

**IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL
FOR THE PROVINCE OF ONTARIO)**

B E T W E E N:

THE BRANT COUNTY BOARD OF EDUCATION

**Applicant
(Respondent)**

- and -

CAROL EATON and CLAYTON EATON

**Respondents
(Applicants)**

CASE ON APPEAL

VOLUME II OF IV

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5

Q. Were you able to say for sure that Emily is developmentally delayed?

A. Am I able to say for sure?

Q. Yes.

10

A. Absolutely not, but it's my opinion that she's developmentally delayed.

Q. You believe she's developmentally delayed, but you don't know for sure.

A. No, I certainly do not.

15

Q. And the reason you don't know is because she can't communicate.

A. That's right.

20

Q. Why do you think she's developmentally delayed? What are you basing that opinion on?

A. On observations, on reports, on the school reports, on going through many I.P.R.C.'s and case conference around Emily. She is at a very early stage of development. For a 9-year old, she's definitely delayed, so those two tie into developmentally delayed. What her intellectual capacity is, we'll never know until she learns to communicate and my problem is that she can't learn to communicate in the setting she's in.

25

30

Q. Why do you believe she can't learn to communicate in the setting she's in?

5 A. Because when she tries to communicate it's
inappropriate for that setting. She has to be removed and I feel
she's getting the wrong message. At least she must be getting
mixed messages.

10 Q. Are you aware of situations in which children
who are non-verbal have been successfully integrated into a regular
classroom?

15 A. I'm aware of an autistic child successfully
integrated into a regular classroom.

Q. Has that been done in your county?

A. No.

Q. In Brant County...

20 A. Excuse me. May I go back? Yes, the child was
not non-verbal. We have an autistic child in our special class in
Paris who's verbal.

Q. In a special class?

A. Yes, but it's an open concept school and the
children are very integrated into the other areas in the school.

25 Q. Let me just go back to where we were. Are you
aware of situations in which children have been labelled develop-
mentally handicapped because of communication difficulties and it
subsequently turned out they weren't developmentally handicapped
30 at all?

A. Yes, I am.

5

Q. Do you agree that it would be a tragedy to do that kind of thing, to make that kind of mistake?

10

A. I agree it would be a tragedy if you perpetuated the mistake, but I think if you establish the communication system it wouldn't be very long before we'd be able to assess with some degree of certainty, just what, in this case, Emily would be capable of doing and I think that can be best accomplished by putting all our efforts into building a communication system so that we can know for sure.

15

Q. You heard the evidence of the expert witnesses who were called, Dr. Mara Sapon-Shevin, Dr. Bunch, Dr. Silverman, all of them indicating that the communication system, the difficulty with Emily, in their opinion, was not an impediment to integrating her in a regular class. Do you disagree with that?

20

A. Yes, I have to disagree with that, because in our experience over the last three years, we haven't seen anything that would give us any other opinion.

25

Q. Well, have you gone and sought out advice from people who are actually doing it?

A. No.

30

Q. Have you attended at any school boards who are doing it?

A. Well, other than as I told you, the video through Jim Henson.

5

Q. Have you consulted and brought in any outside consultants, experts in the field of psychology, psychology or education to advise you on this?

10

A. We bring in outside consultants to talk to us around dealing with certain exceptionalities. At no time do we get them coming in with an opinion as to the placement. It's an opinion as to program, and that to me is the issue here. In order to carry out the appropriate program for Emily, we have to do it in a certain placement.

15

Q. So, when teachers who have actually carried out this program in a regular placement, as for example Dr. Mara Sapon-Snevin said she had done, what do you say, that she's just wrong?

20

A. No, no, I don't doubt for a moment that she did.

Q. So you think it can be done?

A. I think it can be done.

Q. But you don't think your school can do it?

25

A. I think our school has done everything it can possibly do to do it and it hasn't netted us the gains we'd hoped.

Q. What gains were you hoping for?

30

A. We're hoping for some form of communication to develop, for the socialization, just the needs that have been listed all the way through, with the emphasis on the communication.

Q. Can you give me a concrete form? You said you didn't think this had been a success. Can you give me a concrete

MR. CHAIRMAN: Let's go off the record.

...OFF THE RECORD

R E C E S S

12:45 P.M.

U P O N R E S U M I N G

2:10 P.M.

JACKIE IRELAND: PREVIOUSLY AFFIRMED

CROSS-EXAMINATION BY MS. MOLLOY:

Q. Do you have Exhibit R20 beside you?

MS. BOWLBY: Special Education Services Total
Student Summary.

MS. MOLLOY: Q. You have a breakdown of which
exceptional students are in the regular grade and which are in the
special class and you've also provided a list of the special
classes broken down somewhat by categories of students with special
needs. You haven't given a breakdown of children who are in
regular grade placements, but have been identified as exceptional.

A. All of the children on the first page in regular
grades are exceptional.

Q. Yes, but what's the nature of exceptionality?

A. Oh, it could be anything. It could be slow
learner, it could be learning disabled, it could be moderate

behaviour problem.

5 Q. Are there any multiply handicapped children in
the regular placement other than Emily?

A. Yes, one at St. George.

Q. St. George?

A. Mm-hmm.

10 Q. What grade?

A. He'd be in about Grade 5 now, I believe.

Q. And without identifying the child, can you tell
me the nature of the disability?

15 A. He's got some sort of a disease and I can't tell
you what it is, but the result of that is that he is confined to
a wheelchair and is quite physically not normal, leans to one side,
but he's very bright young man. So he has to be toileted and he
20 has to - I guess that's it. He has to be toileted, but there's an
E.A. in that school for other exceptional pupils and that's the
only support that he needs.

Q. And he doesn't haven't any intellectual
25 challenge?

A. No.

Q. And is he the only student other than Emily
30 who's in a regular placement who you described as multiply
handicapped?

5 A. No. We've got straight physical handicap,
wheelchairs in the regular school, but that really wouldn't answer
your question.

Q. All right.

10 A. No, I don't believe so, not multiply handi-
capped.

Q. So there's learning disabilities and slow
learners.

15 A. Mm-hmm.

Q. And there are children in wheelchairs or with
physical mobility impairment.

A. Right.

20 Q. And that would be all of the exceptional
students who are integrated into the regular class.

A. Yes.

25 Q. Now, if you could look at your pie chart for a
moment and I'm afraid you lost me a bit in the technical stuff
around the grants and so on. So, let me put to you what my
understanding is and you can tell me where I'm wrong, if I'm wrong.
With respect to every student that's within your board, you get a
grant per pupil.

30 A. Correct.

Q. And included in the grant for every student is
a percentage which is Special Education.

Jackie Ireland - Cr-Ex.

5

A. Correct.

Q. And that applies whether that child has been identified as having special needs or not.

A. That's right. That's just the Board's allocation for Special Education.

10

Q. All right. Okay. In addition to that grant per child, you also receive tax monies based upon students who are enrolled.

15

A. Yes.

Q. And on top of that, you get a Special Education grant.

20

A. No.

Q. So, the Special Education grant you're talking about is the one that's the percentage of the grant per pupil.

A. That's correct.

Q. Okay. This 10.7 percent that you show as spending on Special Education, where does that come from?

25

A. Some of it comes from the grants and some of it the board has elected to put into the Special Ed coffers.

Q. Okay. So, would I be correct in saying that the percentage of every grant that's allocated as Special Ed, would be within this 10.7 percent?

30

A. Yes.

5

Q. And in addition, the school board adds in some more.

A. That's correct.

10

Q. And this 10.7 percent, does it include the whole grant for all of the students that you have designated as exceptional?

A. Yes and then some. Our grant doesn't equal our expenditures.

15

Q. No, I mean you take a hundred and - oh, whatever it is, how many students, 1,100 students who are designated as exceptional.

A. Mm-hmm.

20

Q. And you take the per pupil grant for every one of them and you add the percentage of Special Ed grant for all of the students who receive a per pupil grant. Does that give you the total?

25

A. No. You've still got the local rate payer contributing to that block.

30

Q. If you were add together the local rate payer contribution per student designated as exceptional, the grant, full grant per student designated as exceptional and the Special Education component of the entire grant per pupil, would that give you the total?

5

A. Yes, because those are all the sources of funding.

10

Q. Now, you said that if all the children were moved out of Special Education classes and put in regular classes, the cost would escalate out of sight.

A. Mm-hmm.

Q. Do you have any costing of that?

A. In actual dollars and cents?

Q. Yes.

15

A. No. All I can do is project what staff would be required to support the individuals in regular classrooms. We have a cap on our Educational Assistants. The Board has given us a number and that's been in effect for a couple of years now and it's cast in stone, so it's 61.5 Educational Assistants across the whole board. Some of those are in places, I think I explained earlier, where we can't take them out because they're in congregated classes, servicing kids with special needs. A few of those are discretionary in that they're within the superintendent's contingency of that assistant. If you tried to put out all of those children who were supported by E.A.'s in special class who needed almost one-on-one - they don't get quite one-on-one, but they need almost one-on-one, then you'd have to take, I wouldn't use the full number here, but a good portion of the number here in special classes would have to have an Ed Assistant out in regular

25

30

5 schools.

Q. Okay. Special classes all have one or at least two teachers in them?

A. Yes, all the classes have at least one teacher.

10 Q. The Special Ed, the separate ones I'm talking about.

A. Yeah.

15 Q. And just to take as an example the one you described at Prince Charles, I think you said two teachers, three....

A. Aides, three intervenors.

Q. Three intervenors and a nurse. So, nine adults.

A. For 12 children.

20 Q. For 12 children. So it's close to be one-on-one.

A. Yes.

25 Q. And if you were to move all those children into integrated regular classrooms and provide each of them by and large with an E.A. in the classroom, wouldn't you have pretty close to the same ratio?

30 A. Given those figures, you would, but that's not the norm. The intervenors are supplied for the children who are deaf/blind and as those children move on, the intervenor stops, so you lose the body from the government, because that's paid

5 directly. You'd lose that body right off the top and we had three
of those in that class.

Q. What do you mean, as they move on?

A. Well, if they go on to another setting or some
10 of them will go on into special schools.

Q. But then they wouldn't be in your student body
either.

A. That's correct, but the intervenor comes - we
15 better turn it around the other way. The intervenor arrives because
of the student who has arrived.

Q. So if that student moves into a regular class,
the intervenor is there too?

A. Yes.

20 Q. So that's there in any event, whether it's
Special Ed class or not.

A. Yes.

25 Q. Okay. And with respect to the other students
then, we've got teachers with E.A.'s.

A. Mm-hmm.

Q. And is it more expensive for the school board
30 to have teachers than E.A.'s?

A. You have to have teachers.

Q. Yes, but it is more expensive to have teachers
than it is...

5

A. Absolutely.

10

Q. Then would it not be cheaper in the long run given that you've approximately one-on-one ratio in both settings to move the children into regular education classes with E.A. because there are already teachers in those classes? Isn't the staffing cost in fact less?

A. But cost is one component and you're talking the most...

15

Q. I'm just talking about staffing costs.

MS. BOWLBY: Excuse me. In fairness, Mrs. Ireland is trying to answer the question and should be allowed to answer the question.

MS. MOLLOY: She's not answering the question.

20

MS. BOWLBY: She was answering the question. She was giving her answer and trying to explain and Ms. Molloy interrupted her.

MR. CHAIRMAN: Can you repeat the question, please?

25

MS. MOLLOY: What I was asking her about is staffing costs. She said, "Yes, but there are others," and I said "I'm talking about staffing costs." I'm not asking her to move onto another area. I'm asking her about staffing costs.

30

MS. BOWLBY: She wasn't finished answering the question and Ms. Molloy doesn't know what she was

Jackie Ireland - Cr-Ex.

5

going to say. Just let the witness finish answering
the question in fairness, as opposed to letting M
Molloy decide what the witness is going to say and
when she's happy with an answer or not.

10

MS. MOLLOY: Oh, excuse me.

MR. CHAIRMAN: Let's just hear the answer to the
question regarding staffing costs as it was asked.
Do you want to go back to the record to get the
precise wording?

15

A. Do you have the precise wording?

20

MS. MOLLOY: Q. Yes, I believe I have pretty close
to the precise wording. You've got approximately a one-on-one
ratio now with the Special Ed class and you move the children in
Special Ed into regular classroom placement. Given the fact that
E.A.'s cost the board less than regular teachers, and you continue
a one-on-one, but putting E.A.'s in the regular class, than when
we move the children across, is not staffing cost in total less
than providing the staff in the Special Ed class?

25

30

A. Only in that situation, because that's the only
situation where the staffing level is that high, but the other
piece of that and I think that's what I was going to say, the other
piece of that is that it's a programming issue that is a concern.
We have the financial concern, yes, but we have the programming
concern.

Jackie Ireland - Cr-Ex.

5

MR. CHAIRMAN: I appreciate that your wish is that the witness answer only the question with regard to staffing costs and I must say I should urge you to stay precisely on the issue and not get into programming, unless it comes up.

10

MS. MOLLOY: I just want her to answer the questions I ask and if I want to ask her about programming I will and if I don't and it needs clarification, Ms. Bowlby is completely free to do that, as is the tribunal.

15

20

MS. MOLLOY: Q. So you say that would apply to moving the children out of Prince Charles, but that's a different situation in terms of staffing costs because there's a higher ratio of students to teacher, is that right, or student to supervisor whatever?

25

A. Yes. Actually, a lower ratio of students to supervisor.

30

Q. And why is it that the children in the Prince Charles class have a closer to one-on-one ratio than in other classes?

A. Because there are three children in there who require intervenors, which puts it an odd situation and we have intervenors in other situations, but not three in one classroom.

5

Q. Those intervenors work directly with the students to which they're assigned?

A. Yes.

Q. And they're one-on-one?

A. Yes.

10

Q. And they move with the student if the student moved?

A. Yes.

Q. So what about the other pupils?

15

A. The other students are serviced by the E.A.s who are there.

Q. So you've got six supervisors for nine pupils?

A. Yes. No, 12 children.

20

Q. Well, take out the three that have intervenors and take out the three intervenors, so you've got six staff for nine students, correct?

25

A. Well, the nurse is for one student as well, for special needs. That's a fragile student. That nurse doesn't deal with anybody else, so I don't really think you can count that the PTR. She's there for a specific reason and provided by Home Care. So you get two teachers...

30

Q. Sorry. She would continue with the student if that student went to a regular class?

A. Yes.

5

Q. Okay. So let's take out the nurse and the student who would get the nurse, regardless of where that student went. That's four students in that class that will have one-on-one regardless of where they're placed, right?

10

A. Mm-hmm.

Q. So we're down now to eight students and five staff.

15

A. Soon to be four. There will be two E.A.'s in there in all likelihood and two teachers.

Q. So that's still pretty close to a one-on-one.

A. It's pretty good.

Q. And you still have two teachers who are considerably more costly than E.A.'s.

20

A. Mm-hmm.

Q. So, I'll repeat the question: If you move those five - how many students are we down to, eight?

A. Yes.

25

Q. If you move those eight students into regular classroom settings and provide one-on-one E.A.'s, isn't the staffing cost not any greater?

A. But just for that group of children.

30

Q. Yes. That's all I'm asking about.

A. Okay, for that group, that one classroom, right.

5

Q. And that's because when you put students like this group with high needs in a class, you'd have to staff it appropriately whether they're in Special Education or regular education, right?

10

A. Exactly.

Q. You've got pretty much the same staffing costs?

A. Mm-hmm.

Q. Yes?

A. Yes.

15

Q. I mean, you talked about the Brant Separate School Board and you gave some information and some evidence about what that school board does. You talk about their commitment to full inclusion and you said that for hard-to-serve students, they purchase services from your school board.

20

A. Yes.

Q. Did you mean hard-to-serve in the sense that that is referred to...

25

A. In the legislation, no, no.

Q. Okay.

A. For students for whom they have difficulty finding placements they will often come to us and ask us to provide a placement.

30

Q. And how many students are you - of your 511 students that you've got in special classes, how many of them have

5 been referred from the Separate School Board?

A. I can't answer that. I don't know.

Q. Do you have any idea at all?

A. No.

Q. Could be none?

10 A. No, there are some and there's someone here who
could answer that.

Q. Who's that?

A. Mr. Carter.

15 Q. Mr. Carter. Perhaps we can ask Mr. Carter for
the number.

MR. CARTER: In this past year it's been seven
seven students.

20 MS. MOLLOY: Q. Do you know the nature of these
students, why they've been transferred over?

A. Most of them for behavioral reasons.

25 MS. MOLLOY: Are there any multiply handicapped
children that have transferred over, Mr. Carter?

MR. CARTER: There are at least two.

MS. MOLLOY: This is difficult. Is it because
their parents have requested that they be in special
classes as opposed to integrating?

30 MR. CHAIRMAN: There's no problem there, Ms. Bowler,
because Mr. Carter is not affirmed?

5

MS. BOWLBY: No.

10

MS. MOLLOY: I am asking him because I know Mr. Ireland doesn't have all the information at her fingertips and I don't want to go through having to call another witness.

15

MR. CARTER: I can't say that it's a parent request. I'm approached by Mike Feeney from the Separate School Board to request the service and I would assume they've gone through an I.P.R.C. process and have the parents' approval to approach us.

20

MS. MOLLOY: You're assuming that the parents are agreeable to this?

MR. CARTER: I'm assuming that, yes.

25

MS. MOLLOY: Q. Do you have any information to the contrary, Ms. Ireland?

A. No, I haven't.

Q. Now, you said that the Separate School Board is contemplating using more Special Ed classes in order to cut back their costs. Where did you get that information from?

30

A. Actually, I got through Mr. Carter who had been talking to Mr. Feeney.

Q. So Mr. Feeney is the source?

A. Mr. Feeney is Mr. Carter's counterpart in the Separate School Board.

5 Q. As far as you understand, the source of that
information is Mr. Feeney.

A. Yes. I do know for a fact though that they had
cut back Ed Assistants in numbers.

10 Q. Special Education Assistants?

A. Yes.

Q. No, I was talking about creating Special
Education classes. That information, you believe, comes from Mr.
Feeney?

15 A. Yes, I do.

Q. Could you turn to Exhibit R22? I'm afraid I'm
going to have to ask you a fairly open question on this because the
document was marked as an exhibit, but it wasn't really examined
20 on at all. What is it?

A. Is that the "Program - Special Education"?

Q. Yes.

A. Exhibit R21?

25 Q. R22.

MR. CHAIRMAN: R22.

MS. MOLLOY: Q. It's called "Program - Special
Education."

30 A. Okay, got it.

Q. What is it?

5 A. This is - our budget is set up in a binder and
each program has a special section and this program happens to be
Special Education and it discusses the purpose of the program. The
10 first page deals with staffing and the numbers of staff in each of
the areas. So, if you look at the number of class teachers, you'll
see in '92 we had 41. We're down to - for September '93 we'll have
39.

15 Q. And there's asterisk on that in fact those two
are now included under a separate budget. You have the same number
of teachers really, but two are out in Lansdowne.

A. That's correct. We run the school program in
Lansdowne.

20 Q. But it still doesn't show on this budget, does
it?

A. Well, it will.

25 Q. And intervenors are basically interpreters for
deaf/blind children, are they?

A. Not quite interpreters. They're the second skin
for the child. They do everything, much like Donna Bell did with
Emily. She really was an intervenor for Emily, other than an E.A.
The hand over hand, the guidance, the constant interaction with the
30 child.

Q. And this is done for deaf/blind children as
well?

5 A. Yes.

Q. Is there any particular reason why that
resourced differently than having what we might call an intervenor
for Emily?

10 A. Yes. It was the Ministry's attempt to encourage
school boards to integrate student with these needs rather than
send them off to special institutions. So it was an incentive
keep the children in a local board with the appropriate support.
So, we varied from three to seven intervenors in a year.

15 Q. What are the criteria you have to satisfy in
order to get this funding for the intervenor?

20 A. We have to get a statement from the provincial
school indicating that the child is indeed deaf/blind and needs an
intervenor and would be eligible for admission.

Q. So it's only deaf/blind children?

A. Yes.

25 Q. Sorry. I neglected to ask you a question
earlier I'd like to come back to. We were talking about R21,
"Where the Money Goes."

A. Mm-hmm.

30 Q. You talked about your gifted program
enrichment where you take kids out of class for enrichment program
for blocks of time, a week at a time you mentioned. Where in the
budget is that? Is that part of the 10.7 percent for Special E

5 A. Yes. Enrichment Program is E-19-1, the last
page.

Q. Sorry? I was reading while you were talking.

A. Okay. At the very back, if you turn back on,
10 you will see "Enrichment Program" on the left-hand side.

MR. CHAIRMAN: This is referring to Exhibit R22.

MS. MOLLOY: Q. Yes?

A. That's the Enrichment Program.

15 Q. Under "Supply Teacher Salaries," can you explain
why you're paying salary dollars if you don't have separate
classes?

A. Because the teachers come out of the regular
20 schools to provide the specific - whether it's a talent pool or a
specific program for these children, they may have to be replaced
by supply teachers.

Q. So they're used like resource consultants in a
sense?

25 A. Yes, for small periods of time.

Q. In your program for trainable retarded, would
that include the developmental handicapped and the developmental
30 challenge and developmental - what is the other one?

A. Delayed. Yes, it would.

Q. Would any other of those categories being
included in this?

5

A. Anything other than that?

Q. Yes.

10

A. No. If you'll note, the schools are listed there. Those are all the schools that house the developmentally delayed, challenged and multiply handicapped.

