

*Louise - This report save you time - just
update what we've done since then -
and do mention the meetings with David
Clarkfield briefly.*



Down's Syndrome Assoc. of Ontario

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Report of the Integration Committee of Down's Syndrome Assoc. of
Ontario to the Annual General Meeting, September 28, 1991.

Chairperson: Louise Bailey

The Integration Committee has had a busy year following up on the work and contacts of Louise Bailey and Lynda Langdon through the All Party Working Group on Integration in Education (1986-1989) at the Ontario legislature.

The goal of the Committee was established at the previous Annual General Meeting and approved by the Board of Directors. Our goal is to enable children with D.S. throughout the province to access integrated education in their neighbourhood schools, in chronologically age-appropriate classrooms with whatever program modifications and supports are necessary for students and teachers.

In order to achieve this goal, we have undertaken these activities:

1. Through a series of phone calls, letters, faxes and meetings, we have directly expressed our concerns and the demands of D.S.A.O. for integration, and for this to be accomplished through legislative guarantees. Louise and Lynda are in ongoing discussions with the Minister and Ministry around this issue. We have participated in policy discussions as the Minister is committed to a consultation process prior to legislative change.

We have pushed the Minister into setting September 1992 as an implementation date. However, we feel that parents seeking integration will need to push hard to make this a reality by initiating discussions and informing their local school in the spring of 1992 that they want their children integrated that fall!

We have been assured that legislation will be drafted as a consequence of the consultation process by next spring, but there are no guarantees that it will get on the order paper and be enacted in time for autumn '92. We must all continue to lobby our MPP's to keep pressure on the Ministry to ensure that this legislation is indeed forthcoming.

Integration
Committee ... p 2

2. A proposed legislative amendment to Bill 114 (the first changes to the special education legislation since Bill 82, 10 years ago, and currently before the house awaiting second reading) was developed for us by David Baker, a lawyer with ARCH (Advocacy Resource Centre for the Handicapped), in consultation with Lynda and Louise. This amendment, after being approved by D.S.A.O. Executive Committee, has been presented to Mrs. Boyd and also has the support of both opposition education critics who met with Lynda and Louise.

3. The D.S.A.O. has pulled together a coalition: C.I.N! (Coalition for Integration NOW!). This Coalition exists for the purpose of obtaining a legislative guarantee to the right of children to integration. Coalition members besides ourselves are the Integration Action Group and the Ontario Association for Community Living. We have received support as well from Ontario Action Awareness and National People First. We are continuing to reach out to new members. The Coalition, chaired by Louise Bailey, has also been lobbying the Minister.

4. Through the members of the Integration Committee, we have requested parents at the local level to lobby their MPP's on the issue of integration and the need for legislation. We have also disseminated the Hysert decision and encouraged its use in IPRC's.

5. As a result of the work of this Committee, the D.S.A.O. is seen by the Minister and her staff as being a key leader in the fight for integration. We feel this has given much credibility to the D.S.A.O. Louise and Lynda have a good working relationship with the Minister and her staff. We have also maintained our support in the Legislature of key MPP'S from the All Party Working Group (David Warner, Speaker of the House; Richard Allen, Minister of Colleges and Universities; Evelyn Gigantes, Minister of Housing). We have now established useful contacts with the education critics of both the opposition parties.

The struggle isn't over yet, even though the Ministry has publicly talked about a new direction for children with special needs. We know that this Minister is committed to the

implementation of integration. We consider her statement in the House, public statements, and her pushing Ministry staff into new ways of thinking as major steps forward and a major accomplishment for all of us. We believe Boards of Education are taking her seriously. But we cannot stop short of our goal of legislated guarantees. Now is not the time to become complacent, but to move in while the momentum is on our side. In order to achieve this, the Integration Committee will need the active participation of parents of all locals who want integration to be a reality.

Respectfully submitted,

Louise Bailey, Chairperson
D.S.A.O. Integration Committee

**** Note to Committee Members: Phase II of the consultation process begins in October, with the release of the discussion paper on integration prepared as a result of the input to Phase I. We anticipate receiving the paper early in October, and will call a meeting shortly thereafter to plan our response, which will be due by Dec. 31/91.

