disability Rights Promotion International that indicated, “worldwide, a significant gap was found to persist between educational rights on paper and the enjoyment of those rights on the ground” (p. 624). These authors conclude that, “There is an urgent need to monitor the systemic conditions that have led to the discrepancy between policy and practice, between theory and implementation” (Rioux & Pinto, 2010, p. 639). The results of this study support a similar need. Under the current framework one may utilize the perspective of Titchkosky (2010) who describes the relationship between disability and the bureaucratic mechanism, where, “The presence and participation of disability ‘depends’ on a host of bureaucratic procedures and is more or less unrelated to peoples’ rights and desire to be present and participate” (p. 4). She further indicates that,

In this way, some people are constituted in a relation of dependence, a relation that is essentially imposed on to the disabled subject constituted as a dependent variable, whose presence or absence will shift and change depending on the needs and interests of the bureaucratic environment. (Titchkosky, 2010, p. 4)

The special education framework reinforces the exclusion of elements that are determinative of the needs of students with disabilities who are not considered as an independent variable in education. There is no voice given to parents and their families that has any substantive value in the current standards of practice. Pinto and Rioux (2010) describe the outcomes of their review on the Disability Rights Promotion International, concluding that, “access to education for children with disabilities is often blocked by barriers in physical environments, lack of adequate supports, underfunding and prejudicial or demeaning social attitudes” (p. 624).
The presence of negative attitudinal barriers towards students with disabilities replicates the antiquated ideas inherent in the medical model such that disability signifies incapacity and immutability. While these attitudes were vibrant and propagandized within the Eugenics and Intellectual Testing Movements, they have no place in education in 2015 in a society that prides itself on accessibility and equitable access for all. In the absence of procedural safeguards that are inherent and accessible within the legislation for immediate remedy, such attitudes will continue to permeate the educational environment. This will serve to deny equitable access for students with disabilities, perpetuating a social construction of who is meritorious to receive an education and who is relegated to the periphery of educational access.

Until legislative safeguards are in place to remedy the disjuncture between policy and practice through the implementation of accountability for service provision, access to disclosure and the opportunity for integrated placement, the notion of educational access is devoid of merit. Subtle features of its framework permit abuse of process for students with disabilities and the negation of their rights to mainstream access. This effectively means that the special education framework in itself is a recipe for education’s social construction of students with disabilities to ensure their separation from those deemed meritorious and worthy of education. While the Eugenics Movement sought the physical sterilization of those with disabilities, so the present educational system without reform, offers sterility of educational opportunity. Rioux and Pinto (2010) conclude that,

If inclusion simply changes the location of the schooling of the child but the negative stereotyping persists, then the expectations for that child’s leaning will continue to be less for other students. (p. 622)

Stainton (2005) has confirmed the need for inherent elements of any framework set out to ascertain and support accessibility as “architecture of rights based policy” entails a shift in policy
to support self-determination, as well as choice. He indicates that “Telling someone they are free to decide to go to a mainstream school but not providing the means for them to act on that choice is no choice at all” (Stainton, 2005, p. 291). He further indicates that,

The challenge then for social policy is not to find better services, but to create a structure in which individuals can articulate their demands directly and which allows the state to adjudicate and meet legitimate claims in a manner which does not in itself infringe the person’s potential participation. (Stainton, 2005, p. 291)

One cannot help to recall Justice Warren’s conclusion in Brown v. Topeka Board of Education (1954) that one cannot hope to have a promising future without education. Warren’s decision criticized segregation in education between the races, yet there was no receptivity of this decision to those with inherently fixed notions of racial superiority. It was to take almost 50 years for the implementation of legislation to move closer to Warren’s vision. Without legislative reform to address the loopholes of the special education framework, the concept of equitable access and accommodation for students with disabilities is as meaningless as Warren’s utopian commentary of 1954. The implicit deficiencies of the framework reflect the position of Barnes (2010) who notes that, “Discrimination has not disappeared; it has simply been transformed into more subtle and less obvious forms” (p. 31). Titchkosky (2010) notes that, “disability is included into the equal access debate in the shape and in the time frame of a ‘not-yet’” and continues to note that, “it is not-yet the time for the inclusion of disability since disability is regarded as a variable that is dependent on the essential functioning of the bureaucratized educational environment” (p. 7). According to Titchkosky (2010) “This means that some people are present as potentially always absent since disability is imagined as not part of the all to which bureaucratic measure must respond” (p. 7). In terms of the promise of educational reforms, to check and alter this imbalance, Oliver (1985, p. 90) quotes Townsend (1975, p. 20),
Change may be more nominal than real...Slaves may be servants, asylums become mental hospitals and workhouses become residential homes; ...Yet when the documentary evidence can be scrutinized for the periods immediately preceding and immediately following these watershed the quantitative and even qualitative difference between the two situations so far as the system of social institutions and hierarchical structure of roles is concerned, may be infinitesimal.