Q. So Agnes Hodge we talked about.

A. Yes.

Q. What's Greenbrier?

15

A. Greenbrier is another school, community school, with two special classes.

Q. You didn't discuss that as an option. Why is that?

20

A. I don't recall why that wasn't an option. It could've been at one in time. It may again have something to do with the age group.

Q. What's "P.J.C.V.S"?

25

A. Pauline Johnson Collegiate and Vocational School. They use it for secondary.

Q. So that wouldn't be an option?

A. No.

30

Q. And the second one after that, B.C.I. & V.S., that's older students as well?

A. Right.

5

Q. Prince Charles we talked about and Banbury we talked about.

A. Yes.

10

Q. So this budget then for trainable retarded includes both high school and elementary school?

A. Yes.

15

Q. And the budget for salaries and fringe benefits for '92 is - well, let's take a more current one. For '91 (sic), \$1,166,100.

A. Yes,

20

Q. And the budget for supplies and services is \$12,612.

A. Yes.

Q. And equipment is \$17,000.

A. Mm-hmm.

Q. What's "Community Based Programs"?

25

A. Swimming, where children are taken out to special swim programs or any outings that may form a part of the program.

Q. And special transportation is \$1,900.

30

A. Same thing, to get to the outings. We have to have special transportation to transport the children.

Q. It's not transportation to and from school?

A. No.

5 Q. Where does that come?

A. That is not in that budget. That would be in
the transportation section of the budget book. This is just
special transportation, so that's why it's charged to this budget.

10 Q. Okay. So there are just costs that are specific
to Special Ed?

A. Right. And to this particular program.

Q. The trainable retarded?

A. Yes.

15 Q. Right. So, out of that total budget, we have
about 1.2 million that's personnel, if I can call it that, and
21,000, close to 22,000 for other things.

20 A. Mm-hmm. And what doesn't appear here is that
Mr. Carter has a fund that he keeps separately for additional
services or equipment and supplies that are - modifications that
are required in line with this program.

MS. MOLLOY: And how much would that be, Mr. Carter?

25 MR. CARTER: By the time I've disbursed money to all
the special classes, I believe I'm left with about
\$4,000 for the year.

30 MS. MOLLOY: O. All right. Now, you said in your
examination-in-chief that Special Services - let me back up. We were
talking about Emily. I'm finished with this now. You were talking
about Emily and whether you were aware of the progress and you said

5 "Special Services in the school kept me regularly informed." What
did you mean by "Special Services"?

10 A. That's Mr. Carter and Mrs. Earle and anybody
else who may be involved, the Learning Resource teacher or the
teacher diagnostician, the psychologist and his group. If there
were visits to the school or anything they wished me to know, they
kept me fully informed, so that's what "Special Services" meant.
Sorry, not too clear.

15 Q. The reason I asked is because we also have this
Special Services at Home staff and I wanted to clarify the
terminology. When you say "Special Services," you mean Special
Education personnel kept you informed.

A. Right.

20 Q. And also school personnel kept you informed?

A. Mr. Cronkwright.

Q. Mr. Cronkwright.

A. Yes.

25 Q. Did you get written reports?

30 A. What I got in terms of reports, I received an
I.P.R.C., but in between times, Mr. Cronkwright would call specifi-
cally around report card time to indicate what he would like me to
review the report card before it went out. He'd indicated any
difficulties they might be having with programming for Emily, so
he was very good at communicating with me.

5

Q. And did Mr. Cronkwright ever contact you to say that they were having trouble with Emily?

A. Just in the form of the vocalizations and the crying. He had some grave concerns over that.

10

Q. When was that?

A. Oh, every time I talked to him there were grave concerns.

15

Q. When was that?

A. I would have talk to Brian probably an average of once every three weeks and sometimes twice in a week.

Q. And every time you talked to him he told you he was having trouble with Emily vocalizing?

20

A. No, but he raised it. He didn't raise it as anything other than a concern. They still hadn't got vocalizing under control. They still had to remove her from the classroom. It's just a concern he was registering, not a complaint.

25

Q. Did he ever ask you for some expert consultant's advice on having to deal with this?

30

A. Well, Mr. Carter was out there several times and made suggestions in terms of how to deal with various things. I know the mouthing, I recall that specific instance. He went out and made suggestions. I can't speak to whether or not he provided advice on the vocalizations. Mr. Carter is our Special Ed consultant.

5

Q. But Mr. Carter was accessible to Mr. Cronkwright
as well?

A. Oh, absolutely.

10

Q. And he would feel free to call Mr. Carter at any
time he had some news, right?

A. Yes.

15

Q. What I'm asking you is when Mr. Cronkwright was
discussing his concerns with you, did he ever say to you "Could we
get an expert in here to give us some help on this?" or "Can we go
out and investigate what they do in other settings?"

A. No, he didn't, because we felt we had our own
in-house experts in dealing with those kinds of things.

20

Q. Had your school board ever, before Emily,
integrated a child who was multiply handicapped and non-verbal in
a regular class?

A. No. That's why this was a trial.

25

Q. And so there was nobody within your board who
actually had experience doing that, was there?

A. Not that I know of, unless they had experience
elsewhere and brought it with them. I honestly don't know.

30

Q. You're not aware of anybody who had that
experience within your board?

A. No, no.

5

Q. Are you familiar with Piaget's theory of child development?

A. Yes, I am.

10

Q. Are you currently teaching in a course in Human Development at Mohawk College?

MS. MOLLOY: I didn't hear the question.

15

MS. BOWLBY: Q. Are you currently teaching a course in Human Development at Mohawk College?

A. Yes, I teach a course in Human Development at Mohawk College, a major component of it being the Piaget Theory of Development.

20

Q. If you took a look at the developmental stages that Piaget has defined, in your opinion, where would Emily fall?

A. In my opinion, she would fall in the sensory motor stage, primarily because of the fact that what seems to be happening are circular reactions. The sensory motor stage is made up of primary, second and...

25

Q. I'm going to ask you to really slow down, because I'm not going to get it down.

30

A. Primary, secondary and tertiary circular reaction along with undifferentiated circular reactions and circular reaction are, again, motoric in nature and produce a sense of the child or the individual identifying what kinds of motoric behaviours bring you pleasure and how your body works and that sort

5 of thing.

Q. Now, based on what you observed, you in the classroom with Emily, did you believe that a placement in the regular classroom is satisfactory for Emily?

10 A. Not at this point and I'll give you my reason for so saying. One of the things that I have a little difficulty with was the E.A. having to curtail Emily's activities at different points in time during the day. The reason why one would have difficulty with that is that what we know about children's development leads us to believe that more of the same, for want of a better phrase, imprints behaviours on the mind. So, you would want more of the same and as much of it as you can possibly get.

20 The second concern I had was moving in and out of the class at different points in the game. To me, that would indicate to an individual, "If I have to do something, I have to go out of the class, which means I'm not one of these individuals who are dealing with this particular situation."

30 The third thing is that if I'm in a situation, a young lady or young man of that nature could be in the situation where all the other extraneous things that they need will be there at that point, for example, the reinforcement for behaviours. We know when y

5 deal with kids who have - particularly who have tremendous physical
difficulties, what we want them to do is do that behaviour over a
over again. We know if they're reinforced, reinforcement brings
that behaviour on again and it's difficult to have to say to the
10 young lady, "Quiet. It is not the time for you to vocalize."
should be that is she wants to vocalize, she vocalizes. We
reinforce that vocalization which means you get more of it.

15 Q. Any other reasons that you don't believe the
placement is satisfactory for Emily?

A. I think the one thing you want to do is you want
20 to be careful, in my estimation, with the stimulation factors and
I talk here about stimulation in a sense of things around the
classroom, pictures, where you go, shape of things, et cetera. You
want to ensure that the stimulation is something the individual can
deal with at that point in time and therefore, you want to make
sure that the stimulation is geared towards the individual. We
know from literature that you don't want to overstimulate, because
25 overstimulating is as ineffective as no stimulation at all. So,
you want to be careful how you stimulate, to what degree, and you
are to increase that degree as the person moves along.

30 Q. How does that relate to your concern with
respect to the regular class?

A. The concern with respect to the regular class
revolves around the fact that there are some things in a regul

5 class that I think are suited to Emily for stimulation. For
example, the scissors that I saw her using, along with the help
the E.A., but if, for example, as I've heard, she responds well to
facial visual stimuli like screens and computers and that sort of
10 thing, then you may want to give a lot of that in the individual
situation to Emily and not have to do some of it and then move on
to something else, because this is where the class is going at the
point.

15 Q. Are there any other reasons or concerns that
have with respect to the regular class placement for Emily?

20 A. Yes, simple. I think there's a simple reason
there's one reason. It's maybe an innocuous one, but having to
outside to use the washroom, for example, takes you away. You have
to be physically removed from the class to go out as opposed
25 having a shorter distance. Let me give you an example of that.
In the other kindergarten classes, the washrooms are so close
that the kids can zip into the washroom, do their thing and zip
of the washroom without being missed from the class, for example
and a similar thing of a similar nature might be useful so you
not seen as being missed. You don't have to be taken out, down the
hallway, to a washroom and then come back up the hallway and then
30 intrude on the class. In this case you just move out, you move
back in and I think it's a much easier exercise, both on the
individuals who are given the program and the individual who's a

5 receiving the program.

Q. I just want to make sure I've covered anything.
Do you have any other concerns about the regular class?

10 A. A final one. You mentioned the Piaget stage
theory a minute ago. I think when you're dealing with youngsters
with Emily, one of the major concerns, and I've heard it mentioned
again and again, is academic or intellectual competence. On the
15 one hand, in the regular class you appear to be competing with
regular students in the stage where the individual cannot win.
I think, if you're competing in the stage or on the stage where your
program is so individualized, everything around you is geared
towards you, I think the probability of achieving a higher level
20 becomes easier and much quicker.

25 That does not mean to say - and I qualify this - that does
not mean to say that you're going to keep that individual in that
special class per se, but that there's going to be a lot of
integration going out towards the classes, but in a program that's
geared toward that individual or that individual's ability
30 absorb what's being presented at any point in time.

Q. What would you view to be the placement that
would meet Emily's needs?

A. A difficult question, but at this point I think
that along with continuum of placements, I don't see the issue

5 being one or the other. Along of the continuum of placements, I
think that the special class at this point for the reasons
mentioned before, so that you can get that program dealt with and
get the vocalizations to increase. You can do behaviour training
10 on those and get them to a high level very quickly. At the same
time, you can have integration to the class and you can have the
integration from the class to other classes, so it's not a case of
either/or.

15 For example, the music lesson was not held in her regular
class. It was held in I think one of the other Grade 2 classes
with all of the - Mrs. Lottridge's kids and the kids from the other
Grade 2 class and she seemed to do very well in terms of dealing
20 with that stimulation. So, it's not a case of either/or.

Q. You heard Dr. Sapon-Shevin's testimony?

A. Mm-hmm.

Q. She said that she couldn't think of any
25 advantages to a placement in a self-contained class. Do you agree
or disagree with that?

A. I disagree. Let me tell you why I disagree.
When you look at the concept of inclusion or any other concept that
30 we do when we deal with human development, there is always going
to be a percentage of people that are going to fall outside of the
realms defined by any conceptual formalization, any conceptual

5 formalization. In research what we do is we assume that to begin
with and we say that 10 percent of all people are going to fall
outside of the formalization. I think that's a difficulty I have
and the difficulty I have is that what happens to the 10 percent
10 of the people or 5 percent of the people that fall outside the
present formalization? I don't know, because nothing in terms of
an either/or situation, nothing is going to be done for those
people who fall outside and it's just human nature, it's just human
behaviour.

15
If I may continue a little bit, if you have, from my perspec-
20 tive, a continuum type situation, not an either/or type situation,
you can deal quite easily with the people who fall outside of
primary conceptualization phase, because you can deal with them
from the perspective that while you're on a continuum, here are
other things that we can do for these people. In an either/or
25 situation you, I guess, you all have to fall inside or if you're
not inside, I don't know what's going to happen.

30 Q. Now, in terms of - I'm looking for a spare piece
of paper here. In terms of your experience, the boards that have
a self-contained or special classes, are there specifically any
advantages to those classes?

A. I'll give you a personal situation. I per-
sonally hate to recommend kids for special classes per se, but

5 there have been instances where I think that there are certain
children who will benefit from special classes and I have made in
those cases, recommendations that these individuals be placed in
special classes. For me, that is not done very lightly at all.
10 It's done with a lot of consultation with parents and a lot of
consultation with the classes to which these kids are going to go.
In a lot of cases, after the I.P.R.C. decision is made, they
usually ask me to go to the classes and make whatever arrangements
are necessary.

15 The advantages in the cases where I have asked for them is
that I think putting the kid in the regular grade, he or she will
be lost because of the circumstance. Secondly, that the special
20 class has the material, has the personnel, has the time, has the
patience needed to deal with this particular youngster in the
special class. Third, my feeling is in some cases that if the
child is let loose in the regular grade, that what we will do in
25 some cases is more damage than good in the sense that if you're
having difficulty with a lot of reading materials, for example,
putting in a regular grade that requires reading on a daily basis
is not going to do much for your self-esteem. It's not going to
30 much for the kid liking school, so we try to get to the situation
where we get you to like school, we get you to like the subject,
we get you to like the situation. Your self-esteem goes up, you

5 feel good about yourself and then the next thing we do is look at
seeing how quickly we can get you out of there.

Q. Get out of the...?

A. Get you out of the special class into the
10 regular stream in some form, in some fashion, usually beginning by
some integration into the regular class and increasing that as we
see the need and the fact that you can handle the situation in the
regular grade.

MS. BOWLBY: Those are all the questions I have.

MR. CHAIRMAN: It would be useful if you could start.

Do you have any trouble or can you start right away?

MS. MOLLOY: Starting when?

MR. CHAIRMAN: We can start with the cross right now
20 or do you want some time?

MS. MOLLOY: I can start right now, but I certainly
won't finish.

MR. CHAIRMAN: I wouldn't expect that. That's okay.
25 We'll leave it to you then to tell us at a point
that you feel you need to stop and then we'll end
for the day.

MS. MOLLOY: I can do that. Bear in mind, however,
30 that the next day we're here is the witness that
we're plunking into the middle.

5
A. Most likely not. I was asked by Mrs. Ireland
to - if I would look at that case and henceforth I was involved in
that particular case, given the notes that you have in front of
you.

10
Q. So what I wanted to know about is whether this
other consultant was working with Emily or had observed Emily as
well or whether from the psych department, you were it?

15
A. I was it. As the head of the psych department
I can decide to take other cases in other schools that I think I
should look at.

20
Q. No, I understand that. I just wanted to find
out which people were involved. So, it was just you from the psych
department?

20
A. Yes.

Q. And the first actual visit you made to the
school was on April 14th when Emily was in Grade 1.

25
A. Yes.

Q. Did you have any involvement with Emily's
situation prior to that?

25
A. No.

30
Q. Were you aware that Emily had been at Maple
Avenue School since kindergarten?

A. I would've been aware, yes, in discussions with
Special Services, but personally being aware, no, since it wasn't

5 one of my schools that I personally would deal with, I would not
be aware of that information.

10 Q. So for the time that Emily was in kindergarten,
I take it, there was no request from the school or from anyone on
the school board that you come in and provide any assistance
consultation dealing with Emily?

A. As far as I can remember, no.

15 Q. What was the first time that you were contact
about Emily?

20 A. If I remember rightly, I was asked just - the
was this young lady in Grade 1 and I think she was at the I.P.R.C.
level and there was some concerns and would I be willing to go
and just have a look at the classroom and see whether or not - the
things are going and look at particularly the social interactions
in the class. That was basically it.

Q. And who asked you to do that?

25 A. My recollection would be Mrs. Ireland or some
other member of the I.P.R.C. I think Mrs. Ireland or Mrs. Earle

30 Q. And was this, to your recollection, before the
I.P.R.C. had occurred or after?

A. I have no idea.

Q. But you did understand that it was connected
some way to the I.P.R.C. process?

5 A. Yes. That's usually one of the ways we go in,
as a result of the I.P.R.C.

Q. So you went in on the 14th and the 27th to
observe Emily in her Grade 1 class?

10 A. When I went in on the 14th and 27th, in
particular, if I remember rightly, it wasn't so much to observe
Emily in the Grade 1 class, but to observe the Grade 1 class.

Q. In what way?

15 A. To, I guess, to provide the teacher with an
suggestions I could with respect to the running of the Grade 1
class at this point. So, it was made quite specific that I wasn't
in there to see Emily per se, but to look at the Grade 1 class.

20 Q. And as a result of those two visits, did you
prepare a report dated May 5th, 1992?

A. Yes, but I would prefer not to call what is
dated May 5th as a report.

Q. What would you call it?

25 A. I would just call it an analysis of my observa-
tions because in psychological services, it is not a report.

Q. Okay. You wrote a memo back to Mrs. Ireland to
tell her what had happened in your observations of the class?

30 A. Yes.

Q. Okay.

5 "Special Ed," but I could well have written that down as
abbreviation. Okay. "I personally hate to recommend kids for
special class" and then you said you recognize that certain
would benefit from it and you have recommended it in the past.

10 A. Yes, I have.

Q. And then you said that it's only done with
consultation with the parents.

A. Yes.

15 Q. Did you ever meet Mr. and Mrs. Eaton before the
tribunal?

A. No.

Q. Have you ever talked to them?

A. No.

20 Q. So you didn't have any consultation whatsoever
with them?

A. No. There's a reason for that.

Q. What's that?

25 A. The reason for that was that Emily was not of-
cially referred to psychological services. We do not, we cannot
meet with parents and/or children unless we have an official
referral through the school and/or the parents to psychological
30 services. Henceforth, I tended to talk to the issues of the
and issues of logistics. I cannot deal with the issues
individual children.

5 off to something or someone else.

Q. Have you observed children with disabilities
like Emily in a regular classroom situation?

A. Yes, I have in some cases.

Q. How frequently?

10 A. A difficult question to answer in terms of how
frequently, per day, per week, that sort of thing, how frequently.

Q. How many times have you ever observed it? How
many different children? Maybe that's easier.

15 A. That's a difficult question to answer, but I
would say about ten over the years I've worked.

Q. And these would include non-verbal children?

A. Yes.

20 Q. How many non-verbal children have you observed
in the regular class?

A. I would say Emily and I know I saw another
individual. I would say two.

25 Q. Including Emily?

A. Yes.

30 Q. Would it be fair to say that you would not have
a lot of personal working experience with the integration of non-
verbal children into regular classroom settings? You've only seen
one other child?

5

A. That would be correct, but you have to put a rider on that. In the systems that I have, I have no control over the placement, so if the child isn't in the regular class, then I wouldn't observe the child in the regular class and that's just the nature of the beast.

10

Q. So there would not be very many, if any children, in fact, I think we heard there were no children like that in the Brant County Board that are placed in regular classrooms.

15

A. Right, and so therefore I would have no chance to observe these children in a regular classroom.

20

Q. I take it, however, as an educational psychologist that you're familiar with the work of many other educators and psychologists about inclusion?

A. Yes, I am.

25

Q. When you encountered this problem, if I can call it that, with Emily's integration into this group in Grade 2, do you refer the teacher or principal to any of the writings in this area?

A. No, I did not.

30

Q. Did you suggest to them any people they might contact who have considerable experience dealing with the problem on a daily basis?

A. No, I did not.

5
10
15
20
25
30

appropriate vocalizations, but this high-pitched screaming, a very disruptive sound, does fall into a different category.

A. To me it would.

Q. You talked in your evidence in-chief about the Piaget theory of development. That's a - how far back does the Piaget theory date?

A. 1940's, 1950's.

Q. And when it was developed as a theory of child development, would you agree that there had been very little research and consideration done in psychological literature about disabilities?

A. He was the first.

Q. The theory of child development that was articulated has been described as one that is normative. Would you agree with that?

A. Yes.

Q. It sets out the norms that a typical child would go through?

A. Yes.

Q. And the stages of development Piaget postulated will occur sequentially?

A. Yes.

Q. And the child will go through all of them in order?

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A. Not all of them, most of them in order.

Q. Explain that.

A. It's been proven that most people never get the end of the formal operational stage because of the complex moral principles involved. So, we don't go through all of it, we do go through sequentially what we do.

Q. We won't get to stage four if we haven't gotten to stage three.

A. Correct.

Q. The first stage you said was sensory motor?

A. Yes.

Q. And what are the characteristics of that stage, basically what a child, baby would do?

A. The sensory motor goes from birth to two years, approximately, of age. It involves two major concepts, one being motor reactions, motoric reactions and the second being the preliminary or beginning of the symbolic thought process.

Q. Explain the latter. To what extent?

A. The kid becomes to learn through example that apples exist even though I don't see them.

Q. What's the second stage?

A. The second stage is pre-operational.

Q. And in that stage what are children doing?

5

A. They move from motoric responses to things like egocentrism, a little more centration, a little bit of reversibility, transactive reasoning, animism, that sort of thing.

10

Q. They're developing some basic ideas and thoughts, but they're not as elaborate or sophisticated as the operational state, formal operational stage?

A. Yes, but you go to concrete before we get into formal after pre.

15

Q. Okay. Tell me about the concrete operational stage.

20

A. The concrete operational stage is about 9 to about 12 or somewhere around there and basically what the child is doing at that point is just before he gets to a process of real thinking symbolically, he thinks very concretely, so for example, if you steal, you must go to jail, as opposed to if you steal, why is the reason for stealing, you may not go to jail. So, you get into that sort of a concrete way of looking at things.