Enclosures: 1. Consultation Process Memo
2. Statement to the Legislature by M. Boyd
3. D.S.A.O. letter, July 10, to Peter Ferren
4. D.S.A.O. letter, July 25, to M. Boyd
5. Integration Amendment
6. Letter from M. Boyd, Aug. 21
7. Letter published in Globe & Mail



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**MEMORANDUM TO: Provincial Parent and
Professional Associations**

FROM: Wally Beevor

DATE: June 10, 1991

SUBJECT: CONSULTATION ON INTEGRATION

I am pleased to inform you that the Ministry of Education has initiated a consultation with school boards and a wide range of interested groups and individuals on the integration of exceptional pupils into local community classrooms. The consultation will continue for the remainder of the 1991 calendar year.

The Ministry of Education believes that the integration of exceptional pupils into local community classrooms should be the norm in Ontario, wherever possible, when such a placement meets the pupil's needs, and when it is according to parental choice. The consultation will focus on how best to achieve this goal, how to strengthen the role of parents in special education decisions, and how to meet the financial and human resource implications of this policy goal.

The initial task will be to identify major issues pertaining to the integration option. Staff of the Special Education and Provincial Schools Branch will be contacting you to arrange a meeting with your executive as soon as possible.

.../2

Wally Beevor

A discussion paper will be prepared and distributed to your association, all school boards, and other interested groups and individuals in September. Respondents will be asked to submit reactions and recommendations to David McKee, Director, Special Education and Provincial Schools Branch, 17th Floor, Mowat Block, Queen's Park, Toronto, Ontario M7A 1L2.

A policy and action plan will be developed to ensure that the first phase of the implementation process will begin in September 1992.

I am pleased to enclose a copy of the statement that the Honourable Marion Boyd, Minister of Education, presented to the Legislature on May 28, 1991. For further information, please contact Peter Ferren, Education Officer, Special Education and Provincial Schools Branch, at (416) 325-2727.



Wally Beevor
Assistant Deputy Minister
Learning Programs

Enclosure

Statement to the Legislature

by

Education Minister Marion Boyd

on

The Integration of Exceptional Pupils

Into Regular Classrooms

Tuesday, May 28, 1991

Check against delivery

Mr. Speaker,

During National Access Awareness Week, I wish to inform members of an important new direction in the education of pupils with special needs.

National Access Awareness Week highlights the importance of removing barriers from the path of people who have disabilities.

Not all these barriers are physical. They are nonetheless real and they present real obstacles to full participation in society.

My ministry will therefore begin a widespread consultation on the best way to further the integration of exceptional pupils into local, community classrooms and schools.

I will also, in the near future, be introducing legislation to amend various special education provisions of the Education Act and related statutes.

Mr. Speaker, this government strongly believes that exceptional pupils who could benefit from integration into local, community classrooms and schools should have that opportunity.

More exceptional pupils should be able to participate fully in the life of their local, community school.

Our goal can be clearly defined:

[Wherever possible — where it meets the pupil's needs and where it is the parents' choice — integration should be the preferred option.]

The special education amendments will also focus on the issue of access. They will address several inequities that currently exist in the availability of special education programs and services.

With respect to integration, I recognize that we cannot move in this new direction without building consensus.

In this consultation, it will be important for my ministry to hear from the education community and from organizations and individuals representing people with disabilities, their families, and their communities.

My ministry will also be making particular efforts to reach out to communities whose voices may not have been heard in the past.

These include Aboriginal peoples, visible minorities, and francophones.

How far and how fast we should proceed is one issue that this consultation will address.

However, Mr. Speaker, I expect that the first measures to ensure that the integration option is available throughout Ontario will be in place for the beginning of the school year in September 1992.

There are two other issues of particular importance to be addressed through this consultation.

First, the role of parents in reaching decisions about special education for their children needs to be strengthened.