In relation to this observations, Oliver (1985) notes that, “A systematic, concerned sociology of special education should both inform praxis and ensure that change becomes more real that nominal” (p. 90). Currently, our educational system appears to promote inclusion; however in reality this practice is as remote from consistent practice as equitable access to education in 1954 to citizens of colour under the Warren decision.

**Limitations of the Research**

The research study presents certain limitations. The impetus for this study was to examine the experiences of parents seeking integration for their children, all of whom had disabilities, in the province of Ontario. The respondents therefore came from a particular advocacy group and their commentary reflected the agenda for integration shared by its members, rather than the population at large. Limitations are further evident, given that the respondents’ narratives reflect their perspectives in isolation rather than in conjunction with supporting first-hand narratives based on their own children’s experiences. The results reflect samples of parents and their experiences with their children from diverse areas in Ontario and therefore diverse school boards where the respondents resided with their children. Presuming that the local school authority in each of these areas has a uniform standard of practice, one might suggest that a larger respondent sampling would not produce diversified themes, but rather, consolidate those produced by this study.
Implications for Future Research

The present work should serve as an impetus for future study into legislative reform. While there is a disjuncture between policies that seemingly ensure the right to education, in the face of inadequacies that prohibit entry to regular education for students with disabilities, future direction is a two-fold enterprise. Firstly, specific issues are amenable to research as a means of securing progression and change, however secondly, specific issues require legislative review. The results of the present study indicate that the legislation does not ensure accountability in school systems in the integrated placement of students with disabilities as the norm in Ontario. While the legislation can serve as a useful tool for systems with the vision for integration, the legislative inadequacies are also being used as a means to reproduce the longstanding practice of excluding students with disabilities from regular schools. The current legislation requires modifications to ensure the materialization of the integration standard, without which, educational systems will continue to operate dependent on attitudinal barriers that determine accessibility or exclusion.

Research needs to be undertaken to determine how to remove barriers to inclusionary practice. Research studies of this nature need to be conducted, commencing with inclusion as a placement of first choice, allocating supports as required and monitoring progress as a first step, rather than the current procedures which place the power of decision making and placement in the hands of educational elites who are able to segregate without the slightest consideration for inclusion, where they remain unaccountable for their decisions. Research in this area would be a starting place for educational legislative reform.

The results of the present study replicate the work of Jordan and Stanovich (2004) who cite attitudinal barriers as a hindrance to the process of integration. Further research needs to be
conducted as to defining the attributes of proactive teachers, whose perspectives need to be incorporated into teacher’s college training components in order to educate up-coming teaching professionals on inclusion and what makes the process work.

Apart from the practical possibilities of further research in this area, there remain legislative provisions that are an overriding impediment to any attempts at conducting research that will ameliorate the current state of inclusionary practice. The understanding that education is a right and not an entitlement is non-operative in the face of legislation that prohibits accessibility to regular classroom placements for all students.

The current forum of non-binding appeal and subsequent lack of appeal right under the Special Education Tribunal, save and except for judicial intervention requires legislative reform. This is an access to justice issue that impedes average families from access to rights given the widespread prohibitive costs of legal intervention. There should be review into reform as to how parents can receive representation within this process at no cost. There should also be investigation into legislative reform that places an onus on appeal boards to hear appeals relating to program and service provision. In its current state, there is a disjuncture between duty to provide service under the *Human Rights Code* (R.S.O., 1990) and the lack of an appeal process within the special education framework. There should also be investigation into the descriptions of “mild-intellectual disability” and “developmental disability” that negate the opportunity for integrated placement for these populations. In their current state they provide differential treatment to students with these descriptors in their accessibility to integrated placements. As such, legislative language contrives the equitable language of the Ontario’s *Human Rights Code* (R.S.O., 1990) and promotes differential treatment rather than accessibility. The education of students with developmental disabilities resides in a time where the *Plessy v. Ferguson* (1896)
mindset of “separate is equal” is prevalent in education. Policy is at the determinant of Brown, in its understanding of segregation as a means to the diminishment of all. Until there is a merger of this understanding into the reality of accountability of service and access to true education for these pupils alongside their peers, the treatment of these students will continue under the guise of access inherent in Brown v. Topeka Board of Education (1954) but under the reality of the Plessy v. Ferguson (1896) mindset.