25

Q. And you said that's about age 9 to 12?

A. Yeah, about that.

Q. You didn't give me an age for the second stage. What would that be about?

30

A. About two to about seven.

Q. That's the pre-operational thought?

5

A. Pre-operational thought is about two to seven, concrete would be about seven, around seven to about ten, eleven and the rest is formal.

10

Q. And formal operation stages starts somewhere around ten or so and some of us never get to the end of it and probably most of us don't.

15

A. Some of us don't get to it at all.

Q. And the formal operations stage involves quite abstract ways of thinking?

20

A. Yes.

Q. Tell me - you talked about the extreme end of formal operations, but tell me about some of the lesser thinking that would still fall within the category of formal operations.

25

A. Researching for example is something that we consider to be a formal, a really formal operation procedure. In that context, what the child would do, or the young person would do is given a problem, look at all the alternatives before you even begin to attack the problem. That's a sophisticated way of looking at things.

30

Q. With respect to applying Piaget's scale to children with disabilities, do you agree that that's not something that's typically or normally done by a psychologist?

A. I would say no. We do it sometimes because the issue of if you know what is normative, if you know what is normal,

5 you have a sense of where the other situations flow outside of tha
and I think from that perspective sometimes we have a look at that
comparative analysis.

10 Q. If, because of physical disability, a person had
not developed along the same physical lines as Piaget predicts
normal person would go through, this doesn't tell us much about th
person with the disability, does it?

15 A. No, but there are two lines in that development
One is physical and one is mental and sometimes if we don't have
the physical, but we know we can get the mental, sometimes we ca
make that application where necessary and when necessary. Not ir
all cases, but where and when necessary.

20 Q. And you would only be able to make tha
application in a situation where you could come to some assessment
of what the mental functioning was?

25 A. Well, if you look at Piaget's theory, Piagetian
theory does not so much look at what the mental function is,
looks at what is not there. In fact, that how his theory began
not with what the child told me, or the child told him, so much as
what the child didn't tell him and that's where he did most of h
extrapolations from.

30 Q. But if the child can't tell you anything at al
it's not a very useful analysis, is it?

5 A. Not necessarily. If we go back to the theory
again, a lot of his work in the early stages when the children
couldn't talk came out of what the child did and he made some
extrapolations from what the child did.

10 Q. For people with disabilities, is it not true
that you will find examples of behaviour in all of the stages,
rather than going sequentially through the stages?. You will find
because of the physical interaction of the disability, that the
15 norms just don't apply and they're all over. They have aspects of
all categories. Have you seen that?

A. Well, let's get back - before I answer that, I
20 have to get back to the theory to be able to answer that, because
if you assume that the theory's sequential, then you can't
somewhere along the way say "Well, okay, it's not sequential." It
is sequential, but you may not find the sequences running the way
you think they should run or because of the disabilities there are
25 other issues involved, but it would have to remain sequential
because that is what it is.

Q. Go ahead and answer the question.

30 A. So the issue is that you wouldn't find them
scattered all over the place. If you're a Piagetian in terms of
your outlook, you would look for the sequentiality of the response
that you getting, maybe not on the physical side, but on the mental
side. Maybe not with what the child can do, but what the child

isn't doing.

5 Q. If the child cannot speak and has no formal communication, how do you know what the child cannot do or isn't doing mentally?

10 A. In the Piagetian framework, what you will do is you will look at what the situation is and you will make some sort of analysis with respect to what you have and that's fair ball in the Piagetian framework and again, what we're doing is we're dealing with a theoretical framework and the application of the theoretical framework, which at some point you begin to apply.

15 Q. Well, that was precisely the point I was trying to make, not in your analysis of the framework of theory, but in its application to a child like Emily. There's serious weaknesses when you start applying it to a child like Emily, doesn't it?

20 A. I remember the question I asked where would I put her and I said "In my estimation, I would put her in a particular framework."

25 Q. And that's because of what we can actually observe.

A. Yes, because of what I observed.

Q. Isn't that the weakness of the Piagetian theory?

A. It's a weakness of the Piagetian theory.

30 Q. Okay. With respect to the Piagetian theory, I'm not saying it's another one, I'm saying it's this one.

5 A. Oh, yes, it is a weakness of the Piaget
theory and it's a weakness of every other theory in child develop-
ment.

10 Q. They don't just apply well in this kind
situation?

15 A. They apply with some difficulty, yes.

Q. The highest level that has been mentioned, the
formal operation level involves quite abstract thinking?

15 A. Yes.

15 Q. Would you say that sarcasm as a sense of humor
or a form of humor would fall within formal operations?

A. Yes.

20 Q. I'm going to describe some behaviours of
and ask you if those might be considered to fall within formal
operations.

A. Sure.

25 Q. And just to take that these occurred.
teacher says "Emily, look at me, Emily, look at me, Emily, look
me" in order to get her to make eye contact and she's not paying
attention. "Emily, look at me" and she's not paying attention.
After this is repeated some time, Emily sticks her face right
30 front of the E.A. actually, right in front of the E.A.'s
crosses her eyes and laughs.

A. Mm-hmm.

Jeffers Toby - Cr-Ex.

5

Q. Could that be seen as a sense of humour that is at the operational thought stage, formal operations?

A. Not necessarily.

Q. Possibly?

A. Possibly, yes, but necessarily.

10

Q. It's certainly beyond sensory motor, isn't it?

A. Yes, I would say it's certainly beyond sensory motor.

15

Q. In another situation, a worker is working with Emily and she's chomping on gum, the worker is, not Emily.

A. Okay.

Q. Chewing away in quite an exaggerated way.

20

Emily, who has absolutely nothing in her mouth, proceeds to chomp away in exactly the same manner, in a very exaggerated manner, and when the worker says "Emily, do you have gum in your mouth?" Emily just laughs and she doesn't, she has no gum. She's making fun of this activity. Would that kind of sense of humour possibly fall into formal operations?

25

A. Not necessarily. If one assumes it's a sense a humour, but it could be looked at surely as an imitative response.

30

Q. If it's a sense of humour, you would put it in formal operations?

5 A. Not necessarily formal operations. A sense
humour doesn't necessarily categorize in the formal operational
stage.

Q. It's more than sensory motor?

10 A. Not necessarily either. Possibly, possibly
yes.

15 Q. And I'm not talking about just responding to
somebody else's humour, but actually initiating teasing humour
making fun of kind of humour, in a teasing and jocular sort of way,
kind of ribbing.

20 A. Well, the reason I'm having a little difficulty
with it is because my mind is just going - if I can just stray
your question for just a little bit, I was dealing with about
seven, eight-month baby last night and she - I could say she teased
me like crazy in terms of smiling and all that sort of stuff,
I wouldn't call it formal operations, definitely, so the mere fact
of teasing and smiling et cetera doesn't necessarily fall into
25 formal operations.

Q. Somebody asks you to perform a task and
knowing what is expected of you, you deliberately do the opposite
and then laughs. That's not imitating, is it?

30 A. But if one deliberately does the opposite
they laugh, I would say it doesn't sound as if it's sensory motor
but still, I wouldn't say it necessarily is formal operational.

5 Q. But it's more than sensory motor.

A. I would say it looks like a little bit more than
sensory motor to me.

10 Q. An understanding of opposites in an abstract
way, an understanding of what's opposite, you're asked to do on
thing and you do the opposite deliberately. Would that be
something beyond sensory motor?

15 A. Yes, but not far beyond. The understanding of
opposites is one of the things that we look for in very young
children, I would say three, four, five, six ages, the understand
ing of opposites and if we don't find it, then we investigate a
little further, because at that age, you're supposed to know that

20 Q. You said you had seen no evidence of Emil
imitating other behaviour. Do you recall that?

A. Yes.

Q. The fact that you didn't observe it in the times
that you went to the classroom doesn't mean it hasn't happened.

25 A. Oh, no, not at all.

Q. And the fact that the teacher or the E.A. hasn't
observed it doesn't mean it hasn't happened either?

A. Not at all.

30 Q. And the example I just gave you with the gum chewing
might that be an example of imitative behaviour?

A. It could be.

5 Q. Let me give you another example. Emily pla
in a sandbox with toy trucks and making car engine sounds. Wou
that be imitative behaviour? She's playing with other children
making sounds?

10 A. Yes, could be.

Q. Emily playing soccer with her brothers
kicking a ball. Could that be imitative behaviour?

A. She's seen someone kick the ball?

15 Q. Yes.

A. It could be.

...OFF THE RECORD

R E C E S S

3:20

20 U P O N R E S U M I N G

3:35

25 JEFFERS TOBY: PREVIOUSLY AFFIRMED

CROSS-EXAMINATION BY MS. MOLLOY:

30 Q. Dr. Toby, you told us in your evidence in-
about the fact that - I wrote down "I personally hate to recomme
kids for special classes, for Special Ed?"

A. No, special classes.

Q. Special classes?

5

A. Special classes.

Q. Why do you hate to that?

A. Because of the implications that go along with
the special class in a lot cases and as a result, I have some
trepidation to do it, but when I have to, I do.

10

Q. What do you consider to be the disadvantages?

A. The disadvantages is the - particularly when
we're in school, the other kids living down being in a special
class. Sometimes, as you say, possibly the expectation factor,
self-fulfilling prophecy, I should call it. Basically, the whole
issue of self-esteem that goes along with it and those are the
factors that may be difficult.

15

20

Q. We heard the other experts testify about the
negative effects of segregating children into special classes with
disabled kids and how that contributes to low self-esteem and can
have long-term, if not permanent effects. Do you essentially agree
with what they've said in those areas?

25

A. To some extent, yes.

Q. To what extent do you not agree?

30

A. In all of this, one factor still has to be
contended with and the factor is what is best for the child under
the circumstances and when you build that fact into the equation,
sometimes a special class becomes necessary.

5 statement. When it comes to the educational aspect of it, I have
to include the word "generally" because there some instances where,
in my work, when I have had to make this distinction, and it has
worked fairly well for the child in the long term. So, that's why
10 I have difficulty, but generally, yes, but there's some cases where
you do have that difficulty.

Q. If we can deal with it then in a generality.

15 You said that you have a good deal of reluctance to come to that
decision because of the possible negative effects, correct?

A. Yes.

Q. And before you try such a placement, you don't
know whether this is a child that's going to take from it the
20 negative aspects or the positive aspects, right?

A. Yes.

Q. So you're running a risk.

A. Yes.

Q. Before taking that step of placing a child in
25 the segregated class and running the risk of that psychological
damage, would you want to ensure that every possible step has been
taken to keep the child in a regular class?

30 A. Here it becomes very circumstantial. It would
depend upon the circumstances. I'll give you an example. You take
a kid who's a behaviour problem in a class, throwing chairs,
cursing the teacher, et cetera. The question about trying at this

Jeffers Toby - Cr-Ex.

5 point becomes one of "Do you want to expose the individuals to
greater physical and/or mental risk?"

Q. Okay.

10 A. In that case, you might have to look at other
factors, so it depends upon the case, it depends upon the situ-
ation.

15 Q. That's in fact an exception that Dr. Bunch
identified as well, where the child is in danger or someone else
is in danger because of the child's behaviour, that a special class
is then appropriate, and you agree with that, I take it?

A. Yes.

20 Q. And on a similar line, Dr. Silverman said that
where a child is medically fragile and his primary need is medical
care, then a place in a regular class is probably not appropriate,
would you agree with that?

A. I heard him say that, yes.

25 Q. You agree with that?

A. It depends again, it depends on the situation.
If the medical situation can be dealt with in a regular class and
in a regular grade, then the question would be, and if that's
sufficient.

30 Q. I'm thing Dr. Silverman would agree with you on
that, but I think what he was saying was if there's a medical
situation that requires a child to be separate from the regular

5 class in order to meet medical needs, then that's good justifica-
tion for taking him out.

A. If that's the assumption, yes.

Q. You would agree with that?

A. Yes.

10 Q. Okay. Well, apart from those two situations
where there some risk to the child physically or to other childrer
physically, do you believe that all possible options should be
explored to keep the child in a regular class before you take the
15 step of segregating the child and running the risk the psychologi-
cal harm?

A. I remember Dr. Bunch talking about drawing the
line and he has drawn the line at a particular situation. I have
20 not made, in my estimation, a line configuration anywhere in this
situation and I would have to look at the situation individually
before I come to that conclusion so I would have difficulty with
the generalization of saying "It's either this or that."

25 Q. I don't think you understand the question. I'm
not asking you to say "either/or." You testified that you hate to
make the decision to place a child in the segregated class and
you've testified about the risk of perhaps even permanent psycho-
logical damage flowing from that and I'm asking you: As a result
30 of those concerns, would you not want to see all options canvassed.
everything tried to keep the child in the regular class before

Jeffers Toby - Cr-Ex.

5 running the risk of harm, unless it's a situation like you
described where the child is in danger being in the class or
someone else is in danger by having the child?

A. Yes, in most cases, I would agree with you.

10 Q. In terms of exploring those options, would you
agree that when you run into a problem with a particular behaviour
in a child, that bringing in experts who have dealt with similar
situations should be tried before segregating the child?

A. That sounds logical.

15 Q. And do you also agree that before you take the
extreme measure of taking the child out of a school that they've
been in for a number of years in a regular setting which is their
neighbourhood school, before you go to the extreme length of taking
20 a child out of there and putting them in a totally different school
in a segregated class, you would want to explore ways to keep the
child in the regular class and perhaps move the child periodically
out of the regular class for more intensive one-on-one work.

25 A. If one assumes that is an extreme measure, yes.

30 Q. Well, then take "extreme measure" out of it.
Before you want to take a child out of a placement in the regula
class that they've been in for three years, move them to a
different school in a segregated class, would you recommend tha
you try placement in the regular class with removal for periods of
time for one-on-one extensive individualized work if that

245

5 required?

A. If it's required, yes.

Q. So to do that would be a better option than
taking the step of just pulling the child out and putting him in
segregation?

10 A. In most cases, yes.

Q. Before taking the step of giving up on regular
class education and transferring to a segregated class, would you
want to see a full exploration of programming and how programming
could be modified to take care of problems that had arisen in
regular class setting?

15 A. Yes.

Q. And in that regard, is it useful to note the
experience of people who have successfully programmed for children
of a similar nature?

20 A. Yes.

Q. In terms of the advantages of a special
education class, you listed some and one of them was that a special
class has the material, personnel, time and patience to deal with
the youngster.

25 A. Yes.

Q. In terms of patience, did you think patience
lacking in Mrs. Lottridge and Mrs. Williams?

30 A. No.

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Jeffers Toby - Cr-Ex.

5

Q. And in your observations of Mrs. Piggott and Donna Bell, did you think they didn't have patience either?

A. They had a lot of patience.

10

Q. And in terms of time, in the setting in which Emily is in where the E.A. one-on-one and a teacher over and above that spending time with her, do you agree that a lot of time is being spent with Emily?

15

A. Yes, but, and the "but" is this: It may be necessary in some cases within an average day to not follow the regiment of a particular classroom. In that case, the amount of time is going to be a factor. For example, we talked about vocalizations which should be encouraged. To have to say "This is the time" and "This is not the time," to me is a little bit of difficulty, because what you want is want more time, as much time as you can get for the vocalizations so that they can be reinforced, so we can get them over and over again to a point that they become quite normal and useful in terms of exercising communication skills.

20

25

30

Q. Okay. Let's just deal with that issue now that you've raised it. I was going to come to it in a second anyway. In terms of the vocalization issue, could you try and in fact might it be a good idea to try spending the time outside the classroom with Emily on the vocalizations and try doing that, giving her the opportunity to vocalize by taking her out of the class when ...

5 does it, not as a negative thing, but "Okay, let's go out and do
some work" and you know, vocalize. Could you try that before you
take her out of school all together and put her into a segregated
class? Would that be a good idea.

A. Well, it could be a good idea.

10 Q. You talked about the problem of over stimulation
with Emily. We didn't mention, though you're probably aware of it,
Emily's sometimes has a startled reaction to loud noises and
unexplained noises.

15 A. No, I didn't know that.

Q. You weren't aware of that?

A. No, I wasn't aware it.

20 Q. Well, there's been evidence that she sometime
does that and there's also been evidence that it has lessened over
time, that she used to startle more. If you have a class full of
seven or eight or - have you been to Prince Charles?

A. Yes, I have.

25 Q. You know that the class that's being purposed
for Emily is really a double class. There will be eight in her
class, but the two classes are in the same room.

A. I didn't know that.

30 Q. Now, assume we have 10 or 12 or 14 students all
in the same large room with the same kinds, I guess, in an generic
way, of disability like Emily. When you say it would be a good

5
idea to put her in Special Ed so she could vocalize freely, I take
it that you expect other children there to be vocalizing freely as
well?

A. In some cases, yes.

10
Q. Do you agree that if that sort of behaviour is
going on all around Emily, that that could be very disturbing for
Emily in terms of over stimulation and startling to noises?

A. Yes, but it can also be, at the same time
encouragement.

15
Q. Or a reinforcement of a behaviour that you're
trying to correct in Emily?

A. Well, you're not really trying to correct. What
you're trying to do at this point is your trying to get, to expand

20
Q. It depends on the kind of vocalization, doesn't
it, Dr. Toby?

A. It would be, but I would think - okay, it would
be.

25
Q. In terms of the material, which was another
indication, another advantage of Special Ed class.

A. Yes.

30
Q. When you saw the classroom that Emily was in,
both in Grade 1 and Grade 2 and the materials that she was working
with, did you feel that she was lacking any resources?

A. In the Grade 1 and Grade 2?

5

A. No, it's not a study that I've read and I can't continue by saying I won't be able to agree or disagree with that quotation because I don't know what the studies are.

10

Q. Are you aware of any research that you can cite that demonstrates an advantage in a special classes in terms of teaching academic subjects to children with disabilities?

15

A. I can't cite any studies off the top of my head because I honestly don't know, don't have them here, but there are studies that say that, yes, in some cases special classes, in some situations, special classes do make a difference, a positive difference for some children.

20

Q. Do you know when those studies were conducted?

A. I would suspect, if I remember rightly, that those studies were just around the time, about the 70's, the 80's, the late 70's, early 80's. I can't remember exactly.

25

Q. Have you seen any recent studies? Have you seen anything published since 1985 on this topic?

A. I've read lots of stuff since 1985, not on this topic, specifically on the topic of inclusion.

30

Q. That's what I'm asking you about, specifically about inclusion. Have you yourself read any studies published since the mid-80's?

A. I've read some.

Q. Which ones?

5 A. I can't remember which ones. I know, for
example, I have seen some of Marci Forest's work come across my
desk from time-to-time.

10 Q. And Marcia Forest would take a contrary view,
would she not, she would take the view that inclusion is the way
to go for all children?

A. If I remember what I read from her, yes.

15 Q. Have you read any studies that would indicate
the reverse, that Special Education is a better form of education
for children with disabilities, special classes, sorry, are a
better form of education?

20 A. In some cases, yes. I've come over a couple of
studies that have said so, depending upon the case and most of them
are case studies. I can't remember who or what, but I think most
of them are case studies.

25 Q. So they are an individual illustration of it as
opposed to an actual research project of large groups.

A. That depends on how one defines "research
projects," individual case studies and research projects.

30 Q. Okay. I said as opposed to a research study of
a large group.

A. I wouldn't say "as opposed to." It's in the
same ball park as far as I'm concerned.

5

Q. We're quibbling over language, I think. The literature you have seen published since the mid-80's supporting Special Education as a better means of education have been individual cases, case studies on a particular child?

10

A. Some of them have been, yes.

Q. Can you tell me what literature you're relying upon on a general basis?

15

A. I can't. I don't keep that information that close to me.

MS. MOLLOY: I have no other questions. Thank very much, Dr. Toby.

A. You're welcome.

MR. CHAIRMAN: Do you have some questions?

20

MS. BOWLBY: I do.

MR. CHAIRMAN: Do you need a break or do you want to go right ahead?

25

MS. BOWLBY: No.

RE-EXAMINATION BY MS. BOWLBY:

30

Q. Ms. Molloy asked you about certain of theories posited by experts that she called and suggested to you that if one person is working with a youngster and does everything with the youngster, that that can be a bad situation. Do you recall her asking that?

Jeffers Toby - Re-Ex.

5

Q. Ms. Molloy asked you a series of questions, I think the thrust of which was whether you felt that every possible step should be taken to keep the child in the regular class before removing a child to a special class. Based on your observations of the class, the classroom teacher and the program that was being presented for Emily and the interactions that you saw between the Educational Assistant, the teacher, what they were attempting to do in the various conversations, do you feel that every possible step was taken to make the placement work for Emily at Maple Ave. School?

10

15

A. I would say so. I would say that the number of conversations I heard and between myself and Mrs. Ireland and between myself and the classroom teacher and Mr. Cronkwright and from what Mrs. Ireland said to me about Mr. Cronkwright's procedures, so there's been a lot of information going back and forth with respect to making it as pleasant as possible and it would seem as though you get to some point where you have to make a judgment as to whether or not you've expended your possibilities and it seems so at this point.

20

25

Q. And what is your judgment of that?

A. It seems as though...

30

MS. MOLLOY: That's not proper re-examination. This was covered in-chief. Re-examination is supposed to address only what was raised for the first time

Jeffers Toby - by Mr. Turner

5 educational assessment?

A. Yes.

MR. TURNER: Yes.

MS. MOLLOY: Just a couple.