We need to look at ways to ensure that parents are involved in special education decisions as full partners.

Second, we must discuss the costs of integration — what will be required in the way of human and financial resources, and how these resources should be provided.

Mr. Speaker, I want to reassure parents that we remain committed to encouraging boards to provide a full range of special education placements.

We recognize that an integrated setting will not be appropriate for every child.

The needs of all pupils will be met and placements that have the mutual support of parents and educators will be respected.

Indeed, in this regard, the government believes that there should be more consistency in the options available from one school board to another.

I also want to affirm that the Provincial Schools will continue to be an option for special education.

Details about the consultation process will soon be made available to all interested groups and individuals.

During National Access Awareness Week, Mr. Speaker, we can surely say that there is no more important right of access than the right of access to learning.

A greater commitment to the integration of our exceptional pupils is, in the end, a greater commitment to an open and more integrated society.

Thank you, Mr. Speaker.

July 10, 1991



Down's Syndrome Assoc. of Ontario

19 Royal Birkdale Lane, Thornhill, Ontario. L3T 1V1 (889-3783)

Mr. Peter Ferren, Education Officer
Special Education and Provincial Schools Branch
Ministry of Education
22cd Floor, Mowat Block
Queen's Park
Toronto, Ontario
M7A 1L2

Re: Consultation on Integration

Dear Peter:

As a follow-up to our meeting of June 21, 1991, I am sending you this list of major issues that our Association would like to see addressed in the discussion paper this fall. We understand that the purpose of the consultation process is to implement the following goal: "Integration of exceptional pupils into local community classrooms should be the norm in Ontario, wherever possible, when such a placement meets the pupil's needs, and when it is according to parental choice."

I How to Achieve this Goal:

1. Amend the Special Education legislation to give all exceptional pupils the right to integration, and allow for some exemptions with the approval of the Minister on an individual basis.
2. Clarify goal and terminology:
 - a) "local community classrooms": We would suggest "any school that the pupil would have the right to attend were it not for her/his exceptionality".
 - b) "integration": clarify that integration means a full-time placement, not a strategy, and that it occurs in an age-appropriate classroom
 - c) "wherever possible": clarify why or when it would NOT be possible
 - d) "when placement meets the pupil's needs": again, clarify criteria for exclusion, who would decide, what appeal would be available. This phrase needs to be tightened up in order to prevent school boards from setting up guaranteed to fail situations.
 - e) "parental choice": What information would parents have

available to them before making a decision? Should IPRC be modified to include discussion of program, including a written plan of supports, program modifications, resources, personnel and whatever else may be required?

- f) "full range of special education placements": The absurdity of the present continuum of services model needs to be exposed and eliminated. In Boards where integration already is the norm, it should remain so; no compulsion to create segregated programs should be introduced.
- g) "first phase by September 1992": What shall that include?
- 3. Remove all labels other than exceptional.
- 4. Emphasize the need for a variety of supports, services and resource people to meet the needs of individual students, and to make sure that in fact INTEGRATION happens, NOT dumping.
- 5. Re: Policy and action plan to be developed:
 - a) Who will assess responses to discussion paper and how? It is imperative that people with expertise in integration in Ontario be included in this phase. Peter, you mentioned that you will be consulting with 50 groups in the province; it is our wish that a higher ranking be given to the responses of those client groups most directly affected by the move to integration: D.S.A.O., I.A.G., and O.A.C.L., as well as to school boards with demonstrated expertise in the field.
 - b) Mechanics: Legislative change? Regulations change? Policy directive? Other?
 - c) Is there a need for public hearings for responses to the discussion paper?
- 6. Pre-Implementation Stages:
 - a) Leadership: Need for Ministry to hire expert(s) in integration to steer the change process through all its levels
 - b) Marketing: Need to have experienced, qualified people do seminars on attitudinal changes and how-to's of integration at Ministry level, Board level, school level and community level. Strategies for quality integration need to be in-serviced by people who have done it, and must include vision of what good integration looks like
 - c) Staff Preparation: Boards need to determine how they will re-deploy existing staff to achieve integration. The Ministry's hired experts (6 a) could devise guidelines. Boards will need to hire integration facilitators to co-ordinate, supervise, provide leadership, and follow-up on all phases of implementation.
 - d) Parents: Boards or Ministry need to contact all parents of pupils labelled exceptional to explain rationale for

change and how to access the new integration option.

