

*The right to learn, the power to achieve!
Le droit d'apprendre, la possibilité de réussir!*

POLICY STATEMENT ON EDUCATIONAL INCLUSION FOR STUDENTS WITH LEARNING DISABILITIES

The following policy statement was presented to the LDAC Executive Committee in February 2005, the LDAC Board of Directors in June 2005 and ratified on November 26, 2005.

This document contains a number of sections including: a) statement, b) rationale, c) components for success, d) glossary of terms, e) court and tribunal decisions as well as f) background. As the information provided in each section builds on the other, the document should be read in its entirety.

A) STATEMENT

The Learning Disabilities Association of Canada (LDAC) does not support full educational inclusion or any policies that mandate the same placement, instruction, or treatment of all students with learning disabilities or the idea that all students with learning disabilities must be served only in regular education classrooms at the exclusion of all other special education placement options. LDAC believes that full inclusion, when defined this way, violates the rights of parents and students with disabilities guaranteed by the *Charter of Rights and Freedom* and *Human Rights Codes* which guarantee education equality and freedom from discrimination and rejects the arbitrary placement of all students in any one setting.

LDAC supports the availability of a continuum of education services as prescribed in an individual educational plan for each student with learning disabilities to ensure success and must be flexible enough to meet the changing needs of students with learning disabilities by:

- 1) Providing a range of options and services and diverse learning environments (placements) to meet the specific needs of each student;
 - 2) Providing the most enabling environment for that student that will effectively meet the student's best interests socially, emotionally, behaviourally, physically and educationally;
- and,

- 3) Focus on what is in the best interest of the student and, in that context, consider all the needs of the student as expressed by the student and his/her parents and that of their consulting professionals.

B) RATIONALE

Because each student with learning disabilities has unique needs, an individualized education plan and placement must be tailored on individual strengths and needs. For one student, the plan may be provided in the regular classroom yet for another student, the regular classroom may be an inappropriate placement and may need alternative instructional environments, teaching strategies, and/or materials that cannot or will not be provided within the context of the regular classroom environment. The severity and nature of the individual needs should determine the alternative teaching strategies, accommodations, resources, supports and placement required.

C) COMPONENTS FOR SUCCESS

In order to promote the most successful development and implementation of an individualized education plan for a student with learning disabilities, whether it is in a regular classroom or other placement options, LDAC strongly supports ALL of the following essential components:

1. Early identification and a multidisciplinary assessment encompassing the student's academic, social and emotional strengths be provided in a timely and equitable manner. Vocational/career needs become increasingly important as the student progresses through school.
2. A team approved individualized education plan be implemented in a timely manner as a direct result of a cooperative effort involving educators, parents, and the students when appropriate.
3. That the individualized education plan include current functioning levels, instructional goals, objectives, timelines, appropriate accommodations, placement and services decisions, along with procedures for the evaluation of program effectiveness.
4. That clear specified outcome indicators allowing for formal and informal evaluation of the program and the progress of the student in academic, social, and homework/study skills be outlined.

5. That class sizes are such that it enables the teachers to adequately meet the needs of all students in the classroom.
6. That teachers be fully equipped by the school system with the required training, materials, aides, availability of specialists, and time, including preparation time and that they receive all the necessary support, both strategic and administrative.
7. Human, physical and material accommodations and resources be available to both student and teacher (e.g. physical space, technological aids, books, specialists, teacher's aid, computers, extra time for examinations, videos, etc.)
8. A positive, supportive, educational environment characterized by acceptance and understanding of learning disabilities be encouraged in order to develop equal opportunities and achievable outcomes.
9. Frequent and timely communication on the progress of the individual student, with the parents and with all persons involved in implementing and carrying out the individualized education plan be expected.
10. Transition planning that is appropriate to changes in settings or demands anticipated for an individual student be developed in a timely and respective fashion.
11. That a continuum of services throughout the student's educational career that includes the range of accommodations and supports required and a range of alternative settings be provided.
12. Continuing education of regular and special education and related personnel to meet the needs of students with learning disabilities be encouraged, planned and budgeted.
13. Recognition that both teachers and parents have a major role in facilitating success.

D) GLOSSARY OF TERMS

Accommodations

Accommodations refers to teaching strategies, supports and/or services that are required in order for a student to access the curriculum, complete assignments and demonstrate and apply his/her skills and knowledge. Accommodations do not alter the provincial/territorial learning expectations for the grade.

Alternative expectations

Alternative expectations are expectations that are not derived from a provincial/territorial curriculum policy document. Learning expectations in the areas of life skills, anger management, self advocacy skills and orientation and mobility training are examples of alternative expectations.

Continuum of services

A continuum of services includes a full range of support and services in a variety of settings to meet the individual needs of students with learning disabilities during the length of their educational career. A continuum of services should not be limited by gaps in service or preconceived educational or social policies in a particular jurisdiction. Educational reform efforts to restructure the delivery of educational services in the public school system must ensure that each student with learning disabilities is provided a continuum of service options that will guarantee a free, appropriate public education, based on the student's individual needs throughout his/her educational career.

Individualized Education Plan (IEP) or Individualized Program Plan (IPP)

Certain jurisdictions refer to an "individualized education plan/program" while others refer to an "individualized program plan". For the purposes of this document "individualized education plan" is used throughout and IEP and IPP are recognized to mean the same thing.