10

CROSS-EXAMINATION BY MS. MOLLOY:

Q. With respect to the question about standardized
testing for Emily.

A. Yes.

15

Q. And the Leiter Performance Scale.

A. Yes.

Q. Are you aware of Emily's visual problem in terms
of focusing her eyes?

20

A. I heard it while in the tribunal, yes.

Q. She also has difficulty, you probably heard the
evidence, in using more than one sense at a time to observe an
objection, so for example touching an object while looking at it
is difficult for her to do.

25

A. Yes, I heard that.

Q. And would those two things combined make it
unfair to judge her cognitive ability, based on the Leiter
Performance Scale?

30

A. I think it would make it, as I said before, I
think it would make it a difficulty, yes.

Jeffers Toby - by Mr. Chair

5 OPA, I assume?

A. No. I'm not registered with OPA. I'm registered with the Ontario Board of Examiner in Psychology, OBEP.

10 MR. CHAIRMAN: Yes, okay. Your private practice according to your c.v., you do psycho-educational assessments.

A. Yes.

15 MR. CHAIRMAN: Do you do those as well in Brantford or do you oversee them, at least, with the Brant County Board?

A. Yes, I do.

20 MR. CHAIRMAN: So it's fair to assume that you are familiar with some of the instruments, some of the validated instruments that are used to take a look at achievement and intelligence in the case of people who don't use oral language as a means of communication?

25 A. Yes.

30 MR. CHAIRMAN: I'm thinking of a number of different instruments. In your observations of Emily, would she be an appropriate subject for any of these? I'm thinking - just to narrow it down - of something like the Leiter Performance Scale for example.

A. That's the one I was thinking of myself.

Jeffers Toby - by Mr. Chairman

5

MS. MOLLOY: The what?

MR. CHAIRMAN: Leiter, L-E-I-T-E-R, Performance Scale.

10

A. She would have to be able to identify things as she went along and would have to have some way of showing the individual that when she's asked to identify something that she can either point or in some way identify that factor in there. That would be something to be concerned about, if one would give her Leiter, for example, of some way of indicating which one of the blocks she chose.

15

MR. CHAIRMAN: When you say you're concerned about it, I'm just trying to get a picture of Emily that's all. When you say you're concerned about it, you mean by that that it's conceivable that she would not be able to respond because she can't physically point to the responses?

20

25

A. Well, if you can't physically, but then in some way indicate which one you're choosing. I think that's good enough and the question would be, would she in some way be able to indicate which one?

30

MR. CHAIRMAN: Could Emily be a subject for one of these instruments?

A. Could be, but I think it would be a difficult case.

Audrey Lottridge - in-Ch

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15
A. I spent - if you're talking about me being there, yes, I do spend time, but Diane is also there. I don't sit down and specifically work with Emily without Diane being present. We discussed this as well in our planning and we both feel that the continuity of Diane's voice, Diane's signing, Diane's approach to Emily is of more benefit than for me to sit down for five minutes and try to work one-on-one with her. I rotate around the classroom as they're doing individual seatwork and speak to individual children and also do that with Emily, but with Diane present.

20
Q. Okay. Now, I want to refer you to Dr. Silverman's report and I'm not going to put it in front of you, but you read Dr. Silverman's report, did you, Exhibit 36?

20
A. Yes, I have.

Q. And in his report, Dr. Silverman suggested that you did not go back to Emily that morning that he was there.

A. That's correct.

25
Q. Do you have a comment on that?

30
A. Yes. The report also states that that day we had the Grade 2's from the portable included in my classroom with my class. So there were 45 children spread out around the room. There was also Mrs. Williams with Emily, Dr. Silverman on the other side of Emily and Rochelle, and I'm sorry, I don't remember her last name, the speech therapist on the other side of Emily. It

Audrey Lottridge - in-Ch.

5 just did not seem an opportune experience or time for me to make
a specific visit when there were there three adults with her at the
time, but that is not the normal situation in the classroom.

10 So, on a daily basis, I do visit Emily and I do see what
they're doing hand over hand, what things she's making. I go and
speak to her. She's very receptive to touch, so when I touch her
hand or her cheek or whatever, she is receptive to that. So I do
15 spend time there, but no, I did not go there when Dr. Silverman was
there.

Q. How would the amount of time you spend with
Emily compare to the amount of time you might spend with any child
in the class?

20 A. I would say it would be at least equal to. Now,
as far as rotating and speaking to them at their individual desk,
it would an equal time that Emily would see me at hers as to the
others.

25 MS. MOLLOY: An equal or unequal?

30 A. An, A-N, equal time, but if you're discussing
the entire day, because I also work with Grade 3's which Emily
would not be included in, that would take time and there are other
situations where the group, if Emily was not in that group, that
she might not get the same amount of time in that respect.

MS. BOWLBY: O. In terms of the amount of time you

Audrey Lottridge - in-Ch.

5
A. I understood he was there to make observations
of Emily during the morning, whatever observations he could make
of what he saw of the program.

10
Q. Moving on to another topic, has Emily during the
year made any vocalizations that have proved disruptive to the
class?

A. Yes, she has.

Q. Could you describe those, please?

15
A. Well, there's a variety. Emily, when she
vocalizes, there are times when it's a low sound and if the
activity that's going on in the entire classroom is such that it's
not disturbing them, then we just go on with our program. There
are times when she cries and cries quite loudly and there are times
20
when she makes just distracting sounds where the other children are
distracted from what they're doing.

Q. Can you give us some sense of the frequency of
this over the year and whether or not it's changed?

25
A. It varies. There are some days when there are
no vocalizations almost of any sort within the classroom. I have
felt through our observations that the vocalizations at periods of
time increase where she's not able to be settled. There are times
when she's settled and everyone including Emily goes on with their
30
work, but there are times when the frequency of disruptive
vocalizations for Emily's work and for the others is more frequent.

Audrey Lottridge - in-Ch.

5 There's quite a fluctuation.

Q. And has it ceased through the year?

A. No, it hasn't.

Q. Now, have you notice whether Emily ever falls
10 asleep in the class from time-to-time?

A. Yes, I have noticed that.

Q. And how often would that happen and for what
15 kind of period of time would she fall asleep?

A. What happens is when she starts nodding or
20 yawning to the point where she's trying to fall asleep, Diane tries
to stimulate her to the point of keeping her awake. If she can't
do it by signing, by talking, by trying to get her activity going
at the desk, she will take her and walk her to revive her.

25 Now, I have found from observation when I'm at the front of
the classroom or walking around, lately Emily is trying to sleep
as soon Diane puts her in her chair first thing in the morning and
there are times when Diane takes her out and walks with her and
Emily has a wonderful walk down the hall and sits in the big chair
and is very happy and Diane brings her back into the classroom and
puts her back at her desk and she tries to go to sleep again.

30 Q. Are there any activities which Emily consistent-
ly appears to be happy doing?

5 A. Yes, there are. When she's doing physical activities. She loves her orange ball, she loves the movement, she enjoys...

Q. Is that the big ball?

10 A. Yes, a big orange ball, and they do different activities with it. Also, when she leaves, if she is vocalizing or sleepy, quite often they'll go and do a physical type activity where Emily is able to vocalize in that situation. She also enjoys music. She has headphones and taped stories and music tapes that she likes to listen to. There's even a - I don't know whether you call it a pattern, but we've noticed that even in the music itself, there are things that are more pleasing to Emily, she gets more excited. One tape in particular has a very deep but upbeat tone and popping sounds like popcorn and Emily really enjoys that.

15 Q. Which tape is that?

20 A. It's "A Funland Band" and the particular song is quite exciting. Whenever Emily hears it, she gets really pleased and excited. She does enjoy music.

25 Q. Now, have any of the youngsters in your class been with Emily in past years?

A. Yes, some of them have.

30 Q. And let me ask you first of all with respect to those youngsters, have you noticed how they interact with Emily

A. As opposed to being different from...?

Audrey Lottridge - in.

5 A. Physically, yes, I have. She stands for "Canada" in the morning and I've noticed longer times for balance. Now, I don't walk her, so I can only observe any strength in walking, but she does most days, I mean there are sluggish days but most days she does seem to be stronger walking.

10 Q. How about socially? Have you seen any development in Emily over the past year, in social development?

A. No, I don't feel I have.

15 Q. Is there any gap between Emily and her peers?

A. Yes, I feel there is.

20 Q. And what's happened to that gap socially over the year?

A. Well, in my observation, I see the gap widening. As the other children become more involved in their activities, they become less involved with Emily.

25 Q. How about academically? Have you seen any development in Emily over the last year.

A. I have not.

Q. Sorry.

30 A. I was just going to say I've not observed any development.

Q. And how does this compare with the other youngsters?

Audrey Lottridge - in-Chief

5 A. Really I don't feel I was able to make an
assessment. I can observe and feel that there's been no progress
but I have no way of assessing whether there was a loss or whether
the level she was at was maintained because I have no tools
to assess that.

10 Q. Have you seen any indication of Emily imitating
or modelling behaviours of her peers?

A. No, I have not.

15 Q. What have you done to try and make the
placement work for Emily?

A. Well, I think that by modifying as much of the
program as possible and allowing as many tactile experiences
possible, that I, including Mrs. Williams, have done everything
20 possible. We have - if we see that she enjoys a certain material
or activity we try to encourage that. I feel that we've tried
to make this placement work. We've tried to include Emily as a member
of our classroom.

25 Q. After a year almost, how do you feel about the
appropriateness of a regular class placement for Emily?

A. From what I've observed and working with her
throughout the year, I do not feel that a regular class placement
meets Emily's needs.

30 Q. And why is that?

Audrey Lottridge - in-Ch.

5 A. Well, the fact that if she's vocalizing at
inappropriate times for the entire group, the fact that she has
be removed at that point concerns me. Now, she's removed and
allowed to vocalize in another setting, so the vocalizing isn't
being discouraged, but the appropriate place for the vocalization
10 is a concern for me. The fact that when she's doing work at her
desk which is increasingly becoming more a part of the children's
day as they get into the higher grades, the fact that she sleeps
or tries to or sometimes even cries when she can't, concerns me
15 the fact that when she's taken out into the hall and doing physical
activities, doing physical things in the gym and she's happy again
but then returns to the same state of wanting to sleep when she
returns to the classroom, that concerns me.

20 Things that really seem to keep her active seem to be happening
outside of the classroom because I don't have the facilities in
that classroom to have her orange ball, to have a space for
25 work, to have a space where she can go off and vocalize and say
whatever she has to say.

MS. BOWLBY: Can I just have a brief break. I
almost done.

...OFF THE RECORD

30 MS. BOWLBY: I don't think this adds anything at
this point. We'll put this in at this point so that

MR. CHAIRMAN: Do you want to put that in as an exhibit?

MS. BOWLBY: I don't need to with that explanation.

MR. CHAIRMAN: Okay.

MS. BOWLBY: Q. I have one final question, Mrs. Lottridge and that is: what do you think the impact will be on Emily of a placement in a special class in the school in Brantford?

A. The impact on Emily?

Q. On Emily of placement in a special class? There's not a special class in Maple Avenue School.

A. No, no, there's not. From my understanding of the special class placement, I feel the numbers of children who would benefit Emily in a special class, the opportunities that she would be given to vocalize without the restrictions that a regular classroom imposes on her would benefit Emily. The facilities that I understand of the classrooms and being able to do physical activities within the walls or at the area that she would be within with other children or individually, I feel that that would have a positive impact on Emily.

Q. You said first of all that the numbers of children would benefit Emily. Can you just expand on that?

A. Just from any experiences that I've had, I've had 21. The numbers will be greater next year and unless the government - they're going to be even greater than we anticipated.

I'm sure. I feel the numbers will have a bearing as more and more children are in the classroom doing different things, I feel that will influence or have an impact on Emily as opposed to a lesser number in a special classroom.

MS. BOWLBY: Those are all the questions I have.

MR. CHAIRMAN: Do you want a few minutes?

MS. MOLLOY: Yes, please.

MR. CHAIRMAN: Let's take ten minutes. We'll convene in ten minutes.

R E C E S S

4:30 P.M.

U P O N R E S U M I N G

4:40 P.M.

MS. MOLLOY: Just as we did with Donna Bell and Mrs. Piggot, I'd like Mrs. Williams excluded from the cross-examination.

MS. BOWLBY: Can I just ask you, you long do you think you're going to be? Is there any point in Mrs. Williams hanging around, because we can call her next?

MS. MOLLOY: We'll get to Mrs. Williams tonight, but we won't get to her probably before the half hour break.

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Audrey Lottridge - Cr-Ex

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A. No, I did not.

Q. Other than Mr. Boyd, did you consult any other
Special Education consultants?

A. No, I don't think - I'm quite sure I didn't.

10

Q. But you yourself have taken courses in Special
Ed?

A. Yes.

Q. When did you do those?

15

A. Okay. I'm terrible with dates so I looked it
up because I had a feeling you might ask. Part 1 I did in '79
Part 2 in 1986.

Q. And were those summer courses?

20

A. No, they started in the fall and went all winter
into the spring.

Q. They were night courses?

A. Yes, night courses.

25

Q. And what kinds of things did you study in those
programs?

30

A. When I took Special Education, it was a general
introduction to Special Ed. Now you can chose options, you chose
gifted or learning disabled. I took the courses when we had a part
of all possibilities in Special Education.

Audrey Lottridge - Cr-Ex.

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Q. Have you ever taken any training on models of inclusion and methods to be used in including children and their disabilities into regular classrooms?

A. Taken courses?

Q. Yes.

A. No.

Q. Have you ever attended at another school board which had an inclusionary policy to...

A. No. I'm sorry.

Q. I know you know where I'm going, but you have to let me get it out.

A. Sorry.

Q. Have you ever attended another school board to observe classrooms in which children disabilities like Emily's are included in a regular class?

A. The reason I would think is I never went to one with that intention, but I can't recall whether there was that situation if I was there. We have visited other boards for various reasons. I don't recall that that was the situation.

Q. When you learned that you were going to have Emily in your class, did you think of doing that, going out and observing a classroom or a teacher who's had some experience in incorporating or integrating a child with Emily's kind of disabil-

5 ity into a classroom?

10 A. I didn't consider that alternative. As you're
aware through testimony before, I was in the Grade 1 class with
Emily on a daily basis in Grade 1, so that I had a feel for the
program, for the setup and the situation. Rather than going
15 outside the board, I tried to use the resources that were most
readily available to me.

Q. That would be Mrs. Piggot, I gather?

A. Mrs. Pigott, Mrs. Bell, Mr. Boyd.

15 Q. Mr. Cronkwright?

A. Yes, and since Emily had been in the school the
part year, this was the third year, the kindergarten teacher,
20 anyone who had any involvement with Emily in the past.

Q. Have you ever done any academic reading in the
area, academic, scholarly kinds of articles about inclusion and
particular teaching methods for including children with these kinds
of disabilities into the mainstream?

25 A. I have. I could not give you any titles. A lot
of the documents or the reading that I've done would be an overview
of Special Education per se, rather than specific examples of the
inclusionary.

30 Q. Now, you read the communication book, you said
every day?

Audrey Lottridge - Cr-Ex.

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have a copy of the book in front of her. While the story was being
read, the book would be there or sometimes if the book wasn't
there, sometimes Mrs. Williams, as Emily's hearing, she tries to
sign and she signs a lot on the side of her face so she gets the
10 sensation and just that type of thing has been done.

15
Q. We've heard evidence and I can't remember now
if it was from the speech pathologist or Dr. Silverman or perhaps
both about the rapport between Emily and Mrs. Williams and you've
had a chance to observe it now for nearly a year. Would you say
that there was a an excellent rapport between the two?

A. That's exactly the word I would use. Mrs.
Williams is wonderful with Emily. She loves her dearly and she
treats her with that same feeling.

20
Q. And does that seem to be a two-way street? Does
Emily give back this love?

A. From what I've observed, I think there is a bond
there.

25
Q. We've heard from mothers of children in your
class. Maybe not all of them were in your class this year, but had
Emily in other years and they testified that their children valued
their relationship with Emily, that they talk about her at home,
30 that they've been to her birthday party, she's been to theirs and
so on and that they consider that their daughters have a real

Audrey Lottridge - Cr-Ex

5 friendship with Emily. Is that something that you would dispute?

A. I have no knowledge of associations outside of school, so I can't dispute whether they've been to each other's houses or the value. I can only go by observations that I see.

10 Q. Obviously, Emily is different.

A. Yes.

15 Q. She can't talk to them with words, so I take it that you'd agree that she's not going to have the same kind of relationship with the children in the class as they might have with each other because of that difficulty.

A. Yes, I would agree with that.

20 Q. And so while we might accept that she's not having the same kind of relationship with her peers in the classroom, would you agree that that doesn't mean she doesn't have relationships with friends?

25 A. I would have to say I can't agree that she doesn't have relationships with them. I don't know how Emily views the situation. As far as the other children, I don't question them on how they view Emily. I just observe the interaction that occurs.

30 Q. You talked about the amount of time that Emily's away from school and it was I think you said 42 days that year?

A. Yes.

Audrey Lottridge - Cr-Ex.

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Q. I don't have that in front of me, but at the
time you were testifying I had it in front of me and I noted that
there were 29 days in November and December alone.

A. Yes.

10

Q. She was quite ill through that period of time.

A. Yes, she was.

Q. Apart from that major episode, there was a week
in March sometime when she off, is that right?

15

A. I believe, yes. There was a week in March.

Q. And apart from that, maybe even including that
would you say that her attendance is pretty much typical of any
child, apart from the major illness, apart from November and
December?

20

A. Okay. Without looking at my register, this last
term, she's had excellent attendance.

Q. Besides that?

25

A. Okay, the middle term, I know there's that week
in March. As far as the other dates or whatever, I can't specifi-
cally recall.

30

Q. When you spoke of Emily's academic development,
you said that you haven't seen any development. Is that because
you're not able to assess Emily?

Audrey Lottridge - Cr-Ex.

5 A. I am not able to assess, so from what I've seen
her do, I haven't seen any progress, but I can't assess the
progress.

10 Q. We've heard the same thing from lots of other
people from the school and we take as a given that it's not
possible really to get an accurate assessment of Emily's abilities
at this point in time. Would you agree that the problem that Emily
presents in terms of assessment is that she doesn't have the
15 ability to communicate to you what she has learned?

A. I think that's a very large part, the fact that
she can't tell us what she knows or express what she's learned.

20 Q. You mentioned that Emily has made physical
progress over the year.

A. From what I've observed, yes.

25 Q. And do you have the understanding that physical
development for Emily or any kind of physical activity for Emily
is requires a good deal of concentration on her part?

A. I suppose increased time in balancing takes
30 concentration. I don't really feel that I can answer as far as
what it takes for physical development to occur as far as concen-
tration or something else.

Q. I take it then that you don't have an und-
standing of cerebral palsy and its effect on the muscles and how

5 concentration is required to do even simple tasks?

A. Not to any detail.

10 Q. When you say that you can't assess Emily
that you haven't seen any development, by the same token, can you
say that there hasn't been any development?

A. No, I can't.

Q. Academically.

A. Academically.

15 Q. Now, on this question of vocalization, do you
agree that it's important for Emily to learn when it is appropriate
to vocalize in a loud manner...

A. Yes.

Q. ...and when it is not?

20 A. Sorry.

Q. That's okay.

A. Yes, I do.

25 Q. And were you here for Bob Williams' testimony
this morning?

A. I heard the cross-examination and only the last
maybe 20 minutes before we broke for lunch.

30 Q. Did you hear the portion of his evidence where
I was asking him about moving a child to a segregated class because
of inappropriate and disruptive vocalizations?

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Diane Williams - Cr-Ex.

5 was fussing over if somebody put too much cotton on and stuff like that. The conversation, I believe, was directed at the card.

Q. Whose idea was it to the card, yours?

A. Audrey's and I's.

10 Q. And what input did the children have as to what went into the card, what materials you worked with and so on?

A. It was their input.

Q. Pardon me?

15 A. It was all their input. I said, you know, "We're making a card. What should we do?"

Q. And independently the children determined that it would be a good idea to put lots of tactile things in that Emily could experience?

20 A. I think after I gave them the idea that, you know, instead of just writing it, let's use some materials. I don't think I said to them "tactile materials." I believe I said probably something like "Let's use lots of fluffy things and hard things and stuff like that."

25 Q. And did they have an understanding that that was the kind of thing that Emily would like?

A. Oh, yes.

30 Q. So, do we take it from that the children of the class had some understanding of Emily and what she enjoyed?

A. Yes.

5 "Listened to Mud Puddle and Angela's Airplane today
Emily seemed to enjoy both story and book! E
got to make funny faces on the computer and boogie
also. There is a program that we use that usin
hand over hand we can do this using the track ba

10 You made comment here that Emily enjoyed not only the book, but th
story? What did you mean by that?

15 A. Well, this particular story was a book and
tape that went along with it, so as the tape's going along, I had
the book and hand over hand, had Emily turn the pages with me
we got the sound and the pictures.

20 Q. Did Emily enjoy some books and stories more
others?

A. Yes.

25 Q. And Angela's Airplane, I gather, stuck out
a story which you recall she particularly enjoyed?

A. Yes.

Q. And she listened to that on tape?

A. Yes.

Q. And looked at the book?

A. Yes.

30 Q. Did it strike you that Emily enjoyed a sp
story when she had some understanding of what was being said?

Diane Williams - Cr-Ex.

5 A. I don't know if Emily was enjoying what was
being said or Emily was enjoying the sounds that were going on
the tape, the airplane and all the other noises that go on.
I don't know if she was enjoying that, the pitch of the voice of the
man that was speaking. I don't know which one she was enjoying.