Within this context, there is much work for parent advocates to do in order to ensure educational access for their children. The study has demonstrated a diversified group of advocates, with a common view for integration. Within this group however, parents demonstrated a variant level of advocacy and a diverse level of commitment to advocate to the point of legal action. Within this context however, the study indicates that stronger and more informed advocates will continue to be resources for new families. Such relationships will ensure a continuum of advocacy efforts for the purpose of ascertaining student rights.
References

An Act Respecting Lunatics, R.S.O., 1914, c. 68.


Constitution Act, 1867, 30 & 31 Victoria, c. 3 (UK).


Health Care Consent Act, R.S.O., 1996, c. 2 Sched. A.


Mental Hospitals Act, R.S.O., 1935, c. 39.

Mental Hospitals Act, R.S.O., 1937, c. 392.

Mental Hospitals Act, R.S.O., 1950, c. 229.

Mental Hospitals Act, R.S.O., 1960, c. 236.

Mental Hospitals Act, R.S.O., 1966, c. 88.

Mental Hospitals Act, R.S.O., 1967, c. 52.

Mental Hospitals Act, R.S.O., 1970, c. 270.

Mental Incompetency Act, R.S.O., 1937, c. 110.

Mental Incompetency Act, R.S.O., 1950, c. 230.

Mental Incompetency Act, R.S.O., 1960, c. 237.

Mental Incompetency Act, R.S.O., 1970, c. 271.


Plessy v. Ferguson, 163 U.S. 537 (1896).


The Lunacy Act, R.S.O., 1927, c. 98.


Appendix A

Ethical Review Protocol

1. Background, Purpose, Objectives

The research is proposed as a result of advocacy work in the area of disability and integration of disabled students into regular classroom settings in Ontario. This practical aspect has been substantiated by research at the Master’s and Doctoral levels that specialized in this area. The purpose of the study is to examine experiences of parents seeking integration into regular classrooms for their children, all of whom have “exceptional” needs. The objective of the study is to ascertain whether integration, pursuant to parental request, is attainable in the province of Ontario, pursuant to the government’s position and policies surrounding the integration of “exceptional” pupils in Ontario.

2. Research Methodology

The research will be carried out in the form of ethnographic interviews. Parents will be recruited who seek integration into regular classrooms for their children, all of whom have disabilities. The participants will be asked to describe their experiences within their local schools when they have sought integration for their children. Each interview will take approximately 45 minutes to complete, depending on the length of the participant’s statement. The interview responses will be broken down into subsections, which match the process requirements for the integration process of “exceptional pupils” in Ontario, according to the policies and regulations surrounding integration, which have been established by the Ministry of Education. These subsections include:

1. Pre-special education designation
2. Assessment procedures
3. Identification, Placement and Review Committee Process (IPRC) which is the formal designation to special education
4. Placement
5. Establishment of the Individual Education Program (IEP)

Further, analysis of comments made during each section will be matched to each of the following categories:

1. Level of parental involvement
2. Level of collaboration between school staff and parents prior to the IPRC
3. Level of collaboration between school staff, IPRC members and parents during the IPRC
4. Level of collaboration between school staff, IPRC members and parents regarding placement
5. Level of parental involvement in the IEP and program
The direct implication of the research will be to ascertain whether the Ministerial position that integration is a placement of first choice pursuant to parental request is a readily attainable option in Ontario. Further implications of the research will be to ascertain the levels of parental and professional collaboration that occur within the process, a relationship that is paramount according to Ministerial directives in the integration process.

3. Participants

10 participants is a justifiable sampling for a study of this nature. The participants will be parents who wish their children with disabilities to be integrated into regular school settings. Parents will be included whose children have an “overt” rather than a non-readily visible disability. This distinction has been made to test the theory of integration for all pupils rather than selected integration for less disabled students.

4. Recruitment

I will be recruiting parents from Parental Advocacy Groups that are recognized by schools for the composition of their Special Education Advisory Councils, and that are involved with the integration of students with “exceptional” needs. I will request that local chapters of these groups contact potential interviewees on my behalf, and, should they be willing to participate, to complete a contact information form that will be then given to me. Parents who thus agree to participate will be asked to recount their personal experiences of their attempts to integrate their children into regular classroom settings in their local school communities.