II How to Strengthen Role of Parents in Special Ed. Decisions:

1. Make Appeal Boards fair. Third person must be agreed upon by Board and parent.
2. Change IPRC to ensure full discussion of program, including all supports to meet student's needs and Individual Education Plan.
3. Ensure that parents understand that integration is an absolute right. Give them full information on the new integration option.
4. Allow parents to call IPRC before the three month waiting period.
5. Ensure that any removal of pupil from integrated setting takes place with parental consent, in writing, and includes a plan to move pupil back into regular class.
6. Ensure that IPRC's are held after school hours to accomodate parents when necessary, and guarantee parents full rights to bring anyone they wish with them to an IPRC.
7. Expand number of groups on SEAC's to beyond 12 when requested, and broaden powers of SEAC's.

III How to Meet Financial and Human Resource Implications of This Goal:

1. Determine what the financial and human resource implications are: require Boards to provide estimates in response to the September discussion paper.
2. See Staff Preparation, I 6`c).
3. Develop guidelines for exemptions to integration based on physical inaccessibility or lack of specialty staff in rare and unusual circumstances, where Boards must have Ministry approval. (I 1.)
4. Plant Modification: Require Boards to provide plans for making schools accessible, beginning with schools where it is likely to be needed first.
5. Staffing Requirements: Ministry to determine projected needs for speciality staff and ensure training through Colleges of Education, physiotherapy and speech pathology schools, etc.

6. Immediately require integration course as part of pre-service training for all teachers, with particular emphasis on attitudes, rights, program design and program modification.
7. Investigate using monies from other ministries to help fund integration process.

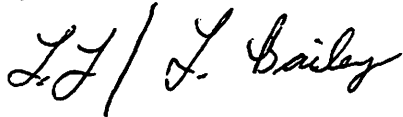
Finally, Peter, as Louise explained to you, one of the major problems in this whole transition is lack of trust. Parents just do not have good reason to trust that school boards who have refused to integrate their kids are going to suddenly turn around and do a terrific job of it!! We believe this is a major issue to be addressed in the discussion paper. You may remember that we mentioned the notion of some kind of preamble to clarify what quality integration looks like; this could go a long way towards setting the tone for what is expected and thus beginning to alleviate parental fears.

We look forward to seeing our concerns raised in the September discussion paper.

Yours sincerely,



Lynda Langdon, President
D.S.A.O.



Louise Bailey, Chairperson of Integration Committee
D.S.A.O.



July 25, 1991

Down's Syndrome Assoc. of Ontario

19 Royal Birkdale Lane, Thornhill, Ontario. L3T 1V1

The Honourable Marion Boyd, Minister of Education
Mowat Block
Queen's Park
Toronto, Ontario

Dear Marion,

Aaagh!!! We don't want to be right in our previous prediction that you would soon be shuffled to another Ministry..... but the speculation today is pretty strong!!

Would you please give your prompt and most serious consideration to the attached proposal prepared for us by David Baker of A.R.C.H.? We would very much like for you (or your successor?!) to introduce the proposed amendment immediately on the opening of the fall session of the legislature. We understand that the consultation process is only in its initial stages; however, we see no conflict in bringing forward this amendment during the process. Indeed, the two are quite complementary: the consultation process answers the "how to's" of the legislation's "when to's".

You will also be pleased to learn that both Dianne Cunningham and Charles Beer, in meetings with us, have expressed their support for our proposed amendment and for the notion of getting on quickly with enacting a legislative guarantee to integration.

Quite frankly, Marion, we're scared that if we lose you as Education Minister, we'll have no one at the helm rallying for integration. We need you to act NOW to be sure the proposed amendment is on the order paper for September. .

Our children are depending on you.