10 Q. What was your belief?

A. That she enjoys the sound.

15 Q. You didn't believe that she understood the
story?

A. I can't judge that. I can only say that I think
she enjoys the sounds that go along with the story, but I don't
know if she understood the story.

20 Q. And the reason we don't know that is because
Emily is not able to tell you, correct?

A. Correct.

25 Q. But you believe that she doesn't actually
understand, that she just likes the sound. That's your belief,
isn't it?

A. That's my own personal belief.

30 Q. Turn the page, actually two pages. Okay, this
is January 18th, the page that is at the top has:

"6 towels, 11 face cloths. Did cut and paste
art today. Made a picture of the people in our
story, The Wizard of Oz. Listened to the a vers

5 Q. Sure.

A. No, because I believe I was told not to.
think it was basically a known fact that I would push her around
the ice, for Emily's safety and the safety of the other children.
I would push her around on the ice.

10 Q. Who told you that?

A. I don't know if it was Mrs. Lottridge or
Cronkwright.

15 Q. You don't remember who told you?

A. No. I don't think it was a direct statement
but...

20 Q. "She enjoyed watching the students skate."
you remember that? You have to say "yes" or "no."

A. Yes.

25 Q. Did you observe Emily watching other kids
time-to-time and enjoy watching them?

A. I guess I would assume that Emily enjoyed
watching them when I'm pushing her around, watching them. Her eyes
were going around, roaming the ice. I assumed that Emily was
enjoying watching the children skate.

30 Q. What's the basis of that assumption?

A. Because her eyes were going around watching.

Q. What's she doing that makes you think she
enjoying it?

5 A. She's staying awake, she's alert, she's happy

Q. And was this a rare occurrence or was it fairly
often that Emily would have that kind of happy enjoyment out
watching the other kids do things?

A. Do you mean on a daily basis?

10 Q. Sure.

A. I wouldn't say it's rare, but I wouldn't
it's all the time.

Q. What would you say it is?

15 A. I would say that she enjoys it. I'm sure
enjoys it every day.

MS. BOWLBY: I wonder if it would appropriate
take a brief break now. We've got the material
20 it can be distributed. So, if we can just take
brief break and do that.

MR. CHAIRMAN: I think this is R31, the notes
by Mrs. Williams on incidents of crying, sleep
25 vocalization et cetera and it's the tribunal's wish
unless either counsel objects, to use that photostatic
of the original as R31 and not take account of the
typed notes with which there are some photocopying
problems. Any difficulty, Ms. Molloy to make
30 substitution?

MS. MOLLOY: No.

5

Q. And what does she do?

A. She'll grab a pack from me.

Q. Anything else?

A. Tapes, when we listen to music tapes, I'll put
two down and ask Emily to take which one.

10

Q. Do you tell her which one is which?

A. Yes. I'll say, you know, this is Raffi, this
The Nutcracker, something like that.

15

Q. Does she have a preference between Raffi and The
Nutcracker?

A. I don't know.

Q. Well, you observe her listening to music and.

A. Oh, sorry, observations of her listening?

20

Q. Yes.

A. I'd say she likes The Nutcracker.

Q. We've heard that from other people too. So,
there were particular things in music that she enjoyed, particular
pieces that she likes more than others?

25

A. There's more - yes, yes.

Q. And then we've heard also that she likes 60'
music. Did you know that?

30

A. No, but I can see what she would.

Q. When you give Emily a choice between two tapes,
do you give her one that you know she really likes and one that s

Diane Williams - Cr-Ex.

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A. To keep working with her. That's what I'm there for, to work with her.

Q. When she's asleep?

A. Sometimes I do, yes.

Q. What can she possibly learn when you working with her hand over hand and manipulating her hands around doing activities if she's asleep?

A. I don't know, but I do it.

Q. Do you think the children might get a quite negative impression of your doing that with Emily when she's not participating in any manner?

A. They might.

Q. Do you think it may give the children the impression that Emily doesn't do anything on her own, that you do everything for her, that she has no actual participation, that you do everything even though she's unconscious?

A. I think they feel I do everything for her when she is conscious.

Q. Do you think continuing that practice even when she's asleep perpetuates that evidence?

A. I don't know.

Q. So, it wasn't just the Bingo game where you did this. You would, on other occasions...

John Shurvin - in-C.

5 for a year, my class, what had become my class from those children
from the developmental centre, moved to Jane Laycock for a year,
while accommodations were prepared at Prince Charles, what came to
be Prince Charles School.

Q. And when did you move to Prince Charles?

10 A. In September 1988.

Q. And you remained in the special class at Prince
Charles since then?

A. Yes.

15 Q. Now, could you tell us about the special class
at Prince Charles. I think what I'll do is I'll sort of break it
down and ask you about different elements. First of all, how many
classes, special classes are there at Prince Charles?

20 A. There are two classes within our classroom.
can be seen as two classes. There's an open aisleway between the
classroom and the washroom. There are two sides to the room.
There are two classes. We usually have a complement of
children.

25 Q. In the two classes?

A. Yes, combined. There are two teachers and right
now we have three Educational Assistants and two deaf/blind
intervenors.

30 MS. MOLLOY: Sorry, two?

A. Yes, two deaf/blind intervenors.

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MS. MOLLOY: I'm having trouble hearing you.

A. I'm sorry. I'll have to enunciate.

MR. CHAIRMAN: I think it's the air conditioning.
If you would just, yes, enunciate.

MS. BOWLBY: Q. Can you tell us physically, what
does the class look like, the two classrooms? Can you give us
best as you can, a description of them?

A. Our classroom, it's basically a square of 2,4
square feet to begin with. In the middle of the area, there
storage cupboard, a laundry room and washroom place and there
access from both sides. There's also a smaller room, an office,
another larger room along that wall and that leaves what we
the "physio side." It's a larger side than the other side which
has kitchen facilities, with a microwave, dishwasher, sink, stove
fridge. The other side is used as our physio area, also as a
music circle area or music area or for watching something
group. Because it is the larger area and it is more open, that
the side we usually use. Within the room, we have all manner's
physio rolls and wedges, mats, with mirrors on the wall...

Q. Sorry. Physio...

A. Mats and wedges and rolls and mats. We
different standing frames for the various needs of the children.
We have a waterbed, which I'd like to use it sometimes, but I can't
get to. We have the washroom with various heights of

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5 tables. We have a Hoyer lift for lifting some our students. We
use the Hoyer lift because of - what we have as a rule of thumb
a 50 pound weight limit. It then requires a two person lift
We've just come to that because of back injuries in the past years
with staff and some of our students are well over 100 pounds and
10 I think for their safety as well as our staff safety, it's
important to have something like that available to us and we're
very pleased to have it.

15 Q. Now, you told us about the teachers and the
support staff. Apart from the people you've told us who are in the
classroom on a daily basis, are there people who come into the
classroom from time-to-time?

20 A. Well, certainly there's, you know, other board
personnel and as well, we have the people from Lansdowne Children's
Centre, occupational therapist, physiotherapist, speech pathol
ogists perhaps. We are involved with Chedoke-McMaster in a
communication sense and for seating clinics.

25 Q. Sorry?

A. Seating clinics.

Q. Seating clinics?

30 A. Seating clinics for wheelchair seating and
positioning. As well, we have resource at Thames Valley Children's
Centre in London. We've have involvement over the last two years
with Brant County Home Care and a nurse being available in t

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5 classroom because of the requirements of some our students for
nursing support.

Q. The physiotherapist, speech, occupational
therapist from Lansdowne, how often would they be in the classroom.

10 A. That would depend. It's varied over the year
Their caseload is heavy. I think one benefit we have in having 12
children there is that if the person comes in for one we can a
of them for another if we just have brief question or we want
clarification on something. They have been in as frequently
15 every other week, it might be once a month, it might be less than
that. It depends on need. If we call, they usually do come in,
if we have a request and like there's one child this year who
the physiotherapist once a month regularly. I found they're
accommodating and very helpful.

20 Q. Now, you told us that there are 12 youngsters
in the class?

A. Yes.

Q. What's the age range?

25 A. Well, I think currently it's 6 to 17 or 18,
we've had children who were 5 and we've had children who were
in the program.

Q. What do you expect it to be next year?

30 A. It might remain the same. It depends on
resolving some placements. There may be a few children who

5 proceed to a high school based program. As well, we would be know there are three children who are coming in at, I believe, years old.

Q. And could you tell us the range of disabilities?

10 A. I think the range of abilities in our class varies tremendously. Some of our children are, in the area of eating, are working on feeding themselves, perhaps using a utensil. Other children are working on tongue movement, chewing. In the past we've involved just - feeding hasn't always been a pleasant time for children. It's making it a pleasant time and that has been a focus. It's giving them the control.

15 Q. I think you didn't hear my question. I'm interested in the nature of the disabilities?

20 A. Oh, sorry. Well, there would be an intellectual component, physical component as well. At present, none of the children walk in the classroom.

Q. How about speaking? Do any of the children speak?

25 A. Actually, one of our children can sing "Twinkle, Little Star." We've also found some of our music teachers have found some songs that they repeat she has learned. Some of our children use a few words that they use appropriate, "Bye bye" and "Hi." For the most part, our children don't speak.

30

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5 Q. Are there are any other communication systems
used?

10 A. Well, certainly, we use sign and we have one
child has been successful in using a loop tape and switch plate to
communicate an idea to whoever and I mean, sign is not only an
15 expressive thing, it can be a receptive thing and the child
demonstrates that they receive the sign and they understand. That
can be as simple as a physical sign, like an actual physical
touching rather than a demonstration of a sign. So, there's wide
range within that that we would employ. Actually, one other thing
20 that we've developed this year is a choice making program in
communication. With input from Chedoke-McMaster, we've become
involved and it's allowing a child to generate a choice between two
choices at the moment and signal us to the choice just by touching
our hand and I think it's working very well.

25 Q. Now, with respect to the time that various
youngsters have been in your class, do I understand that most of
the youngsters have been in the class for more than a year?

A. Yes, unless, you know, they came last September
to the class. Yes, most of our children remain with us for a good
period of time, longer than a year and I find that beneficial.

30 Q. Why?

A. I think - we don't have available a standardized
testing available to tell us where the child is and it's getting

5 to know the child and if the child can't express in many things
they may be scared or apprehensive in going to a new place, a new
setting, even new people. I think it takes a while for a child
relax and be comfortable, for the staff to acquire insight into
their abilities and what motivates them. When we discover that a
10 I mean, that's an ongoing process, we can then begin to work on
acquiring the next skill and finding the desires of the student.

15 Q. When you start working with a youngster for the
first time, what is your starting point? Is it what they can do
or what they can't do? What is it?

20 A. I prefer to take the position of finding what
they can do and to work from there. I think it's the natural way
to begin with the project, is finding what is there and I think
it's too easy to say what we want and we what would like and I
25 think that I can be a false sense and if we can find what the child
can do, and then work from there with again what motivates the
child. I can't use what would motivate me and say it would
motivate perhaps anyone else in this room. I have to look at them
as an individual.

30 Q. I'd like to have you talk a little bit now about
the types of programs that you are providing to the youngsters in
your class. Can you give us some sense of the nature and types of
programs that you provide?

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5 A. To begin, the programs are very individual
very much focused on the specific child's skills and the levels.
We involve gross motor and fine motor programs. We have invol
ment with physiotherapy and occupational therapy programs. We d
eating, drinking programs, communication...

10 Q. I'm going to ask you to slow down a little bit
I'm trying to write. Eating and drinking?

15 A. Eating and drinking programs, communicati
programs, and then a whole range of opportunities and options
within communication. We have cognitive programs, toilet
programs that are a focus. Not all of our children are on a
toileting program. They're all toileted, but some of our children
are on toileting programs and toilet training programs. I thi
again, the possibilities of programs depends on the needs of the
20 child. We also involve - like there's cooking programs in c
classroom.

25 Q. Do all activities take place in the scho
itself?

30 A. No, we go out into the community. We usually
visit the mall every other week for shopping purpose for classro
supplies. We also have school trips. We have gone with the whole
school to the plowing match a few years ago. We've gone to Norfo
Fair, Brant Park. We had a beautiful day this week at Mohawk Par
in the water play area there. At that time we invited our lunch

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5 moms to come with us and we thanked them in a way for their
efforts. They're a great group of people. We're also involved
- the children can go out for recess outside the school and
partook in the mini Olympics in an adapted form.

Q. What were they, the mini Olympics?

10 A. Well, the mini Olympics, it was for Fit Week and
some our school remained behind for a mini Olympics program
some went to the Gretsky Sport Centre and some of our children were
swimming at the sports centre and some of our children stayed
behind. There were parachute games and baseball games. There
15 a fit, an aerobics fit demonstration to a tape.

Q. Do you provide academics in your class?

20 A. I guess if communication is considered language
we would provide a language component. Some of our children might
work on number concepts of what one two and three are, not in the
symbolic sense, but in the concrete sense of two items, three items
or one or more if needed. I would say most of the skills we impart
and we work on currently are skills that traditionally would be
25 learned outside of the school prior to coming to school in areas
of self-help and feeding and communication.

30 Q. Okay. Now, we heard other evidence from
classroom teachers at Maple Ave. School that classes studying units
or themes of study that they undertake. How about your class?

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5 A. We do involve thematic units. In the past we've
done "Back to the Beach," where we did different beach activities
with our librarian, teacher/librarian came over and did different
activities with us. We did a jungle theme this year and I think
the room looked great.

10 Q. Sorry, the room...

A. I think the room looked great. White Rose lent
us a lot of - they went through a jungle theme in their store and
they lent us their materials and it certainly made the room
think, look great.

15 Q. Now, could you tell us a little bit about the
types of communication programs?

20 A. Well, communication, one may not see it that
way, but my reaching for this cup is a communication. It's
perhaps simplistic, but it is a communication of a desire that
want and someone could observe that and if it was consistently done
then we could say that they like to drink or they like to drink
liquid in the cup. Communication can, I think, begin there and
25 proceed through to an expressive sense of "If I touch this
recorder or a computer speaks for me." I could speak, I could
sign or gesture to express.

30 Probably within the range of potential is use of less
symbolic systems. One of the children I work with is beginning

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5 pictorial representation of concrete motivating objects in
life, a teddy bear, a TV, a radio. We're trying to develop our
making system with that and then perhaps look at formalizing
later on. Sign can be as simple as me, before I pick someone
10 telling them I'm going to pick them, communicating that by pe
rubbing on their ribs before I pick them up and pausing so they
aware of what is coming next. I think it can also be
textures, you can involve using boards and identifying a text
so they're not having to attend visually. There's lots of tact
input.

15 I think something we do in our classroom is the multi-s
approach as much as possible. I've also found it very valuable
working with these children. I've found sign to be something
20 tremendous value. You can tell someone "I'd like you to stand
You can sign that and they may stand up. One value of sign c
system like that is we can all sign in a similar manner, but
voices might be widely different of "Stand up," "Stand
25 please," "Please stand up," "I want you to stand up," and
turn can be confusing the child, but the sign can be consis
That wouldn't be the child's fault from my perspective. It w
be the fault of the instructor or the teacher or caregiver pe
I'm not saying - "fault" is perhaps too harsh a word, but
30 there's confusion, it will come from the facilitator.

5 Q. If a child feels like a vocalizing in your room,
what happens?

10 A. If the vocalization is appropriate, one of our
students at the beginning of the "Goodbye Song" in music circle
says "Bye bye." We certainly encourage that and we've encouraged
15 the children to vocalize at times. If it was in an assembly in the
gym, I think the vocalizing by becoming the centre of attention in
the gymnasium, we have to do something to change that, by redirect-
ing, refocusing or perhaps removing the child from the assembly and
that could take place in the classroom as well. If the vocaliza-
20 tion is interfering with the activities of the classroom and the
activities and learning opportunities for the other children and
we would have to address that.

Q. How would you do that?

25 A. I mean it would depend very specifically on the
child. If we can refocus and redirect, but we might have to remove
the child to another area of the room in the classroom, but that's
very specific to the child.

Q. What role does integration play?

30 A. Currently, there's classes in the school or
class in the school this year that comes in for music circle each
morning, or not each morning, perhaps two mornings a week or one
morning a week, depending on other schedules. We have a buddy
program at recess times and that's Grades 6, 7 and 8 who have

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10
opportunity to sign up and we have different activities and
programs to involve the other children. This year we've included
some Grade 5's and paired them off with the older students. Next
year we're looking at the first of our students who have been in
Grade 1 or Grade 2 and participate in music with us coming up to
the age of being buddies and we're interested to find out if
they're interested and whether they will partake in the opportunity
of being a buddy.

15
Q. What types of things would the buddy do with the
student?

20
25
30
A. That would range - there's two factors here that
you have with the child and the buddy. Some of our buddies are
very comfortable, I think, with anything any of our children would
do. Some of them aren't as comfortable. Certainly, the student
in our school, not everyone wants to be a buddy. Some of the
students want to be a buddy for a period of time and they want to
leave it and then they come back. Others have never signed up.
Some of the activities we would have, hand over hand art activ-
ities, music, reading stories, we have some of the electronic
books, sharing that, involving the student in pressing certain
sounds when it's appropriate to do that when the book would call
for the sound, going for walks, going out for recess. If the
children are capable, we involve them in interactive games, rolling
balls, playing catch.

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5
Now, we have a computer in our classroom, a Commodore 64
some of the children work with our students there. I think what
we try to do with the buddy program is demonstrate our children's
abilities and bring that home to the buddies as well as giving
10 peer concept to them. Some of our buddies have been very dedicated
to the task. I think it's also helped some of our buddies have a
niche and it's improved their quality of life and their outlook on
life.

15 Q. What about school activities as a whole?

A. In the past years, we've had different school-
wide themes where we would just take every class and take two
Grade 8, two of Grade 7, whatever and form it into groups. We've
looked a family ties theme. Like our children participate
20 these. A family ties theme, we had a fairy tale unit. Last year
for Earth Week and Earth Day, we did a theme on the environment.
Our children partake in those and also with assemblies and other
things like that we take part in.

25 Q. Now, what about age appropriate integration
regular classes? Is that occurring with any of the youngsters in
your class?

30 A. I think in a strict interpretation of age,
currently. We do have some children going to a class and they
bring a book or they maybe read to from a book that the c

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5 themselves has been reading or got from the library. It's
possibility, but the music circle and the class coming in
music, the possibility is there.

10 Q. In your view, what is the criteria for determin
ing whether it is appropriate to integrate a youngster from
class into a regular class?

15 A. Well, I think I would certainly support
there could be two or a number of goals occurring that could be
goal for our child, the student from my class and the student
the other class. There could be two different programs involv
but I think the heart of it is that it has to be positive for bot
sides or both parties and there can't be a side that lo
Certainly, I don't think that's a sound educational basis.

20 Q. What would the positives be that you would
looking for from the perspective of the child from your class?

25 A. I think that would depend on the ability of
child. Again, I've returned to - I'd like a child to demonstr
an ability when they're there. I wouldn't want a child jus
sitting at the back of the room for the sake of sitting in
room. I would want them participating in some way. Certain
there's a value to social and emotional well-being and growth,
I don't think that can overwhelm and consume an entire day
think there are better things we can do.

30

John Shurvin - in-C

5 Q. What's your concern if the child is just sitting
at the back of the room?

A. Well, I think speaking from the perspective
the child, or the other children, I think it's very demeaning. If
child perhaps is an object who is included in the class, the
not a person, and I can't support that. Our children have
10 abilities and I don't want them to be seen as objects.

Q. I understand with respect to a number
youngsters in your class, there has not been ability to assess
cognitive or intellectual functioning of some of these youngsters.
15 is that right?

A. In the standardized testing, yes.

Q. Do you make any assumptions about the intellec-
20 tual ability of a student coming into your class, or cognitive
functioning?

A. Well, I wouldn't say I'd make an assessment.
I would like to get to know the child and learn their abilities.
I think in a cognitive sense, I'm aware they're not displaying
25 age appropriate expression or reaction quite often. There
be a deficit from a standardized testing outlook. The skills
wouldn't be present or be displayed.

Q. What would you do if you thought or could
30 believe that the intellectual capacity of a youngster was in a high
or a normal or high range?

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5 A. I think it would be important. They would have
to demonstrate that. I would also like to have the ability to have
it demonstrated or displayed, be generalized, not just for me
with me, but for others and with others. I think the demonstration
of the ability would be important and the need to proceed however
10 that demonstration would lead us.

Q. Why is the demonstration of the ability
important?

15 A. Well, I think without it you have nothing. You
may have best wishes, hopes and desires, but I like to approach
things from what someone can do and work from there. I think a
demonstration is what someone can do and then we can proceed.

Q. What are you trying to do with the kids in your
class?

20 A. I'm certainly attempting to have them acquire
skills and that may be in a great number of areas, a great variety
and those goals we're aiming at. I hope for them to involve
themselves, be able to involve themselves in their environment, in
25 their community, I want them to have a measure of control in life.
I think with control and then there may be the ability to express
You care and you may want - if you care and you have a desire, you
may want other things and you may look at how to get them
that's perhaps the most natural motivator any of us, is our wants
30 and our desires and if we can express them and get them to

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5 received, then our quality of life is perhaps improved. I try to
teach them skills that my children will be able to use the rest
their life, even if it's something like putting on socks or taking
them off or feeding themselves. They may do that the rest of their
10 life. They may have greater dignity, greater control and it's making
their life better.

15 Q. What about the possibility of the youngsters
being integrated into the mainstream in the future? Is that a
consideration?

A. It would certainly be a consideration. I return
15 to a demonstration of skills. I think you have to look at all the
factors that would revolve around. It can vary between children
and situations and classroom space and all manner of care, but
certainly it's a possibility.