5. Risks and Benefits

There are no risks to this research for participants, however, parents who feel very emotionally upset over any negative experiences relating to the integration process may wish to refrain from participation. I will ensure anonymity by allocating a code number to participants’ interviews and holding the tapes in a locked and secure location at the university. The participants, their children or the agencies they discuss will not be named in any verbal presentations or written reports of the findings.

6. Privacy and Confidentiality

Storing the information at the university will protect privacy and confidentiality since the information will be locked in a safe and secure location. There will be no access or release of the information to any parties other than myself, and my supervising professor, Dr. Ann Jordan. After the study is over, the tapes and working papers associated with them to record and analyze data, will be destroyed.

7. Compensation

There will be no compensation for participation.
8. **Conflicts of Interest**

There will be no conflicts of interest. The participants will receive a letter regarding informed consent, prior to participation.

9. **Informed Consent Process**

See attached letter and consent form.

10. **Scholarly Review**

Not applicable.

11. **Additional Ethics Review**

Not applicable.

12. **Contracts**

Not applicable.

13. **Clinical Trials**

Not applicable.
Appendix B

Invitation to Parents or Guardians to Participate in the Study

Dear Parent or Guardian,

The purpose of this letter is to request your participation in an interview to relate your experiences in integrating your son or daughter into a regular classroom setting at your local school. His project is being conducted as part of my Doctor of Education thesis, at the Ontario Institute for Studies in Education, University of Toronto, and examines parental experiences surrounding parental request to integrate their children, all of whom have exceptional needs. You are being asked to participate as one of the members of a parental advocacy group seeking integration for their children.

This project is designed to canvass parental experiences as they relate to pre-IPRC, the IPRC process, placement, IEP and programming.

Should you agree to take part in this project, you will be invited to an interview that will be tape-recorded. You will be asked to relate your educational experiences during the process of seeking full integration into a regular classroom setting at your local school for your son or daughter.

WHAT WILL YOU BE ASKED TO DO?

If your agree to participate in the interview:

1. We will examine aspects of the identification process for your child and the experiences that you had during this process. I will ask you specific questions to help me understand your experiences in relation to the position set out in legislation and school board policy on special education.

2. The interview will be scheduled at your convenience. It will take place either at your home or a mutually agreed upon location. The information obtained within this interview will suggest whether integration is a readily available educational option for parents whose children have “exceptional needs."

1. Your son or daughter is not requested to participate. The information collected during the interview will remain confidential and no other party except my supervising professor, Dr. Ann Jordan, will be given access to this data. There will be no consequences to you or your child in the relationship with your school.

2. There will be strict protection of confidentiality. A code number will be assigned to each interview and this will be the only identifiable feature of data once transcripts are made. No name of participant, student, staff or school will be recorded on the data. The data will be
stored in locked cabinets and secured in computer files at the University of Toronto. There will be strict supervision over the files. No person or organization will be identified in the published thesis.

3. You have the right to withdraw consent at any tie during the interview. All data that has been collected up to the end of data analysis will be destroyed. You may also decline to answer any questions at any point during the interview. If you agree to participate, you may indicate on the attached form that you request a copy of the findings.

THANK YOU....for reading this request. I hope you will agree to participate in this study. I hope that my findings will benefit your child and other pupils.

Fran Marinic-Jaffer, M.Ed.

(416) 498-0954
Appendix C
Question Probes for Interviews

1. Pre-IPRC
   a.) Discuss your experiences relating to your local school staff prior to the IPRC

2. Assessment Procedures
   a.) Discuss which assessment procedures were utilized for the assessment of your son or daughter prior to the IPRC
   b.) Was there collaboration about the use of these methods with you and school staff?
   c.) Was there any discussion about placement as a result of assessment?

3. IPRC Process
   a.) When were you informed about the date of your child’s IPRC?
   b.) Describe what occurred during the meeting.
   c.) Who was present?
   d.) Did any other person attend with you?
   e.) Was the atmosphere collaborative between the parties who were present?

4. Placement
   a.) Describe your discussions surrounding the issue of placement at the IPRC
   b.) What was the recommendation of the IPRC?
   c.) Was the decision made based on collaboration between all parties?

5. IEP and Program
   a.) Did you collaborate on the formation of the IEP?
   b.) If son, describe your experiences during these meetings.
   c.) Did you collaborate on program development for your child?
   d.) Discuss your child’s evaluation process.