Sincerely,

Lynda Langdon, President
D.S.A.O.

Louise Bailey
Chairperson of Integration
Committee, D.S.A.O.
(Louise's new address is
270 Simonston Blvd., Thornhill,
L3T 4T5. Res. phone: 771-1932)

MEMORANDUMIntegration
Amendment - p. 1

TO: Lynda Langdon, President
Louise Bailey, Chairperson of Integration Committee
Down's Syndrome Association of Ontario

FROM: David Baker

RE: Amendments to the Education Act to Give Parents the
Option of an Integration Placement for their Child

Background

As you are aware the Educational Act imposes an obligation upon the Minister of Education to ensure every exceptional child has an "appropriate education". Unfortunately school boards differ widely on the appropriateness of offering integrated placements to their pupils. Thus one board may integrate a child with a particular exceptionality, and the other board would segregate a child with a comparable exceptionality. Parents are aware of this and are therefore sceptical when advised by a board that there is only one appropriate placement for their child.

The current structure of the Education Act gives parents who are seeking a segregated placement for their child effective appeal rights. The right of appeal is limited to issues of the identification of the child's exceptionality and placement of the child in a particular class. Tribunals under the Act have held that the appeal cannot deal with the programs and services in the classroom. As a result parents who want a segregated placement have often been successful. A specialized program designed for the exceptional child is always offered in such placements. Parents seeking an integrated placement have been unsuccessful because tribunals have been unwilling to order a child placed in a regular classroom, without any assurance that needed programs and services will be provided.

Regulation 262 prescribes class sizes, teacher qualifications and other guarantees for segregated placements. No comparable guarantees exist for integrated placements.

In short the Education Act provides many rights and guarantees for parents seeking segregated placements for their children. No comparable guarantees exist for parents seeking an integrated placement for their child.

Proposed Amendment

Add 2 new subsections to section 31 of the Act:

- (3) An exceptional person has the right to attend any school which he or she would have the right to attend, but for the child's exceptionality, in a classroom appropriate to the child's chronological age, with appropriate program modifications and appropriate special education programs and services.

*Integration
Amendment - p.2*

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- (4) A board may apply to the Minister and be granted a temporary exemption from the obligation contained in subsection (3).

Rationale

The Minister of Education has indicated support for integration as "the preferred option", and that "parental choice" should be determinative. She then states the "integration option" will be in place for the beginning of the school year in September, 1992. She then makes this a practical impossibility by failing to include the "integration option" in her package of amendments. It is generally accepted that unless the option is enacted by January, 1992, boards will be unable to implement by September 1992. It would be impossible to conduct a consultation of any significance and meet the deadline. The "integration option" must be added to the Bill currently before the legislature.

The draft amendment would operate separately from the appeal process mandated under s. 10 (1) (6). Assuming the placement available through the appeal process is not the integrated placement which would be available under s. 31 (3) the parents of the child would have a choice between 2 options.

While s. 31 (3) speaks of appropriate modifications, programs and services there would be no appeal available to parents who disagreed with the boards' opinion on this issue. It could therefore still be argued that the integration option would enjoy less protection than the segregation option. This should ease acceptance of the amendment by boards which are hesitant about integration.

S. 31 (4) grants the Minister discretion to grant temporary exemptions to boards which require them. The Minister has argued that consultation is necessary to enable discussion of the human and financial resources needed to make integration a reality. While most integration will involve no additional costs, making schools wheelchair accessible and making some specialized services available will take time. This should be acknowledged. The consultation should be about the criteria and process to be used by the Minister when considering applications for an exemption.

In the case of Hysert v. Carleton Board of Education et. al. the Hysert family successfully asserted a s. 15 Charter right to an integrated placement. Numerous other cases are pending before the Courts and the Human Rights Commission. The Ministry was unprepared to oppose the Hysert's application thereby acknowledging that the status quo violates the equality guarantees in the Charter. The draft amendments represent what is necessary at a minimum to bring the law into compliance.