20 Q. Has it ever happened from your classroom?

A. From our class, no, not as of yet.

Q. Are the kids in your class learning anything?

A. Yes. I think they're learning many things and
25 that can vary again between children. It can be social skills,
social orientation, it can be communication, specific skills in
occupational therapy, physiotherapy. The whole range of what we
do, we see success and we see progress.

30 Q. We've heard an expert witness called by the
parents say that Emily needs a stimulating environment and at

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5 same time we've heard that Emily falls asleep when over stimulated
Is that type of thing addressed in your class?

10 A. Yeah, I mean, if that's the specific situation
to look at the situation of sleeping, if that were to impact
affect the home in that the child didn't sleep at home, we would
attend and address that as an issue. If that wasn't a problem
then we would have to judge the value of what we were doing
the sleeping. If it was valuable enough and the sleeping wasn't
a problem, we would continue. We might look for readjustments
15 tailoring of the program, making it shorter in duration. Perhaps
experimenting with placement of time during the day. Would
still occur perhaps earlier in the day and it's not necessarily
problem in our class. Not all of our children have regular
sleeping patterns.

20 Q. What kinds of involvement do you have
parents?

25 A. I mean the involvement can vary. I have
parents - we have a communication book with each child and I've had
some parents who wished to read the communication book and
respond and you know, that's certainly their choice. I've even
a parent who really didn't want the communication book. We have
report cards that go home twice a year and as well, we share
30 November or earlier, the individual program that we have set up
usually that's in consultation with parents and other professionals

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5 at Lansdowne or whoever would be appropriate to give us input in
that.

10 I think our effort very much is trying to co-ordinate between
home and school and if some our children benefit from a 24-hour
programming basis of consistency and repetition and if parents wish
15 to involve themselves in that or in turn, if it's practical for us
to involve ourselves, that certainly, you know, is an option.
We're open to having people visit and I can be honest in saying
don't want a parent there everyday and all the time in the
classroom. I don't think that's perhaps appropriate or best, but
in the manner of getting to know your child, anyone who does know
the child, I would like to hear from them and have their input.
20 I think again too, there's different times we would see one another
and our children have appointments for this and that and so
parent will come in and pick them up or whatever and we'll share
at that time or telephone calls.

25 Q. Let me just ask this: We've had evidence from
another expert witness called by the parents. She said she can't
think of no advantages of a self-contained class. I think she said
that in the context of over an inclusive setting. Have you
yourself ever observed a youngster in a regular classroom setting
30 with severe disabilities?

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5 A. During one of the courses, education courses
I worked with a child who had his own room as a special class
or whatever. He went to this class along with other students
then he was involved in classes. This child had the ability to use
an electric chair. The school was accessible to that and they
10 placed him in a regular chair and he had to be moved here and there
in the school and sometimes ended up sitting out in the hall.
He did attend classes. It was my understanding that his testing and
submissions of papers was sometimes not done at all in the class
that was he assigned to.

15 Q. Which board was this?

A. This was Hamilton-Wentworth Separate.

20 Q. And are you familiar with the concept of
inclusive setting?

A. I think it would mean the involvement of
basically, if you were 13, you would be in this class, if you were
12, it would be all the children in a class, if that's the test.

25 Q. Can you tell me what you think the advantages
if there are advantages, of a self-contained class such as yours?

30 MS. MOLLOY: I object to the witness being able to
answer that question. He's got some expertise in
Special Education class and he's described all the
the details about that class. His only experience
with an inclusive setting, he was asked what

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5 setting, I look at specifically where the child is and I try to
move them to the next step. I don't try to apply a curriculum and
fit that to the child. I look at the child and work from there and
work from their skills. I think the greatest thing I have to offer
is my experience. With seven adults in our room, the ability to
10 share experience and expertise is very rewarding and the benefac-
tors of that are the children.

15 Q. We've heard a concern with respect to one person
working with a youngster all the time. How would that - would that
be a concern in your class?

20 A. Certainly, some of our programs are conducted
by one person with that child. I think sometimes we can confuse
the child. Again, to go back to the systems of voice prompts, how
long we pause, how we do it, even our body language. I think in
effect children acquiring skills, however, I think the experience
perhaps of having three people work with the same child allows the
three people to share, to go over successes, what they found with
25 this program or at this time and we can learn from one another what
has worked.

30 I think again if you're looking at skills, a skill is
something that is generalized and whether I can have a child do
this, this and this, I don't always know that's important if I'm
the only who can, because without me, they don't have the skill and

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5 I therefore don't think it's a skill then at that point. I think
one person being the sole intervenor or facilitator can be counter-
productive that way.

10 I also would have concerns at the length of time the relation-
ship went on that the child would have trouble transferring to
other people and it would be upsetting for that child and the thing
is in the reality of life, is a number of people probably end up
being involved in your life and accepting some change.

15 Q. If a youngsters is placed in your class, does
that mean that The Brant County Board or the teachers at that board
have given up on that youngster?

20 A. No. I think my classroom is an option avail-
able, an opportunity available and it's my job to, along with
parents and professionals, to capitalize on the opportunity and
realize the potential, the potential of the child.

25 Q. You've had a chance to review, I believe, one
or two of the videos that are in evidence before the tribunal?

A. Yes.

30 Q. Can you tell us just which video you've seen?

A. I believe I saw - I don't know if it was
birthday party. It was Emily at home. She was eating and she was
playing with rabbits, bunnies, later and as well, she was walking
outside with her walker and being assisted in walking. I certainly

93.
John Shurvin - Cr-E

5
conflict their times, we'll adjust that way. When we do o
thematic units, we'll take time doing those, either afternoon or
morning and depending on time allotment. I don't know if that
the answer.

10
Q. Well, if that's a typical day, that's the
answer. You talked about this class that comes in for music.
it always the same class that comes in?

15
A. This year, we've had one class come in for
music. In past years, we've had two classes and this year, the
whole class has come in. Last year or other years, we've had eight
members or the class or 10 members of the class, 12 members come
in on a rotational basis.

Q. What grade comes in, what class comes in?

20
A. Right now, it's a Grade 1 class. That's for
music.

Q. Yes.

A. Yes.

25
Q. For the recess period, you mentioned that the
kids go out for recess if their buddy is involved?

A. They can. That's an option open within the
parametres of like a child's health. Like on a cold day or when
it's raining, then we may not permit that to go on.

30
Q. And that depends as well on the buddy and the
level of comfort with the buddy and the buddy's interest in doing

it?

5 A. Yes, certainly.

Q. So, for children who might be paired with a
buddy who is not interested every day in taking them out for
recess, what do they do for recess?

10 A. There would be other activities that we would
have prepared and...

Q. Where is that? Where do they have recess?

15 A. One thing we've done is you can take them for
a walk in the hallway of the school and the activities would
basically be within our classroom.

Q. You talked about the lunch period and you said
some of the deaf/blind children are actually fed in the class time.

A. Yes.

20 Q. And others are fed by lunch moms?

A. Yes.

Q. And where does that occur? Is that in the
classroom as well?

25 A. Yes.

Q. You also talked about communication books.

A. Yes.

Q. Every child has one?

30 A. Except we have a group home situation where two
children live at the group home and we have one book for both.

5

Q. Okay. With the exception of those two children,
the rest of the 12 kids live with their parents?

A. No. We have some children who live in other
arrangements.

10

Q. Are any of them living in institutions?

A. If you would define a group home as an institu-
tion, there are children who are living in institutions.

Q. Okay. Let's leave the group homes aside and
talk about a larger scale type of institution.

15

A. Okay. There's one child who resides at
Brantwood.

Q. One child in a large institution type place then
and how many in group homes?

20

A. Four.

Q. Four in group homes and do any of the children
actually live with foster parents rather than their own parents?

A. There's one from a foster parent for, I think,
four or five years now they've been with their foster parent.

25

Q. And so how many - is it about half the children
that are living with their own parents?

A. Help me with my math here. No, no, six or seven
are, I believe - I mean that again has changed from year-to-year.

30

Q. Yeah, I understand that.

5 cation. I don't know - like on certain days I've certainly
communicated at this length, but on a daily basis, I don't believe
it's normal for me to put this much volume into...

Q. It's more detailed daily account that you would
be used to in your class?

10 A. Yes. The thing too is that I haven't had a
parent in my experience who would want this as well, so, but you
know...

15 Q. Okay. You talked about appropriate and
inappropriate vocalizations and about strategies used when a child
is vocalizing inappropriately and you talk about trying to divert
their attention, redirecting, refocusing. I take it you would try
to settle the child down in the class or in the assembly first.

A. Yes, yes.

20 Q. But if that could not be done and the child was
disrupting other people, then it would be necessary to correct the
behaviour, correct?

A. To?

25 Q. To correct the behaviour or settle them down on
whatever.

30 A. Hopefully, it would correct the behaviour, but
if there's an assembly for instance and there's a speaker speaking
to the rest of the school, even if the thing is to allow that
speaker continue and to fulfil their purpose, the removal of the

5 child may have nothing to do with correcting the behaviour of the
child, but I think could serve that purpose.

Q. And do you agree that an important life skill
that all children have to learn, including children with disabili-
ties, is when it's appropriate to vocalize and when vocalizatio-
10 can be inappropriate and disruptive?

A. Yes.

Q. And that's something you attempt to teach the
kids in your class?

A. Certainly. I think it goes to a social orienta-
15 tion.

Q. Emily, as you know, is non-verbal and does not
as yet have any augmentative communication system, any formal
communication system. What you may not know is that there's been
20 a referral to the Hugh McMillan Centre to look into getting such
a system set up. Are you familiar with that the service?

A. Yes, I visited, actually I visited twice on
tour basis I think a year ago November. I attended a conference
25 on a specific application on a computer device for voice output and
the input method that a child could use and the adaptation to
keyboard, a form of keyboard.

Q. In terms of the assessment of a child in settin-
30 up that kind of communication system, would I be correct in saying
that the expertise to do that would not be within your classroom?

setting up?

5 A. I think in my involvement with Technology Access
Clinic at Chedoke, my input from my experience with the child has
a value and I think - I mean, that is along with parental input.
I think what they did is we went down to a meeting without the
10 child. We discussed our mutual goals of what we wanted to achieve.
There was a further meeting with the child, two further meetings
which the child student attended. We were then asked to go back
apply, and come back with what we had discovered and had realized
over the time period. As well, I was asked to bring in the
15 materials I was using currently in the class with the student.
There was a final meeting without the child being present where
they gave us a suggestion where they felt - in how we were to
proceed, they actually encourage us to continue doing what we had
20 been doing and they give us suggestions of when, from our ques-
tions, of when we would return for a further, perhaps more
involved, more complicated device to be used when the child did
this. I wouldn't say the expertise, but I would say certainly
25 should be able to provide input that would be of service and value
to these people.

30 Q. I'm sure that's the case. My point is that the
development of such a system requires the input of experts and the
advice of experts and that while you work with them and provide
information back and forth, the expertise for developing

communication system involves outside - people outside your class?

5 A. Well, quite often, I think, it depends on the level of - if it's using a switch plate and a loop tape...

Q. We're competing with the lawnmower now.

10 A. If it's the implementation and use of a switch plate and a loop tape or a tape recorder, but I mean if it's involving use of a computer and something like that, setting up a computer program and drawing a computer program, I'm not capable of doing that as of yet.

15 Q. When you described the layout of your class, you said that there was a washroom facility in the middle.

A. Yes.

Q. Am I right there?

A. Yes.

20 Q. How many stalls in the washroom?

A. There are two toilets. We don't really use like a stall provision. There are barriers, like the stalls are present, but not in the normal washroom - we don't have a door on them.

25 Q. There's no door?

A. We have curtains that - it's because of the practicality of a swinging door impacting on movement within the room. Like a curtain is more practical.

30

- 4.0 on the work they have done with Emily and for her progress. They request that Emily continue to attend her- neighbourhood school, Maple Ave., with placement in Grade 2 for the 92/93 school year.
- 5.0 S. Earle thanked Mr. Eaton for his presentation. She expressed her thanks as well to the school staff for their work with Emily.
Questions, concerns and comments followed from the I.P.R.C.:
- 6.0 J. Ireland expressed concern about Emily's needs being met if she is to continue in a regular class setting (Gr. 2). She was also concerned that Emily's peer group was not as responsive to her as expected.
- 7.0 P. McArthur asked about Emily's attendance and her fatigue level.
- 8.0 D. Bell responded that she has missed 22.5 days this year mostly due to illness. She and J. Piggott find that Emily's stamina weakens right after lunch hour and she requires brief nap(s) to keep her going.
- 9.0 J. Ireland asked if Emily was on any type of medication. Parents replied, no.
- 10.0 L. Carter questioned the school staff about Emily's hand over hand and other responses. They have not seen any change since September, 1991. He also questioned whether Emily's needs are being met at the school or would there be a placement that would be better for her.
- 11.0 Mrs. Eaton shared that the school staff may see Emily's interaction in a different way than her parents do.
Mr. Eaton stressed that if the placement were to be different that the present one, then it must be better.
- 12.0 S. Earle and J. Ireland shared a brief history of this case and reminded the parents of the agreement made two years ago to "try" Emily in a regular grade placement. J. Ireland also shared information from the Ministry and the Board regarding Special Ed. Services.
- 13.0 B. Neeb agreed with concerns of the I.P.R.C. His further concerns were the appropriateness of the program for Emily and the quality of socialization - it may not be better, but just as good.
- 14.0 S. Earle questioned the parents as to whether their goal for Emily is still socialization. She also asked about the Hepatitis B shot.
Mrs. Eaton responded that the physician did not recommend the Hepatitis B shot. She tested negative. Their goals are for Emily to be exposed to normal behaviour and academics.
- 15.0 B. Cronkwright clarified the school presentation and that they have had difficulty measuring observations.
- 16.0 Mr. Eaton shared his concern about moving Emily from her normal situation and also out of the local community. He feels there should be extra benefits provided to Emily, if Emily were to be placed in a special class.
Mrs. Eaton shared that she would like to provide in-classroom assistance for the teacher and E.A. and Emily as she may have some tools that can be used to help all concerned.
- 17.0 S. Earle thanked everyone for their input and concerns. She felt that due to the amount of input at this meeting, and in order to provide the best possible placement and assistance for Emily, the I.P.R.C. didn't wish to make a decision regarding placement until the members had a chance to go through all the information thoroughly.
The I.P.R.C. and parents agreed to this. Review of placement could occur at the Annual Reviews at the end of May.
- 18.0 J. Ireland commended the school staff on the tremendous job they have done in working with Emily.

NEEDS:

Strategies to strengthen:

1. Communication skills.
2. Social skills.
3. Fine and gross motor skills.

Appendix

PART A

What has been done based upon Emily's strengths?

- 1.0 Maintaining Emily's level of contentment
- integration throughout term 1.
 - involvement in a differentiated program while in Gr. 1 room plus integration as much as possible in term 2.
 - opportunities to interact with peers as much as possible.
 - one to one attention of E.A. and lunch supervisor
 - encouragement and praise

How has Emily responded?

- 1.0 - from Sept. 5 - 18 inclusive cried nine days
- sometimes on and off throughout day sometimes for only a few minutes
 - cried 3 days in Oct.
 - bit people 10 times in Oct.
 - cried 2 days in Nov.
 - bit people twice in Dec.
 - whining and crying 3 days in Jan.
 - laughs, giggles, squeals and makes noises

Assessment

- 1.0 No accurate way to assess her level of contentment
- 1.1. Difficulty in attaching a reason to the behaviour observed

- 2.0 Opportunities to improve level of input in group activities
- integration in all oral language experience, play and drama activities
 - integration in initial experience and exploratory activities in environmental studies
 - encouragement and verbal praise

- 2.0 - brought requested items to share with class when items were requested via Communication book
- E.A. did the sharing with the class
- gives hand over hand input where E.A. initiates participation
 - makes noises at appropriate and inappropriate times

No change noticed in level of input

- 3.0 Opportunities provided to respond to visual and auditory stimuli
- participation in music, drama and visual arts programs
 - storytime 2-3 times daily
 - video, film, filmstrip presentations
 - guest speakers
 - working on eye contact when spoken to
 - verbal encouragement and praise

- 3.0 - It appears her focus varies on a T.V. monitor from a few seconds to a few minutes
- focuses usually when colour (eg. yellow) on screen or when screen changes dramatically in colour
 - frequently vocalizes during story-time, videos, films, etc.
 - sometimes falls asleep during story time, videos, films, etc.
 - does not make eye contact when spoken to
 - will lay head on desk and look away while E.A. continues hand over hand art lesson

Emily's responses are not acceptable behaviour for Grade 1 children.

Toileting, removes her from the classroom and she misses some opportunities

4.0 Opportunities provided to be independent

4.1 Independent feeding

- with one on one supervision
- eats at own desk in home classroom
- appropriate cutlery available to be used
- verbal encouragement and praise

4.2 Selects personal choices

- using photo book
- is allowed to select personal choice of activity centre from 3 photographs 'daily

- uses a spoon correctly
- uses spoon with either hand
- she mashes finger food

- consistently places flat hand on one picture to indicate choice
- will also give fleeting to sustained eye contact

Other children tend to discuss selections prior to choosing. Emily is unable to do this. She may select a centre where no one else has chosen to go. Therefore, it becomes a non integrated activity.

PART B

What has been done based upon

Emily's needs?

1.0 COMMUNICATION

1.1 Expressive Language

How has Emily responded?

Concerns for Progress

1.1.1. Opportunities to communicate 1.1.1. Nov. 20 touched chest
through hand signs when she let go of the bag
- chip monitor duties of chips (sign for "welcome")
- toileting while doing chip monitor duty
- eating In December she approximated
- E.A. using hand over hand the sign "eat" during chip
and modelling continuously monitor duty.
throughout the day
-- positive encouragement and
verbal praise

Emily's coordination makes
it difficult to know for
sure whether she signed
or not

1.1.2. Opportunities to communicate 1.1.2. Dec. 18 hummed to record
through appropriate sounds in music class. Jan 9 -
- integration in music, art, said "mmm" with cov
French, oral language arts, puppet on her hand.
initial experiences and ex- Jan 20, 21, 22, 23 - hummed
ploratory activities in during music after putting
environmental studies hand on E.A.'s throat (hand
- parallel activities or inte- over hand)
gration in physical education Daily - frequently says "mmm"
- one-on-one activities with E.A. giggles, or squeals while story
- verbal encouragement and praise being read, watching videos,
while children or teacher presenting
ideas and information, teacher giving
directions.

1.1.2. Setting in a regular
classroom mode does
not allow encouragement
for vocalizing during
videos, presentations,
instructions

1.1.3. Opportunities to communicate
through her picture book
- daily use of her picture book
- verbal encouragement and praise
Inconsistent response to identify her
brothers on request

1.2 RECEPTIVE LANGUAGE

- 1.2.1. Opportunities to respond to her indoor and outdoor environment
- chip monitor duties
 - storytime three times daily
 - E.A. signing objects and hand over hand signing with Emily
 - Interaction with peers in puppet shows, drama, dress up centre, small group activities such as tinkler toys, lego, blocks and recess.
 - verbal encouragement and praise
- 1.2.1.1. She laughs and giggles at inappropriate times in a regular Grade 1 class setting. She falls asleep at some time during most days. Length and number of times vary)
- 1.2.1.2. Difficult to evaluate as a regular classroom mode has no strategies or techniques to evaluate Emily's receptive language
- 1.2.2. Opportunities for eye contact for school tasks and instructional time
- Daily us of picture/photo book
 - chip monitor duties
 - story time
 - work on computer every other day of the cycle for 15 min.
 - all integrated subjects when others are speaking
 - all hand over hand tasks
- 1.2.2.1. Inconsistent responses
- Sometimes will make eye contact for a few seconds up to a few minutes. Other times will totally disregard stimuli.
 - Sometimes feels with hand(s) for object instead of locating object with her eyes
- 1.2.2.2. We can direct her head, but not her eyes
- At times it appears that she deliberately refuses to make eye contact.
 - Sometimes will not look after physical prompt of head is given
- 1.2.3. Opportunities to coordinate 2 or more senses to increase awareness of her learning environment
- initial experiences and exploratory activities during environmental studies i.e. films filmstrips, videos, concrete handling of objects
 - music
 - listen to/look at story books
 - work on computer
 - picture book identification program
 - hand over hand tasks
- 1.2.3.1. Often refuses to use one of the senses e.g. withdraws hand, but looks or co-operative for hand over hand but will not look
- 1.2.3.2. Often refuses to use one of the senses e.g. withdraws hand, but looks or co-operative for hand over hand but will not look
- 1.2.3.3. It is difficult to make another person use more than one sense.

2.0 FINE AND GROSS MOTOR CONTROL

2.1. Fine Motor

2.1.1. Opportunities for develop-

- ment of pincer grasp
- picking up pencils, crayons, markers
- picking up food during lunch
- placing geometric shapes through appropriate shapes
- playtime activities involving picking up pieces eg. puzzles, tinkler toys, lego, blocks
- verbal encouragement and praise

2.1.1.1. She continues to roll her

- pincer grasp into a palmer grasp
- When she picks up objects they often go directly to her mouth

2.1.1.1.1. Many of the Gr. 1

- activity objects could be dangerous when placed in mouth because they are small. eg. lego pieces. Therefore, other materials are being substituted

2.1.2. Opportunities to use kitchen

- utensils and media supplies
- work with small groups of other children making squares for Christmas Tea
- measuring cups and spoons used in rice and sand centre in classroom
- integrated in art and crafts for hand over hand activities
- verbal encouragement and praise

2.1.2.1. - runs hand through to get

- tactile sense and then attempts to mouth rice or sand

2.1.2.2. - Supply E.A. noted Emily

- very quiet during making of squares with group
- turned head away or laid it on her desk while E.A. doing hand over hand art activities
- whimpers or vocalizes loudly appearing to indicate that she is not in the mood to do it

Gr. 1 curriculum does not provide time for cooking on regular basis.

