

education watch:

an update on inclusive education

Volume 3, Issue 3 – Fall 2011

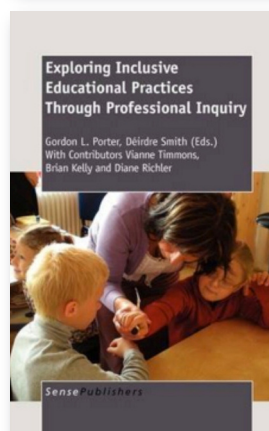
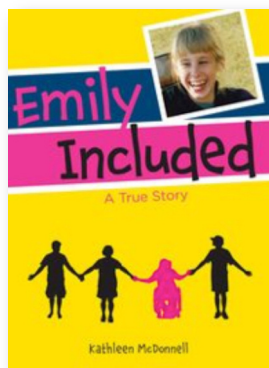
MAKING THE CASE for Inclusive Education

Stories are one of our movements most effective tools. Stories about families, parents and children. Stories about their struggles, their challenges and the hope they have for the future. It is about success and accomplishment, but the stories also are about frustration and disappointment. We want to focus on several of these stories in this edition of *Education Watch*.

Two new books are the focus of this edition and we hope you will find these books useful in the effort to have an education system in Canada that supports inclusion of all students on a systemic basis.

First we want to share our excitement about the new book published by Second Story Press titled **Emily Included** by Toronto writer Kathleen McDonnell. It is a wonderful children's book that tells the story of Emily Eaton and her family and their struggle for inclusion in Ontario schools.

The second book is aimed at a very different target group, but it too is about "cases". Aimed at educators and inclusion advocates, **Exploring Inclusive Educational Practices through Professional Inquiry** is edited by Gordon L. Porter and Deirdre Smith and published by SENSE Publishing. This book has 25 "cases" that tell the stories of a diverse cast of teachers, principals and parents from several provinces of Canada. Each case has several commentaries by knowledgeable academics and advocates from Canada and abroad.



Together these two books help "make the case" for inclusive education. We are confident you will find them both interesting and informative.

See page 4 and 5 for more information on these books.

Inclusive Education Month 2012

February is Inclusive Education Month

Every year CACL and Inclusive Education Canada in partnership with provincial and territorial associations recognize the efforts of teachers, school leaders and parents as they work to make inclusion a reality in Canadian schools.

Some provinces schedule a major event to celebrate "Inclusive Education Month". In past years they have invited the Minister of Education, the Lieutenant-Governor and even a premier or two to special events. Associations have run media campaigns, held contests, hosted special lectures and produced new promotional materials.

This year we want to encourage local associations across the country to do something in their town or school that draws attention to the positive outcomes of inclusion. And we want you to let us know about it so we can share the news with folks on our website – www.inclusiveeducation.ca

Let us know what you do! Join the Inclusive Education Team!



Canadian Association
for Community Living

Association canadienne pour
l'intégration communautaire

Diversity includes. On se ressemble.



Diversity includes.
On se ressemble.



Message from Bendina Miller President of CACL

We are living in interesting times with initiatives in education across this country. Several governments have undertaken reviews of special education and have considered the impact of 21st Century Learning on students identified as having unique learning needs.

The British Columbia Ministry of Education has just engaged me to prepare a 'straw dog' paper to focus on ensuring that all students have their learning needs met in a timely manner. In undertaking this task, I

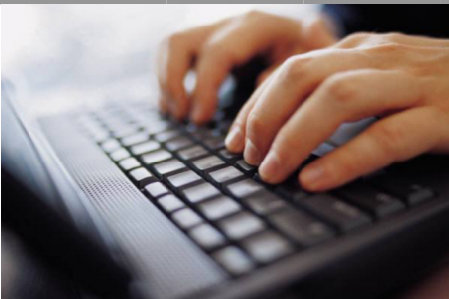
have been reassured that there continues to be a commitment to inclusive education in British Columbia.

In the coming months, I will be seeking advice from parents, educators, students and community members. I will also be considering recent research to inform this paper which is due to the Ministry of Education in December 2011. If the paper is accepted for consideration a broad consultative process would be undertaken to receive further input to the final report.

I'm encouraged that government is looking at how learning outcomes for all students can be improved and I am optimistic that some effective changes may be forthcoming in the near future.

Students in British Columbia continue to be among the top performing students in the world, but the time is right to thoughtfully consider changes in policies and practices which will be directed at how students learn best.

Inclusive Education Survey 2011



We need to hear from YOU about how things are going for your son or daughter with a disability/special need. From their point of entry, until their transition to the community as an adult, your experiences of those of your son or daughter matter.