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August 21, 1991

Mrs. Lynda Langdon
President
Mrs. Louise Bailey
Chairperson of Integration Committee
Down's Syndrome Association of Ontario
19 Royal Birkdale Lane
Thornhill, Ontario
L3T 1V1

Dear Mrs. Langdon and Mrs. Bailey,

Thank you for your letter of July 25, 1991, and the attached proposed amendment to the Education Act prepared by Mr. David Baker about the integration option for exceptional pupils.

I appreciate the support of the Down's Syndrome Association of Ontario in assisting the Ministry of Education attain its goal regarding the integration of exceptional pupils.

The ministry is currently consulting many groups across the province on how to achieve this goal. A discussion paper will be distributed to a wide range of groups and individuals in September 1991, with a request for reactions and recommendations by December 1992. In light of our commitment to the consultation process, I believe that the introduction of amendments to the Education Act at this time is premature.

I acknowledge and appreciate your suggestions concerning the integration of exceptional pupils.

Yours sincerely,

Marion Boyd
Minister

Globe + Mail -
May 1991

Globe + Mail - May 1991
Equality for disabled

In reference to the excellent article by Chris Dafoe, Segregation Goes By The Boards (April 25), the Coalition for Integration NOW! applauds the Ontario Minister of Education for supporting equality in education for children with disabilities through her intervention in the Alixe Hysert case.

Our coalition, made up of major advocacy groups representing approximately 150 local associations across Ontario, was formed to advocate for legislative amendments to the Education Act which would give our children a guaranteed right to integration.

We support Education Minister Marion Boyd in her efforts to accelerate integration and to pull together relevant groups in policy discussions to ensure that integration will be successfully implemented.

However, the Ministry of Education's true commitment to equality for our children can best be demonstrated by providing legislated guarantees now. This means the legislated right to attend neighbourhood schools, in age-appropriate classes with whatever program modifications and support are necessary for both student and teacher.

Even though many families across Ontario have been fighting for years for changes to the act, we are willing to trust the minister and wait one more year for implementation in September, 1992. We trust that she will not let us down.

Our children have been waiting decades for equality in Ontario. School integration is the major stepping stone to equality of opportunity and independence in adult life.

Our children have much to gain through learning and growing alongside their typical peers. They have even more to give.

Equality rights for students with disabilities will be a victory for all children in Ontario.

Louise Bailey, Chairperson
Coalition for Integration NOW!
Willowdale, Ont.

Globe + Mail -
July 31/91

Globe + Mail - July 31, 1991
Offensive terminology

Re Postponing Pregnancy Is The Trend...
And It Carries Special Risks (July 8):

As parents of children with Down syndrome, we were once again shocked and dismayed to see The Globe and Mail refer to the chances of older mothers having a child like ours as a "higher risk." The terminology was especially offensive in the light of an earlier paragraph that referred to a "higher rate of miscarriage" and a "greater likelihood of high blood pressure among women who delay childbirth." A factual

statement to the effect that the chance or likelihood or rate of bearing children with chromosomal anomalies increases with age would have been preferable. There is no call for The Globe and Mail to endorse an emotionally laden word like "risk;" it perpetuates the many myths surrounding people with Down syndrome that our association is trying to dispel.

Contrary to the underlying assumption, parents of children with Down syndrome are experiencing much the same joys and frustrations of child rearing as are other parents, with the exception that we tend to spend more time combatting discriminatory, inaccurate and harmful attitudes of people who should know better.

Those who "counsel" women to abort babies with Down syndrome should meet some of our parents who knowingly carried babies with Down syndrome to term and are delighted with their decision to keep and raise their children. Or they could talk with parents who have sought out children with Down syndrome and chosen to adopt them. A counsellor's role should be to help the prospective parents make a decision with relevant data, not to browbeat them into abortion.

The reality in 1991 is that tremendous gains have been made toward the goal of full inclusion of people with Down syndrome as equal participants in all aspects of everyday life. The Globe should be supporting, not denigrating, our successes and our children.

Lynda Langdon, President
Down Syndrome Association
of Ontario, Thornhill, Ont.