- Require use of hand over hand to intercept objects to mouth

2.0. Gross Motor

- 2.1.2. Opportunities to increase muscle tone
- 2.1.2.1. Inconsistent effort
- drag; lcht foot
 - turning and sideways walking
 - improved (shortened) walking time
- 2.1.2.2. Physical Education tasks becoming more complex, less opportunity to integrate Emily
- Children moving from activity to activity quickly leave Emily behind
- This is making integration more difficult
- 2.2.2. Opportunities for increased balance
- 2.2.2.1. verbal encouragement and praise
- participation in opening exercises
 - sitting on floor integrated with class for story time, French lesson presentations, most manipulating activities
 - participation in phys. ed. when appropriate
 - verbal encouragement and praise
- 2.2.2.2. balances shows some improvement in standing with limited support
- usually sits with legs stretched out in front of her
- 2.2.2.3. Emily takes up a large area with legs stretched out, plus E.A. behind or beside to do hand over hand. This limits her location among the children in any group situation
- 2.2.3. Attempts to decrease mouthing of fingers or objects
- verbal encouragement and praise
 - replacing the behaviour with something more appropriate - i.e. changing activity, talking, eye contact, hands down
- 2.2.3.1. Usually mouth fingers or objects again as quickly as possible
- sometimes licks teacher's or her E.A.'s or children's hands or arms
- 2.2.3.2. Affecting social integration with peers as they tend to withdraw from her
- No observable improvement noted

3.0 Socialization

- encouragement and verbal praise
 - integration during recess and lunch
 - integration or parallel activities throughout the academic day
 - chip monitor duties
- 3.0 - takes approximately 45 minutes to eat lunch and 15 minutes to be toiletted, leaving no time for socialization with peers at lunch hour
- takes 5-7 min. to get ready at recess - leaves 8 min. outside
 - often mashes her finger food during lunch
 - vocalizes at inappropriate times throughout the day
 - mouths peers clothing, shoes, hair, toys, equipment being used in centres
 - has independently signed "welcome" once and "eat" once during chip monitor duty

4.0 Peer Relationships

- encouragement to interact
 - wheelchair monitor takes Emily (with E.A.'s assistance) to washroom door, outside for recess, to gym or other classrooms, to wait for her taxi at end of day
 - integration throughout school day
- 4.0- scratched peers unintentionally
- mouthed peer's clothing and shoes
 - pulled at peer's clothing i.e. bows, straps on shoes
 - pulled peers' hair
 - licked peers' arms or hands
 - vocalizes at inappropriate times
- 4.0 A large gap is developing between Emily's and her peer's social behaviour, interests and activities
- Integration is becoming more difficult as the Gr. 1 develop thinking and learning skills at a increasingly higher level
 - there is no apparent means of communication

PART C
Peer Response

1. The children accept her a person and treat her kindly, but observable responses seem to indicate that they do not think of her as a peer.
2. They willingly take their turns as wheelchair monitors. They like to look at the tracks made in the snow by the wheelchair, but do not usually interact with Emily.
3. When other children vocalize at inappropriate times or pass gas the children react and frequently chastise the offender. When Emily exhibits the same behaviour, the children look and see that is Emily and continue on with what they were doing without any observable reaction.
4. Three of the girls if they are walking by Emily will sometimes wipe her chin if she is drooling, tickle her under her chin, or pick up a dropped object.
5. In the first term in integrated activities the children would select Emily and Mrs. Bell for a partner if they required Mrs. Bell's assistance or attention. In the second term the children do not usually voluntarily select Emily and Mrs. Bell as a partner.
6. The children do not object to Emily's presence at their centre, but they do not include her in the activity. The class has moved into cooperative play and seem to understand that Emily is unable to offer input at that centre. She is frequently left to sit by herself until the E.A. interacts for/with Emily in the activity.
7. The children will comment favourably about Emily's clothing, jewellery, toys, etc.

People assisting classroom teacher to make integration possible for Emily.

1. Mrs. Donna Bell, an exceptional E.A. who has worked with disabled people for many years in her work, in her own home, and as a volunteer, has been assigned by the teacher exclusively to Emily for 100% of the with the exception of 12:00 - 1:00 p.m.
Mrs. Bell provides hand over hand, one to one instruction and physical care. She is assigned to assist Emily in every way possible and to record Emily's responses throughout the day. She also writes in the Communication Book Daily.
Mrs. Bell has taken three Professional Activity Days to become more aware of programs which may assist in communicating with Emily. At her own expense she attended a conference at the Southwestern Region Center, Dlenheim and brought back computer programs to use with Emily in the visual tracking program. She has also visited Mr. Eaton's classroom to observe for one half day. She is currently taking a refresher course in sign language.
2. Mrs. Karen Harrison, a lunch supervisor, is assigned exclusively to Emily from 12:00 - 1:00 p.m.
3. Mr. Kevin Boyd, Learning Resource Teacher, prepared Emily's Individual Program Plan. Mr. Boyd worked with Emily integrated into a small group for three hours per cycle during Term 1.
4. Mrs. Sue Whittaker, Emily's E.A. for 1990-91, visited the morning of September 5/91 to demonstrate and discuss Emily's 1990-91 program.
5. Mr. Les Carter, Consultant Special Education Services, visited the classroom for 1/4 day on October 22/91 to observe Emily's integration. He visited the classroom again during Physical Education class on January 15, 1992.
6. Mrs. Suzanne Earle, Coordinator Special Education Services, visited the classroom on January 15, 1992 to observe Emily in her program.
7. Sept. 19/91, Jennifer Huxley, O.T. from Lansdowne Children's Centre, visited to observe Emily. She sent a written report on Oct. 2/91 with program suggestions for the school to use with Emily.
8. Oct. 19/91 Neirda Parkhill, Physiotherapist from Lansdowne Children's Centre, showed Mrs. Bell the correct way to walk Emily with and without her walker.
9. Jan. 6/92, Fiona Robertson, O.T. from Lansdowne Children Centre, Neirda Parkhill and Mrs. Eaton visited to discuss feeding goals and demonstrated strategies to Mrs. Harrison. Mrs. Parkhill reviewed Emily's walking procedures with Mrs. Bell.
A written report was received from Fiona Robertson on Jan. 17/92 outlining the goals and strategies for feeding Emily.
10. Pam Gill, Speech Therapist from Lansdowne Children Centre, began a program on Jan. 16/91. She comes each Thursday to work with Emily while Mrs. Bell observes.

Progress & Achievement Report

Sept. 91 - Jan. 31/92

1. Level of Contentment

- no accurate strategy to assess whether her level of contentment has changed or at what level it is currently.

2. Level of Input

- no observable input in group activities (small or large groups).
- puts hands on computer and strikes a key when in one-on-one situation (does this much better in room with no other children present)

3. Response to Visual & Auditory Stimuli

- inconsistent responses to stimuli ie. vocalization/sleeping/no response.
- inconsistent response of eye contact when spoken to.
- no measurable growth in response to visual arts/drama.

4. Opportunities to be Independent

- very little observable improvement in socially acceptable eating habits.
- has been consistently able to select her own choice for free choice of activity time.

5. Communication

- inconsistency in recognition of pictures in her picture book.
- observed two independent hand signs
- hummed in music five times - four of these times after placing hand (hand over hand) on E.A.'s throat
- continues to vocalize without a recognized formal communication system
- inconsistent response in eye contact.
- We are unable to establish colour identification of objects.

6. Fine and Gross Motor

- observed increased improvement in balance
- observed increased improvement in walking to washroom or gym
- continues to roll princer grasp into palmer grasp.
- continues to mouth fingers and objects consistently.
- no dominance of hand determined.

7. Socialization

- successful at chip monitor duties - hand over hand - one on one situation.
- continues to vocalize at inappropriate times.
- continues to mouth hands, peer's clothing and objects.
- takes entire lunch hour to eat lunch and to be toiletted.

8. Peer Relationships

- continues to pull at and mouth peer's clothing and objects.
- shows no observable response to peers
- has not developed an observable method of communicating with peers
- has become more difficult to integrate as peers have developed physically, mentally, socially and emotionally at a faster rate than Emily.

9. Other

Toileting - increase in toileting successes (voiding and bowel movements) However, still voiding (occasional bowel movement) in diaper between hourly toileting times.

Drinking from fountain - will take her turn drinking from the water fountain.

- shows confidence to approach water flow with support to stand and hands kept away from mouth.

Exhibit - Identification Placement Review
Committee Decision set out in a letter
dated February 24, 1992 together with
attachments, filed as part of Exhibit R-1 on
January 18, 1993.

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TEACHER RESOURCE CENTRE

108 Tollgate Road
Brantford, Ontario
N3R 4Z6

Telephone (519) 754-1600

February 24, 1992

Mr. & Mrs. Clayton Eaton
R. R. #3
Princeton, Ontario
NOJ 1V0

Dear Mr. & Mrs. Eaton:

The I.P.R.C. would like to recognize and commend the collaborative efforts between you and the staff at Maple Ave. on behalf of your daughter Emily. Through joint efforts, every attempt was made to design and implement a program that would maximize opportunities for Emily's growth.

After much deliberation and examination of the facts related to making a placement decision for Emily (September 1992), the Identification, Placement and Review Committee has decided that:

- Emily is an exceptional student;
- Emily's placement will be in a special class.

The committee considered the Ministry's statement regarding the integration of exceptional pupils when making our decision:

"The integration of exceptional pupils into local community classrooms should be the norm in Ontario, wherever possible. where such a placement meets the pupil's needs and when it is according to parental choice."

Further clarification of the statement in The Integration Consultation Paper indicated that:

"When a parent requests that his or her child be placed in a regular class, the decision regarding the placement of the pupil should usually rest with the parent if the pupil does not have a severe disability and if such placement requires no additional resource provisions."

Emily Eaton (Con't)

As has been explained to you in the past, the Board must closely scrutinize the allocation of resources to effectively meet the needs of all students in the system.

"Each school board has the ultimate responsibility for determining the extent of resource support that can be provided within its financial capabilities."

In considering your request for a placement at Maple Ave. Public School in a regular grade 2 classroom, the committee expressed concerns about meeting Emily's needs effectively. A quote by M. Winger (1990) affected our decision-making regarding the needs of other children, in addition to Emily.

"If children are to be integrated into regular classrooms this requires that they be members of the class not just physically but also intellectually, socially and emotionally. Mainstreaming may prove to be the more restrictive environment if exceptional children are debased by their peers, socially isolated and poorly accepted."

The committee weighed the pros and cons to regular grade placement based on the school's presentation at the I.P.R.C. Meeting. (Appendices A,B,C)

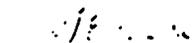
It is the feeling of the committee that Emily's needs would be more adequately met in a special class placement where trained personnel could access appropriate human and material resources. Opportunities to interact with age appropriate peers would certainly be provided as the committee supports and encourages this mode of service delivery.

We respect your concerns and wishes as parents, and are convinced that with your support, cooperation and communication a special class could be the most effective learning environment for Emily.

Should you disagree with this decision, you may appeal to Don Miller, Director of Education, 349 Erie Avenue, Brantford, Ontario, N3T 5V3.

Thank you for your input and partnership on Emily's behalf.

Sincerely,



Suzanne Earle
Chairperson I.P.R.C.

Placement Considerations Re: Emily Eaton

1.0 Neighbourhood School (Burford)

1.1 Advantages

- transportation - shorter distance between home and school
- peer group in regular class - Grade 2 September 1992 for socialization
- staying in the neighbourhood
- other students learning to understand/empathize

1.2 Disadvantages

1.2.1 School is unable to:

- assess Emily's level of contentment to discover reasons for behaviours - e.g. crying, biting, whining, laughing, giggling, squealing
- observe any growth in level of input to group activities
- observe appropriate responses to visual and auditory stimuli - e.g. little or no attention span, vocalizing during quiet times, no eye contact, head turning, looks away while Educational Assistant continues hand over hand art lesson
- promote integration in the classroom - Emily "self-segregates"
- determine whether or not Emily can "sign" as her coordination is poor
- keep Emily focused - she falls asleep at some time during most days
- make Emily use more than one sense
- stop Emily from "mouthing" objects - could be dangerous
- provide integration at lunch - Emily takes 45 minutes to eat plus 15 minutes for toileting
- prevent widening gap between Emily and her peers due to some of her social behaviours - e.g. licking peer's arms or hands, vocalizing at inappropriate times

1.2.2

- Emily is the only multi-handicapped student to whom peers can relate (See Appendices B & C)

Emily Eaton - Considerations (Con't)

1.2.3 Transportation

- costs - more due to special arrangements

1.2.4 Educational Assistant

- required 100% of the time for 1 child (while this is not a practice in the Board, we agreed to "pilot" this placement at the parents' request)
- when Emily is absent (22 days to date) the Educational Assistant is still in the school

2.0 Special Class - Community School

2.1 Advantages

- better Pupil/Teacher Ratio
- Educational Assistants work with more than one child
- teachers familiar with special programs to better meet Emily's needs (additional training)
- appropriate manipulatives and equipment
- can integrate where appropriate for socialization purposes
- transportation - savings to Board

2.2 Disadvantages

- parents want neighbourhood school
- transportation - longer distance between home and school

PART C
Peer Response

1. The children accept her a person and treat her kindly, but observable responses seem to indicate that they do not think of her as a peer.
2. They willingly take their turns as wheelchair monitors. They like to look at the tracks made in the snow by the wheelchair, but do not usually interact with Emily.
3. When other children vocalize at inappropriate times or pass gas the children react and frequently chastise the offender. When Emily exhibits the same behaviour, the children look and see that is Emily and continue on with what they were doing without any observable reaction.
4. Three of the girls if they are walking by Emily will sometimes wipe her chin if she is drooling, tickle her under her chin, or pick up a dropped object.
5. In the first term in integrated activities the children would select Emily and Mrs. Bell for a partner if they required Mrs. Bell's assistance or attention. In the second term the children do not usually voluntarily select Emily and Mrs. Bell as a partner.
6. The children do not object to Emily's presence at their centre, but they do not include her in the activity. The class has moved into cooperative play and seem to understand that Emily is unable to offer input at that centre. She is frequently left to sit by herself until the E.A. interacts for/with Emily in the activity.
7. The children will comment favourably about Emily's clothing, jewellery, toys, etc.

APPENDIX C

People assisting classroom teacher to make integration possible for Emily.

1. Mrs. Donna Bell, an exceptional E.A. who has worked with disabled people for many years in her work, in her own home, and as a volunteer, has been assigned by the teacher exclusively to Emily for 100% of the time with the exception of 12:00 - 1:00 p.m.
Mrs. Bell provides hand over hand, one to one instruction and physical care. She is assigned to assist Emily in every way possible and to record Emily's responses throughout the day. She also writes in the Communication Book Daily.
Mrs. Bell has taken three Professional Activity Days to become more aware of programs which may assist in communicating with Emily. At her own expense she attended a conference at the Southwestern Region Center, Blenheim and brought back computer programs to use with Emily in the visual tracking program. She has also visited Mr. Eaton's classroom to observe for one half day. She is currently taking a refresher course in sign language.
2. Mrs. Karen Harrison, a lunch supervisor, is assigned exclusively to Emily from 12:00 - 1:00 p.m.
3. Mr. Kevin Boyd, Learning Resource Teacher, prepared Emily's Individual Program Plan. Mr. Boyd worked with Emily, integrated into a small group for three hours per cycle during Term 1.
4. Mrs. Sue Whittaker, Emily's E.A. for 1990-91, visited the morning of September 5/91 to demonstrate and discuss Emily's 1990-91 program.
5. Mr. Les Carter, Consultant Special Education Services, visited the classroom for 1/4 day on October 22/91 to observe Emily's integration. He visited the classroom again during Physical Education class on January 15, 1992.
6. Mrs. Suzanne Earle, Coordinator Special Education Services, visited the classroom on January 15, 1992 to observe Emily in her program.
7. Sept. 19/91, Jennifer Huxley, O.T. from Lansdowne Children's Centre, visited to observe Emily. She sent a written report on Oct. 2/91 with program suggestions for the school to use with Emily.
8. Oct. 19/91 Neirda Parkhill, Physiotherapist from Lansdowne Children's Centre, showed Mrs. Bell the correct way to walk Emily with and without her walker.
9. Jan. 6/92, Fiona Robertson, O.T. from Lansdowne Children Centre, Neirda Parkhill and Mrs. Eaton visited to discuss feeding goals and demonstrated strategies to Mrs. Harrison. Mrs. Parkhill reviewed Emily's walking procedures with Mrs. Bell.
A written report was received from Fiona Robertson on Jan. 17/92 outlining the goals and strategies for feeding Emily.
10. Pam Gill, Speech Therapist from Lansdowne Children Centre, began a program on Jan. 16/91. She comes each day to work with Emily while Mrs. Bell observes.

Exhibit - Written Submissions of Carol Eaton and Clayton Eaton to the Identification Placement Review Committee dated March 10, 1992, filed as Exhibit A-9 at Ontario Special Education (English) Tribunal, first referred to at p 393, Volume 3, Transcript of Proceedings, Volume 3.

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March 10, 1992

TO: The Members of the Brant County Board of Educations' Identification, Placement and Review Committee (I.P.R.C.)

FROM: Carol and Clayton Eaton, parents of Emily

SUBJECT: Meeting of the parents of Emily Eaton, and the I.P.R.C., to review the decision of placement, as stated in the letter from Mrs. Suzanne Earle, Chairperson I.P.R.C., (February 24, 1992).

We Emily's parents, were disturbed not only by the document presented by the Maple Ave Staff at the February 4, 1992 meeting of the I.P.R.C., but more that "The Committee weighed the pros and cons to regular grade placement based on the school's presentation at the I.P.R.C. Meeting". While we had been made aware that the school staff were experiencing some challenges in facilitating Emily's happiness and involvement, and in minimizing some perceived negative behaviours, we were under the impression that through mutual development of strategies, and our daily communication, all those that presented as real, and major, had either been eliminated or reduced.

It is astonishing, to us, that the school staff would negate their abilities through producing such a document—especially one which appears recorded to portray only negatives. We believe that no child, nor their experience, in any placement, is always positive; but, neither is any child, or their experience, completely negative.

It is our belief that the Maple Ave staff are capable, and are in fact effectively aiding in the process of Emily's education—both academically and socially. We believe that they have the ability, tools and resources with which to maintain forward development, despite the fact that it is difficult to evaluate using standards associated with "regular grade".

Rather than systematically offering criticism of this document, we offer our opinion as professionals and parents, that for each disadvantage we can suggest and demonstrate easily employed strategies to change the behaviours, minimize their effects, or alter the perceptions of Emily's abilities and behaviours. We are proficient in understanding Emily's abilities, growth and development, and draw expertise from our educational and employment backgrounds, as a qualified Special Education teacher and qualified Social Worker, with lengthy experience at a Special Education facility. We offer our continued support, and information to aid those responsible for the program development that affects Emily within the Education system. We include a copy of our assessment of the present placement as Appendix A.

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At this point we will re-state why we wish the placement for Emily to be maintained as it exists. Foremost is our sincere, informed, belief that it is the best placement to meet Emily's needs. We believe that her needs are:

1. Increased communication ability
2. Academic opportunities
3. Normalization for physical development
4. Constant opportunity for peer interaction
5. Age-appropriate behaviour development

Our reasons for requesting "regular grade", supported, placement at our neighbourhood school, as the most appropriate to address her needs are:

1. Positive peer modelling of:
 - i) communication
 - ii) fine motor skills
 - iii) gross motor skills
 - iv) social interaction
 - v) behaviour
 - vi) emotional growth and development
2. Opportunities to learn academically through:
 - i) availability as the "regular grade" program
 - ii) modified, parallel subject matter presentation
 - iii) assistance of an Educational Aide (E.A.)
 - iv) peer example
 - v) repetition

3. Opportunities for age-appropriate activities, to learn skill development, through:

- i) parallel activities of "regular grade" class
 - a) communicating
 - b) walking
 - c) standing
 - d) sitting in appropriate position in a chair (both at, and away from, desk) and while on the floor
 - e) fine motor activities

- ii) observing during class activities to learn expected behaviour ie. when it is, or is not, appropriate to
 - a) vocalize
 - b) attend visually
 - c) manipulate materials
 - d) move about
 - e) interact socially

- iii) opportunities to increase her stamina through observing and emulating her able-bodied classmates while:
 - a) allowing for overstimulation
 - b) provision when absolutely necessary for a brief rest in an appropriate place.

4. Opportunities to socialize with local peers

- i) inside the school environment
- ii) at lunchtime
- iii) at recess
- iv) out-of-school meetings such as:
 - a) parties (theirs and hers)
 - b) casual community encounters
 - c) visits at homes (hers and theirs)

5. Proximity to home in order to:

- i) decrease travel time
- ii) ensure easier home - school communication
 - a) not long-distance by telephone N/A
 - b) easier to visit (aid) as needed
 - c) more commitment to offering assistance to neighbourhood school for class trips, activities, etc.

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- iii) increase opportunities for social encounters with classmates. and schoolmates. in the community.