Please visit our website for a direct link to the survey, or type in:

www.kwiksurveys.com/online-survey.php?surveyID=NNKOKG_afb57bab

Survey accessible online until December 15, 2011

For a paper copy or to fill in by phone, please contact our office at:

Community Living Manitoba

(204) 786-1607

Community Living Manitoba has launched a new inclusive education survey to gather parent insights into how things are going for their sons and daughters who have a disability. Data will be collected until mid-December, and then the results released in February 2012 during **Inclusive Education Month 2012**.



Commentary

by Sherry Gambin-Walsh

In April, 2010, I joined the Newfoundland and Labrador Association for Community Living as their Community Inclusion Coordinator. Community Living in Newfoundland has been focusing on Inclusive Education and Family and Individual Disability Supports. These two areas are of particular interest to me, as a mother of a teenage son with autism.

I soon realized that about 75% of my professional time would be focused on Inclusive Education. I believe that inclusive schools are the foundation for inclusive communities and that inclusion is not just about individuals with disabilities, but about

society as a whole. Inclusion and inclusive education will someday be a natural way of life.

I occasionally pause to glance back in time.

I think about the time when I was a child growing up in Newfoundland. Children with disabilities were not permitted to be educated alongside me, but were segregated somewhere else in the school. I never got to see them. I never got to know them. In fact, the only time I saw inside the special education room was when I returned home from Nursing School and went to my elementary school to assist my mother who was a primary teacher there.

I often wonder how or where children, like my son, were educated in the seventies and eighties. I also believe that a great disservice was done to me by segregating me from other children, simply because we were seen by adults to be different.

At this time, 95 of the 272 schools in Newfoundland and Labrador, are following the inclusive education way. This approach is helping people develop the will to change. It is also focused on professional development for teachers to change the way they teach.

The Department of Education is moving forward, but not without


struggles. Many remain uncertain about the concept of inclusive education. Many express the need for a specific model, something concrete, something to touch, something that can be seen. However we need to remember that every child and every teacher is different. That is true of classrooms and schools as well. Inclusion in practice has to reflect those differences while maintaining our common vision.

When Rosa Parks refused to move to the back of the bus despite the color of her skin, she changed history for Afro-Americans. Rosa just wanted to be treated as a human being, not better, but the same. Inclusive Education is about providing the supports and services for individual children, so that he/she can be treated the same as the next child.

Our children will teach us about inclusion, we just need to pay attention. In ten years' time, I am confident we will be looking back on today, and we will be thankful we made the effort to make our schools inclusive.

Sherry Gambin-Walsh

Community Inclusion Coordinator
Newfoundland and Labrador
Association for Community Living




INCLUSIVE EDUCATION

Gordon Porter
➤ IE: the vision thing

Patti Winsor
➤ What parents can expect when teachers use differentiated instruction.

Gabrielle Young
➤ The use of assistive technology by students in the classroom and what research says.
➤ The use of universal design and differentiated instruction to support inclusive education.
➤ Research on school inclusion.



A ONE DAY CONFERENCE

Thursday, November 17, 2011
9:00am - 4:00pm
The Capital Hotel,
St. John's, NL

Hosted by the Community
Inclusion Initiative,
Newfoundland and Labrador
Association for Community
Living

Professionals: \$60.00
Parents/Caregivers: \$40.00
Lunch included
Contact: Sherry Gambin-Walsh
sherrywalsh@nlacsl.ca
Or
Darlene Nash
darlene.nash@nlacsl.ca
709-722-0790

**Newfoundland and Labrador
Association for Community Living
sponsors an
inclusive education conference.**

November 17 in St. John's



**Diversity includes.
On se ressemble.**

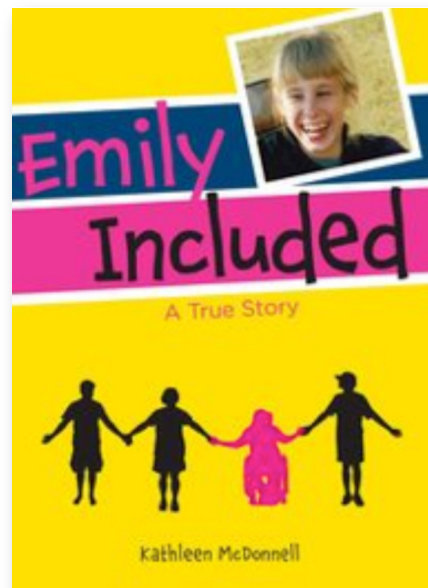
Emily's Story

The “Emily Eaton Case” is well known to people in our movement. Many remember it as a case that raised our expectation of a judicial “silver bullet” that would propel inclusive education forward in Canada. Indeed the decision of the Ontario Court of Appeal in 1995 was greeted with great hope. Justice Louise Arbour produced an insightful assessment of the challenges children with disabilities and their parents face and wrote a convincing argument for inclusive education. However the decision was appealed and the 1997 judgment of the Supreme Court of Canada disappointed many by confirming the school board’s action and was certainly not the outcome desired by inclusion advocates.