The individualized education plan is a written educational prescription developed for each student with a learning disability. It describes his/her strengths, interests, needs and expected learning outcomes or objectives. Individualized education plan objectives for students with learning disabilities should be based on the curriculum at the appropriate grade level and should include the teaching strategies, accommodations, services and supports required to meet the individual's learning needs in order to make the necessary progress to realize his/her full potential in the most appropriate environment. Objectives should consider the student's need for specific skill instruction, compensatory strategies, accommodations, technology needs, self-advocacy, and transition planning. The responsibility for developing the individualized education

plan must be shared by regular and special education educators, parents and the student with learning disabilities as well as other professionals as required. Once developed the plan must be supported at all levels of the educational system.

An individualized education plan should contain:

- A statement of the student's strengths, interests and needs;
- The student's present levels of educational performance;
- Annual and short-term educational goals;
- The specific special education program and related services that will be provided to the student;
- The extent to which the student will participate in the regular curriculum;
- A statement of when services will begin and when they will be reviewed;
- A statement of the accommodations the student will be receiving;
- Assessment strategies for determining the student's achievements and progress;
- The provision for evaluating the effectiveness of the individualized education plan as required to meet the student's needs and at a minimum of once a year; and,
- A transition plan for students who are moving to secondary school.

Integration

Integration is not a specific placement, but a long term process, whereby individuals are assisted to develop the requisite skills and strategies so that eventually they can function to the best of their ability in the mainstream of society. Integration into the mainstream is the ultimate goal for all members of society, regardless of their special needs at a given time. However the time when an individual is ready for that integration will depend on a number of factors, intrinsic to the individual.

Mainstreaming

Mainstreaming refers to the practice of placing students with special educational needs into regular classrooms for at least a part of the student's school programs.

Modifications

Modifications refer to the changes made to the grade level expectations from the curriculum for a subject or course in order to meet the needs of the student. Modified expectations may be drawn from a different grade level, above or below the student's current grade placement. Since modifications change the standards and limit outcomes, the potential benefits and limitations of such modifications must be understood by both the student with the learning disabilities and

their parents. Modifications that change or limit outcomes must be made in a reflective manner and in response to a student's needs.

Placement

Placement is the setting in which the individualized educational plan is delivered. It may include:

1. A regular class with access to the requisite accommodations and differentiated teaching methodologies and strategies;
1. A regular classroom augmented by regular withdrawal into a smaller unit for the purpose of more direct small group instruction;
2. An individualized program, delivered in a small class setting by a teacher knowledgeable in the field of learning disabilities; or
3. For others with complex and severe needs, access to an even more intensive program such as those offered by a special school.

E) COURT AND TRIBUNAL DECISIONS

Rowat v York Region Board of Education, Ontario Special Education Tribunal, 1986

Eaton v Brant County Board of Education, Supreme Court of Canada, 1997

Meiorin and Grismer, The Supreme Court of Canada, 1999

Bonnah v Ottawa Carlton District School Board, Ontario Special Education Tribunal, 2003

F) BACKGROUND

In 2001, LDAC asked Doreen Kronick, member of the LDAC Professional Advisory Committee for her views and comments on educational inclusion. In April 2002, Doreen provided LDAC with her written reflections on educational inclusion. Shortly thereafter a discussion paper titled *Full Inclusion is not in the Best Interest of Children with Learning Disabilities* was written by Yude M. Henteleff, C.M., Q.C. Honourary Solicitor for LDAC. The discussion paper was posted on the LDAC web site from October 2002 to April 2003 with an open invitation for comment, feedback and recommendations. Many valuable comments by individuals from across the country were received, considered, and incorporated into the document.

In December 2003, LDAC asked Gordon Bullivant and Anne Price, PhD. to update the LDAC 1991 *Statement on Mainstreaming: The Integration of Students with Learning Disabilities*. Gordon Bullivant and Dr. Price developed a draft policy that incorporated the best practices as experienced, observed and recognized by practitioners and professionals alike. The ensuing draft *Statement on Programming for Students with Learning Disabilities in School Settings* was presented to the LDAC Executive Committee in March 2004 and generated animated discussions. This prompted the Executive Committee to ask that the draft be further developed.

In May 2004, LDAC extended an invitation to all provincial/territorial Learning Disabilities Associations to participate in an online discussion group to further develop the draft. Design and implementation of the online discussion group was spearheaded by Alain Breuleux, VP Central along with the help of Gyeong-Mi Heo and Sandrine Turcotte.

Once established the online discussion group included:

1. Lee Thealzel, LDABC,
2. Linda Hugues, LDAVancouver,
3. Lisa Ingram, LDAAlberta,
4. Harvey Finnestad, PhD, LDAAlberta,
5. Diane Wagner, LDAO,
6. Ruth Taber, LDAO,
7. Monique Lucas, AQETA,
8. Eric Donovan, LDAPEI,
9. Joanne McCabe, LDAPEI,
10. Elizabeth Walcot-Gayda, PhD, LDAC Past President
11. Claudette Larocque, staff LDAC.

The work of the online discussion group was completed in November 2004. This final statement was presented to the LDAC Executive Committee in February 2005, the LDAC Board of Directors in June 2005 and ratified on November 26, 2005.

* In this document, the term "student" is used to designate persons studying at the primary or secondary level as well as those attending studies at college or university.