There are different opinions on what the court decision means for inclusion and special education and that debate is on going.

However, the decision did establish the legal basis for inclusion as the “norm” and that accommodation for individuals is a requirement. We share some reflections on the case itself below.

But now we want to focus on the wonderful new children’s book by Kathleen McDonnell. Here is what the publisher tells us about the book:



Emily Included



by: Kathleen McDonnell

A Regular School

Emily Eaton was born with cerebral palsy. She couldn't communicate or control her movements like other kids, and she used a wheelchair. But that did not stop her from wanting to be a kid like everyone else, including going to a regular school.

A Fight to be Included

But when some important people decided that Emily should leave and go to a special school for disabled children, Emily and her family were upset. They decided that they would fight for Emily to stay in her class and stay with her friends.

All the Way to the Supreme Court!

Emily's battle not to be forced out of her school was long, hard – and history-making. The fight took her to the highest court in the country. Emily and her family would let nothing

stand in the way of her being included, wherever she wants to go.

The book is published by Second Story Press of Toronto.

ISBN: 978-1-926920-33-7

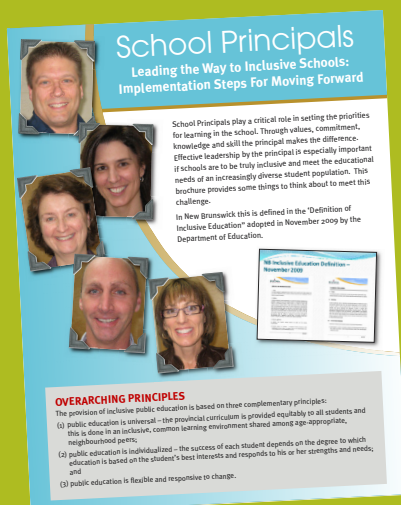
\$8.95 Paperback

152 Pages, 7 x 5.25

Ages: 8-12

<http://secondstorypress.ca/books/222-emily-included>

A review of Emily Included and some commentary on the “Emily Eaton Case” follow in this edition of *Education Watch*.



NBACL produces a new document for school principals

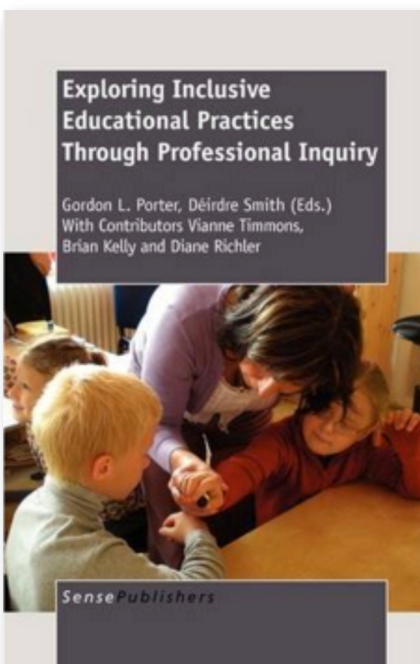
One of the associations activities through the Community Inclusion Project during the last two years has been a leadership initiative with school principals and vice principals from several New Brunswick school districts. As part of the project a new information document for school leaders was developed. It is available on the www.inclusiveeducation.ca website in the “Principal Perspectives” section. NBACL agreed to let Inclusive Education Canada and CACL to use the template of the New Brunswick document for a national version.

This document is available for download at www.inclusiveeducation.ca

A Book of Cases – Exploring Inclusive Educational Practices through Professional Inquiry

In 2006 Gordon Kyle of Community Living Ontario and Gordon Porter from CACL – Inclusive Education Canada made a visit to a senior staff member of the Ontario College of Teachers. They discussed issues involving professional standards for teachers and highlighted the need to make sure teachers in Ontario schools have the knowledge and skills to make inclusion successful. The discussion turned to the use of case studies in providing professional learning opportunities for teachers. It happened that Deirdre Smith, the College staff officer was an expert on the case study approach. One thing led to another and a partnership was developed. Smith and Gordon Porter merged their interest and passion for both case studies and inclusive education and this new book is the result.

The book is built around 25 case studies that describe the situation of a teacher, a school principal, other professionals as well as parents. Each case is actually a short story set in a particular place and illustrates some part of the challenge and opportunity of inclusive education. Each case offers a distinct learning opportunity for the reader. There are some suggestions about the issues raised that might form the basis for reflection. In addition, three to five “expert commentators” were invited to share their thoughts



on what was specifically meaningful to them as they reflected on “the case”. These experts are professors, teachers, school principals, superintendents, parents and advocates. Most are from Canada, but a number are from the United States and more than a dozen are from countries around the world.

In addition to the cases, the book has an opening chapter written by Gordon Porter and Diane Richler who share a twenty-five year partnership in promoting inclusive education both in Canada and in countries around the world. Vianne Timmons, President of the University of Regina, and a strong supporter of inclusive education and Brian Kelly, Director of Student Services with the New Brunswick



Gordon Porter



Dierdre Smith

Department of Education were also contributors to the publication of the book.

Comments about the book:

Michael Fullan, Professor Emeritus, OISE, University of Toronto – wrote the Preface for the book and observed that...

This is a book on inclusive education that leaves you with hope and ideas for action. It takes a very difficult and highly charged topic and demonstrates that it is possible to see both the trees and the forest.

Michael Bach, Executive Vice-President, Canadian Association for Community Living commented that:

We are reminded in the commentaries parents share in this book of how their passionate commitment to good education and their ideas make inclusion work.

Continued on page 8



Diversity includes.
On se ressemble.

A Quality Education is an Inclusive One:

The Story of How A Little Girl Fought to the Supreme Court and Won

A Review by Emma Rodgers

Toronto, Ontario (PRWEB) September 30, 2011

Emily Included is the inspiring David and Goliath story of Emily Eaton, a girl born with severe cerebral palsy who took on the education system and won.

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Emily Included is the inspiring David and Goliath story of Emily Eaton, a girl born with severe cerebral palsy who took on the education system and won. Told from Emily's point of view, author Kathleen McDonnell recounts how after attending regular classes at her school until grade three, she

fought for inclusion when officials decided she would be "better off" in a segregated learning environment away from non-disabled children. In the late nineties, Emily and her parents championed the right of all disabled children to attend regular schools by challenging their local Board of Education. Eventually, Emily's case reached the Supreme Court of Canada, which made the landmark decision that integrating children with disabilities into

regular classrooms should be the norm, not the exception.

The Supreme Court's decision is considered to be a breakthrough in the movement towards inclusive education for physically and mentally challenged people in Canada. In 2007, Canada became one of 149 signatory nations of the UN Convention on the Rights of Persons with Disabilities, which calls for "opportunities for appropriate and inclusive education for students with disabilities." But resources and funding remain major roadblocks to facilitating these rights in the classroom today.

Emily Eaton's fight against segregation practices surrounding children with disabilities was groundbreaking. After her win, she continued to prove skeptics wrong by graduating from high school. She has proven herself a role model for children everywhere, disabled or not. There is still much work to be done for disability rights, but Canadians can thank Emily and her supporters for their courage and vision.

For some additional discussion of the Eaton Case and the analysis of what it has done – check out these sources. Some brief excerpts follow.

From **Wayne MacKay**, Expert on Human Rights and Education Law – Dalhousie Law School, Halifax, Nova Scotia:

Eaton: Platform Rights Affirmed, the Seed is Planted for Secondary Rights

Arguably the most influential case in the struggle for equality in education as it relates to disability is the case of *Eaton v. Brant County Board of Education*. The Supreme Court of Canada delivered its

judgment in February 1997 in which it held that the decision to place Emily Eaton in a segregated special classroom should stand. This decision came as somewhat of a shock to those who had been following the case. When Justice Arbour, at that time of the Ontario Court of Appeal, rendered her

decision requiring that Emily Eaton be placed in a regular classroom and that the provisions of s.15(1) of the Charter of Rights and Freedoms required a legal presumption in favour of integrating students with disabilities into regular classes, advocates celebrated. They expected the Supreme Court of Canada to herald a new era in the education system. Hopes were high that Justice Arbour's "unabashedly adopted framework of equality as the focus for assessing the

appropriateness of both legislation and the administrative decisions made pursuant to that legislation” would be upheld by the Supreme Court of Canada and chart a new direction for educational equality in Canada.

The Supreme Court of Canada’s decision to allow the appeal of Justice Arbour’s holding was seen as a defeat by many advocates for educational equality. “There is little doubt that the decision overall is not helpful to the concept of inclusion in the Ontario education system.”(CACL) School boards attempted to rely on the Eaton decision as supporting the continued segregation of students with developmental disabilities. (Ontario Coalition for Inclusive Education)

Further analysis of the Eaton decision, however, revealed that the Supreme Court of Canada had in fact, established some very important principles in favour of equality in

general and particularly equality in the educational context. Most particularly, the Supreme Court of Canada unequivocally recognized platform rights and made strong statements in favour of integration, recognizing that integration offers particular educational benefits of social interaction that cannot be found in a segregated setting.

Furthermore, the Supreme Court’s decision in Eaton provided a solid framework for analysis of disability from a s.15(1) Charter point of view. The court recognized that in the disability context, the central

purpose of s.15(1) is to ensure the recognition of the actual characteristics of a person’s disability and to ensure the reasonable accommodation of those characteristics.

The Court recognized that discrimination on the basis of disability results from:

the failure to make reasonable accommodation, to fine-tune society so that its structures and assumptions do not result in the

relegation and banishment of disabled persons from participation. ... (T)hese fundamentals, established in Eaton, have been important building blocks in Canadian equality law.

From: Inclusion and Diversity in Education: Legal Accomplishments and Prospects for the Future; Canadian Association for Community Living National Conference, Mississauga Ontario November 3-5, 2002; A.Wayne MacKay & Janet Burt-Gerrans

Parent and Inclusive Education Advocate, **David Jory**, examined the “Eaton Case” in a detailed article for the Ontario Coalition for Inclusive Education in 2001. In the commentary, **PROBLEMS WITH THE SUPREME COURT'S EATON DECISION**, (delivered on February 6th, 1997) he observes that...

By the time the Supreme Court heard the Brant County Board's appeal of the Ontario Court of Appeal decision in favour of Emily Eaton, Emily had been “integrated” successfully into regular classes in her neighbourhood school for three years by the Brant County Roman Catholic Separate School Board in which she lived, and had received “appropriate special education programs and services” in those regular classes. That remains her situation today. Apparently (this is

not first-hand information) that fact was not mentioned at the Supreme Court hearing because it was understood that new evidence cannot be introduced at that stage. Had it been introduced, the Supreme Court might have been led to consider whether the problem was the attitude and competence of the Brant County Board, rather than Emily and her “placement”; whether it was faced with a “defective” Board rather than a “defective” pupil.

To read/download the full article use the LINK below.

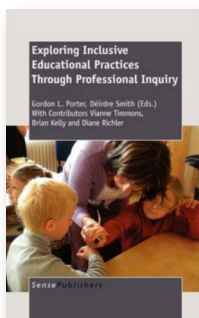
http://www.inclusive-education.ca/resources/documents/eaton_decision.pdf

For more on **How the Supreme Court Decision about Emily Eaton Affects You and Your Child** check this posting of the Ontario Coalition for Inclusive Education.

http://www.inclusive-education.ca/resources/documents/eaton_decision.php



Diversity includes.
On se ressemble.



A Book of Cases

Continued from page 5

Professor Luanna H. Meyer, PhD, Director, Jessie Hetherington Centre for Educational Research, Victoria University, New Zealand wrote this about the book:

*Practitioners, scholars, and teacher education students alike can celebrate reading **Exploring Inclusive Educational Practices through Professional Inquiry**. This rich array of case scenarios both illuminates and elaborates the meaning of inclusion in today's schools and tomorrow's visions. Twenty-five stories from parents, teachers, school principals, and specialists highlight the kind of experiential knowledge that won't be found in typical research reports and district documents about inclusive education. What happens to real people—students and their families—doesn't always resemble policies that can look so good on paper. This book makes a wonderful contribution to better understandings of the challenges of inclusion as well as the commitments positioned alongside values in order to meet those challenges. There are brave and spirited people in these pages—not the least of whom are the children themselves.*

Exploring Inclusive Educational Practices through Professional Inquiry is published by: Sense Publishers, The Netherlands
www.sensepublishers.com

It is also available from Amazon.ca
ISBN: 978-94-6091-556-7 (paperback) (\$39)
ISBN: 978-94-6091-557-4 (hardback) (\$99)
ISBN: 978-94-6091-558-1 (e-book)



Check our No excuses website. Inclusive Education...

- fosters a culture of respect and belonging in our schools and communities for all students, including students with intellectual disabilities;
- provides the opportunity to learn about and accept social and cultural diversity;
- provides quality education for every student to enhance individual development and personal growth;
- results in students with intellectual and other disabilities having a much greater chance of improved health status, being involved in their communities, completing high school and going onto post-secondary education, getting a job and having a decent income.

<http://www.no-excuses.ca>



Contact us through our website: www.inclusiveeducation.ca
or by email: InclusiveEducation@cacl.ca
Please send us information, comments or feedback.

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