The reasons we disagree that placement in a "special class" would better meet Emily's needs are:

1. Limited opportunities for positive peer modelling of:
 - i) communication
 - ii) fine motor skills
 - iii) gross motor skills
 - iv) social interaction
 - v) behaviour
 - vi) emotional growth and development
2. "Regular grade" academic program not available in "special class"
3. Reduced opportunities for interaction with her able-bodied peers at school
4. Opportunities are limited for age-appropriate skill development due to:
 - i) fewer classmates
 - ii) few, if any, peer role-models in class
 - iii) classmates skills may also be limited
 - iv) materials may not be age appropriate
 - v) possible assumption of lesser ability based on Emily's disabling conditions
5. Reduced opportunities to learn social expectations because:
 - i) classmates working on individualized programs limits their interaction
 - ii) all students closely guided by adults -
 - iii) possible lowered expectations due to:
 - a) perception of lower ability
 - b) allowances made based on assumed limitations of the handicap(s)
 - c) desire to be kind
 - iv) lunch supervision structure may not allow for "normalization"

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6. Distance from home which:

- i) increases travel time resulting in fatigue/irritability
- ii) decreased home - school contact and communication due to:
 - a) long-distance telephone toll
 - b) longer travel time and distance
 - c) less commitment to non-neighbourhood school
- iii) few, if any, casual community encounters with classmates or schoolmates due to:
 - a) fewer family outings outside our community
 - b) less ease (as in 6(ii)) in arranging visits.

We wish to state that, though the committee expressed concerns about meeting Emily's needs through placement in a regular grade 2 classroom at Maple Ave School, based on the needs of other children as well as Emily, and by using a quote by M. Winzer, which in part stated:

"Mainstreaming may prove to be the more restrictive environment if exceptional children are debased by their peers, socially isolated and poorly accepted.",

we do not believe that there is any evidence of this being a "restrictive environment" to Emily, nor that she is debased, isolated, or poorly accepted by her schoolmates. In fact, to quote from your Appendix A:

"1. The children accept her as a person and treat her kindly... 2. They willingly take turns as her wheelchair monitors... 6. The children do not object to Emily's presence at their centre...(the) seem to understand that Emily is unable to offer input at that centre...until the E.A.interacts with/for Emily in the activity... 7. The children will comment favourable about Emily's clothing, jewellery, toys, etc."

In addition to these issues, we believe that there continues to be benefit to her peers, through their exposure to Emily on a constant basis. In getting to know her within their classroom they gain opportunities to learn:

1. That everyone is able to learn though it may take place at a different pace, or in a modified way.
2. To accept the individual strengths and weakness that compose humanity.

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3. Tolerance and patience for human differences

4. To discriminate what is, or is not, important such as:

- a) to focus on important sounds and movements around them
- b) to disregard social "faux pas"
- c) to first recognize the person, then the handicap

We believe that your decision should be based primarily on meeting Emily's needs and not weighed heavily by monetary issues. While we also, in this time of financial constraints, are concerned for wise budgeting and accountability, we are committed to the belief that it is money well spent when it provides the opportunity to meet the potential of a child, thus perhaps reducing future costs to our community. We do not dispute that the present system of billing to the Board for Emily's return transport to Burford is more costly than it would be to take her to Brantford-return. We suggest that this appears to be a questionable practice, as the difference of round-trip distance between our home and Maple Ave school, Burford, as compared to return-trip distance to any school in Brantford, is considerably less.

We believe that it is Emily's right to have equality in education, in terms of location, presentation and environment for learning, as is guaranteed under the Canadian Charter of Rights and Freedoms: "equal benefit of the law without discrimination based on mental ability".

In order to work at obtaining a mutually agreeable decision about Emily's placement in September 1992, we ask that you give consideration to the following when you review your decision as recorded in your letter to us of February 23, 1992:

1. We believe we can verify that Emily now is more capable of coping in, and gaining from, full integration; and that she has made significant progress in the present placement model.
2. We would review and consider suggestions from you that might help accommodate Emily's present placement including:
 - i) sharing an E.A.
 - ii) partial withdrawal from the regular class with appropriate programming and support

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3. The present Government of Ontario is in the process of legislating inclusive education for children whose parents request it, and are supporting parents (Hysert vs Carleton Board et al. April 1991) when there is a dispute.
4. The Government of Ontario's "Consultation Paper on the Integration of Exceptions Pupils" (December 1991) states:
 - i) "Integration is a reasonable expectation in a community that tolerates different points of view and values the insights of parents. Integration supports the broadly based principle that pupils should be educated in as normal a setting as possible, when such placement meets their needs"
Summary (p. 14)
 - and
 - ii) in its' Appendix A: Statistics, Table A, that: 46% of multi-handicapped students are enrolled in regular classes.
5. Our Appendix A which summarizes our observations and interpretations of Emily's experience in a "regular class".
6. If we are unable to reach agreement, we are fully prepared to Appeal the decision, as it stands, and are aware that during the resultant Stay of Proceedings, O.Reg 554/81 Section 12(i), the Board will be required to provide what we now ask agreement to; and, O.Reg 554/81 Section 12(i) states that the Board will incur expenses related to the Appeal Board. We are committed to the belief that "regular grade" placement provides what is most beneficial to Emily, and, we sincerely hope that we are able to work with cooperation to reach agreement, and so avoid unnecessary expense to the Board, and, to ourselves.

We respectfully ask that, after your consideration this presentation, you do not change Emily's present placement of "regular grade" at Maple Ave School, Burford (with the accompanying support of a full-time E.A.), and that you reflect this in your final decision.

S. Carol Eaton
(Mrs.) S. Carol Eaton, B.A., and

Clayton Eaton
(Mr.) Clayton Eaton, B.Sc., B.Ed.

APPENDIX "A"

PARENTS' OBSERVATIONS AND INTERPRETATIONS OF "REGULAR GRADE" PLACEMENT OF EMILY EATON

Objectives (of Regular Grade placement) and Strategies (employed within this placement)	(Our) Observations (and those reported to us)	Interpretations
#1 To improve and expand Emily's level of contentment	-decreased the incidents of crying and whining as she adjusted to: i) return to school after summer holiday ii) full-time attendance iii) new people (teacher, E.A. and some classmates) iv) different style and pace of program	Emily is learning appropriate behaviours through example, and her level of contentment in her class is improving.
-integration in all aspects of the Grade 1 program, at times with modified application to suit her abilities	She also showed improved mood when we discovered she was being left, upon arrival, unattended in a darkened classroom at the furthest end of the school and we had this situation changed to a more appropriate one.	Much of her behaviour, and initial discomfort, were due to her adjustment to the people with whom she interacts, and theirs to her, and readjustment to school.
-one-to-one E.A.		Emily is happy in this placement.
-lunch time supervision		
-encouragement and praise		
-short travel time		
	-ceased biting	
	-becomes excited during preparation for school day	
	-returns home content, and enthusiastic when questioned about, or asked to share, what she did at school.	

Objectives and Strategies	Observations	Interpretations
<p>2. To expand and improve Emily's input into "group activities"</p> <ul style="list-style-type: none">-integration, with assistance as needed into all aspects of regular grade 1 activities-encouragement and modelling by others of appropriate participation-makes choices daily about participation in classroom Activity Centres-acts as "chip monitor" for all students of school	<ul style="list-style-type: none">-participates HOH where necessary and through EA acting as Emily's voice-vocalizes her "ideas, impressions, reactions and requests" to her classmates-eagerly "tells" about school activities to her family and others at home-enjoys fulfilling the supported search for required materials from home-vocalizes or touches to initiate interaction or maintain the contact-she has used behaviours such as "kissing with her teeth or tongue", and drooling, that make social acceptance more difficult without explanation to both her (of better strategies) and her peers (of some reasons for it).	<p>Emily is able with the assistance of the E.A. to maintain a high level of involvement in group activity.</p> <p>Emily attempts to interact through vocalization, touch, etc.</p> <p>Emily actively relates group participation to family and enjoys preparing for this type of activity.</p> <p>She is learning to display her attention and affection in more age and socially acceptable manners.</p>
<p>3. For Emily to learn appropriate responses to visual, auditory and other sensory stimuli</p> <ul style="list-style-type: none">-participation with assistance, as needed, in the Gr 1 programs of music, visual arts, drama, reading, etc.-exposure to speakers, and videos, etc.	<ul style="list-style-type: none">-vocalizes and attends visually, though with varying appropriateness-listens with increasing attention span-due to over-stimulation from multiple sensory "buildup" falls asleep with decreasing frequency	<p>Emily is participating and responding to the best of her ability, but continues to need guidance and example in order to restructure some responses to become more acceptable.</p> <p>Emily enjoys sensory stimulation for increasing amounts of time before becoming tired.</p>

Objectives and Strategies	Observations	Interpretations
<ul style="list-style-type: none">-exposure to variety of age appropriate manipulatives as they relate to the daily Gr 1 program-encouragement to maintain visual contact with people and materials-encouragement and opportunity to decrease sensitivity to multiple-sensory stimuli	<ul style="list-style-type: none">-allows assisted involvement with little or no resistance-continues to rely on (oral) tactile discrimination and experiences, but can be verbally re-directed to use other senses as is appropriate	<p>Emily's attention span has greatly increased, as has her ability to tolerate multiple stimuli.</p> <p>Emily will visually attend, with verbal cuing, with less resistance and for greater lengths of time.</p>
<p>4. To increase Emily's independence</p> <ul style="list-style-type: none">-at lunch, with 1-1 assistance where needed, handle appropriate utensils-encouraged to sign appropriately to indicate her needs and desires-signs reinforced by EA, lunch time supervisor and schoolmates, and, through demonstration and HOH modelling-encouraged to expand her hygiene skills through toileting program and by hand washing, at appropriate times, in a HOH manner-through HOH assistance to dress for recess, for going home, and, before and after	<ul style="list-style-type: none">-uses utensils correctly and is decreasing her messiness as her skills improve-takes longer than peers to eat most days, due to attending to them; or due to her attempting to eat more skilfully, as is socially appropriate, and, as is reinforced by her observation of her peers abilities and interactions-using signs independently (more, eat, please, done, up, thank you) especially at lunchtime and during chip duty-co-operates HOH to learn new signs and to improve her abilities in this area-consistently indicates her choice of centre for Activity time, though not always one at	<p>Emily's development towards independence is improving, though she continues to require assistance in most areas.</p> <p>Emily's seating skills are developing quickly and are receiving excellent reinforcement through peer example and 1-1 assistance as needed.</p> <p>Emily's abilities at using independent communication skills are developing, and could be strengthened through more direction, through allowing the time needed by her to respond, and by acknowledgement of all attempts to: sign, use voice, or emotion. Her ability to be understood is important to her.</p> <p>Emily's physical abilities, and stamina, are increasing, and as they develop so does her</p>

Objectives and Strategies

Observations

Interpretations

toileting

- by normalizing therapy goals through their incorporation into all classroom activities
- through making choices about her centre for Activity time

which there are others

- using manual contact with picture book to indicate her choice, or her understanding, and is beginning to also use vision (eye-pointing or sustained eye contact)
- follows therapeutic suggestions as regular grade program allows their incorporation

ability and her opportunities to display independence.

5. To improve and expand Emily's ability to appropriately communicate

- encouragement from EA, lunch supervisor, peers and others to sign her needs, wishes, etc.
- HOH signing of new signs, or to reinforce appropriateness of signs
- exposure to peers as they communicate through speech, gesture, emotion
- through "chip monitor" contact, and signing with schoolmates

- signs independently in a manner that is difficult to witness without close observation
- co-operates in HOH signing
- vocalizes to express her needs, wishes, feelings etc, but not always in an appropriate manner

Emily is learning that communication is two-sided, and that she can make her needs, wishes and emotions known through sign, picture book(s) and appropriate vocalizations.

- attempts approximations of "speech"

Emily needs guidance and verbal direction to understand when it is appropriate to communicate.

- sings during Music

Emily's ability to adjust her desire to communication to a more appropriate time, or method, is improving and expanding.

- attends to visual, auditory and media materials often without eye contact

Emily enjoys communicating and interacting with her peers.

- ability to use and sustain visual and tactile contact with people and materials is improving

- inclusion in all aspects of program, thus exposure to and opportunities to use, communication during storytime, "talking

Objectives and Strategies

- time", library, visual, auditory and manipulative arts, as well as language arts
- use of Communication book to provide "translation" of Emily's vocalizations
- use of picture book to identify choice of activity
- observation of, and praise and encouragement for initiation of communication attempts

6. To increase Emily's receptive language abilities

- inclusion in all aspects of the regular Grade 1 program
- "chip monitor" duties
- exposure to a variety of language media including video, music, visual arts, manipulation materials, conversation, reading, instruction, computer programs
- encouragement to attend visually to materials and people

Observations

-attempts to initiate peer communication through touch and vocalizing though not always in socially appropriate manners

-visual attending is improving but remains a challenge to direct and maintain

-enjoys exposure to media such as storybooks, art materials, computer programs, music and videos, and is improving her ability to tolerate multi-sensory stimulation

-usual for her to attend in the manner of a visually handicapped person

-becomes excited by, and often signs to indicate, understanding of words introduced within class program, when used to interpret her post-school "conversation"

Emily is able to assimilate new language through exposure during the regular program of her class.

Emily responds to varying verbal requests with increasing ability and appropriateness.

Emily's attention to the variety of (auditory, visual and tactile) language media is slowly improving though she continues to find multi-sensory exposure overstimulating at times.

Emily shows that she is able to recognize new language away from its source by responding appropriately with voice and sign.

Objectives and Strategies	Observations	Interpretations
<ul style="list-style-type: none">-use of picture books (both those prepared to aid in interpreting her desire, and the folder for picture - word association)-exposure to variety of environments both inside and outside the school building-encouragement to confirm learning through attending visually, use of sign	<ul style="list-style-type: none">-will use correct sign when directed to verbally ie. "Use the sign to tell me if you want a "cookie" or a "drink"." or "Make the sign for "finished" if you are done on the toilet."	to program language when discussed at home.
<p>7. To increase <u>Emily's motor control and abilities</u></p>	<ul style="list-style-type: none">-walks with minimal cuing using Kaye walker-walking more quickly and with improving gait, although she still turns and/or drags her left leg/foot frequently-is standing with limited assistance and with noticeable improvement of balance-enjoys physical activity with her peers-the action of grasping is often accompanied by mouthing-tires less after lengthy activity-prefers to sit (especially while on the floor) with her legs extended	Emily's physical abilities, control and stamina are improving. Emily is able to feel a sense of belonging while doing an adapted, therapy-related program, while with her classmates as they participate in faster and more complex activities of physical education. Emily's balance, both while sitting and standing, is improving, and with verbal and physical prompting should be able to adapt to various positioning as required by her location. Emily's fine motor skills are improving.
<ul style="list-style-type: none">-normalization for age-appropriate activities to employ therapeutic goals related to improving walking, standing trunk control and balance-adapted Phys. Ed. activities, at same time, and in same environment as her classmates-normalization of fine motor activities such as grasping and releasing, lifting and lowering and manipulation and operation of materials, to facilitate skill development as related to therapy goals-assistance as needed provided by E.A. and lunch supervisor		Emily continues to need reminders, through verbal direction, not to put materials

Objectives and Strategies	Observations	Interpretations
<p>8. To facilitate and encourage Emily's interaction and socialization with able-bodied peers</p>	<ul style="list-style-type: none"> -ability to use correct utensils at lunch, and to decrease messiness are improving -unable to keep pace in physical activity with her classmates -Emily does not easily initiate interaction -Emily takes longer than her able bodied peers to dress, eat and use toilet thus decreasing available time for social and academic interaction -exhibits behaviours that make her less appealing for close contact, such as drooling, oral and tactile explorations of manipulatives, clothing, peers' limbs -biting and scratching, though not evident now, contributed to peer hesitancy to interact in close proximity, in some cases -often, Emily's choice, using a picture book-touch method of communication, limits the availability of others, as they are able to discuss and group themselves verbally 	<p>into her mouth and can be verbally directed to use vision as a preferred alternative.</p>
<p>-inclusion in all activities of her class</p>	<ul style="list-style-type: none"> -Emily takes longer than her able bodied peers to dress, eat and use toilet thus decreasing available time for social and academic interaction 	<p>Emily enjoys being with her classmates and has a feeling of belonging to a group of friends.</p>
<p>-"wheelchair monitors" take Emily to washroom, outside and to other classrooms under supervision of E.A.</p>	<ul style="list-style-type: none"> -exhibits behaviours that make her less appealing for close contact, such as drooling, oral and tactile explorations of manipulatives, clothing, peers' limbs 	<p>Emily is able to interact and socialize with her peers with the assistance of E.A. to help discover ways for the children to: 1) facilitate the experience, and 2) to help her peers understand both the limits and strengths that make her first a child of worth, and second a child with handicaps.</p>
<p>-"chip monitor" duties</p>	<ul style="list-style-type: none"> -biting and scratching, though not evident now, contributed to peer hesitancy to interact in close proximity, in some cases 	<p>Emily needs assistance: 1) in making better choices to facilitate interactions at Activity Centres, and 2) verbal and HOH assistance during interaction.</p>
<p>-E.A. to help Emily, and her classmates, discover ways to interact socially and academically</p>	<ul style="list-style-type: none"> -often, Emily's choice, using a picture book-touch method of communication, limits the availability of others, as they are able to discuss and group themselves verbally 	<p>Emily needs assistance: 1) in making better choices to facilitate interactions at Activity Centres, and 2) verbal and HOH assistance during interaction.</p>
<p>-E.A. to help classmates understand Emily's behaviours, limitations, strengths, and her individuality</p>	<ul style="list-style-type: none"> -often, Emily's choice, using a picture book-touch method of communication, limits the availability of others, as they are able to discuss and group themselves verbally 	<p>Emily needs assistance: 1) in making better choices to facilitate interactions at Activity Centres, and 2) verbal and HOH assistance during interaction.</p>
<p>-E.A. to act as "Emily's voice" and to aid Emily HOH in order to participate fully</p>	<ul style="list-style-type: none"> -often, Emily's choice, using a picture book-touch method of communication, limits the availability of others, as they are able to discuss and group themselves verbally 	<p>Emily needs assistance: 1) in making better choices to facilitate interactions at Activity Centres, and 2) verbal and HOH assistance during interaction.</p>

Objectives and Strategies	Observations	Interpretations
<p>9. To expose Emily to the academic program for the Primary Divisions, and to aid in her ability to understand and assimilate its components</p> <p>-modified Primary program at same time and place as able-bodied classmates</p> <p>-assistance of E. A.</p> <p>-Assistance and input from teacher, L.R.T. and parents in developing I.P.P.</p> <p>-modified evaluation system</p> <p>-remedial - group work in language arts with classmates as directed by L.R.T.</p>	<p>-E.A. assists Emily to be involved in developing her abilities in the various aspects of regular grade curriculum</p> <p>-Emily uses modified materials and objectives while in remedial group and within regular class instruction</p> <p>-is demonstrating some ability to understand Math relationships and concepts such as shape, dimension comparison and classification</p> <p>-attempts with some success to demonstrate her ability to use language to locate, interpret, compare and classify sound</p> <p>-developing an understanding of oral messages, direction and reports</p> <p>-attempting to develop abilities to demonstrate that she recognizes meaning in the intonation, volume, stress and pitch in the whole melody of speech</p> <p>-developing listening skills, but often attends in the manner of the visually handicapped</p>	<p>Emily is showing, in a variety of ways, her ability to acquire some competency in the Primary Division program goals as outlined in Circular P111 (The Formative Years).</p> <p>Emily enjoys learning with her peers, does not appear to feel inadequate, debased or isolated by the gaps in their abilities, and is gaining from their example.</p> <p>Emily has never choked as a result of her oral exploration of small materials to which she has regular exposure both at school and at home.</p> <p>Emily's oral exploration of various objects may be seen to present as a slight health risk to others, but with effective 1-1 aid and direction, this mannerism is reduced and should become a factor of no concern to others.</p>

Objectives and Strategies

Observations

-attempts to show ability to recognize the differences in languages through her exposure to both French and English language arts

-not able to articulate ideas thoughts or feelings through speech, but makes attempts using vocalization, gesture and sign with some success

-uses library, with peers, to gain access to a variety of information and enjoyment through the wide variety of materials available

-unable to demonstrate an ability to read independently, however, is able to enjoy being read to, for pleasure and as a potential source of information

-unable to write independently due to physical limitations, but will participate HOH and uses cut-and-paste when classmates are doing exercises of writing (letters, words or numerals)

Interpretations

Exhibit - Written Submissions of Carol Eaton and Clayton Eaton to the Identification Placement Review Committee dated March 10, 1992, filed as Exhibit A-9 at Ontario Special Education (English) Tribunal, first referred to at p 393, Volume 3, Transcript of Proceedings, Volume 3.

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Exhibit - Curriculum Vitae of Dr. Gary Bunch, filed as Exhibit A-30 at Ontario Special Education (English) Tribunal, first referred to at p. 1027 of Transcript of Proceedings, Volume 6.

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CURRICULUM VITAE

Gary Owen Bunch

January 1993

CURRICULUM VITAE

NAME : Gary Owen Bunch

APPOINTMENT STATUS : Associate Professor (Tenured)
Faculty of Education

: Associate Professor (Graduate
Program Cross-Appointment)
Psychology, Faculty of Arts

OTHER APPOINTMENTS : Fellow, Vanier College
York University

: Research Associate,
Institute for Social Research,
York University

HOME ADDRESS : 100 Waterton Road,
Weston, Ontario M9P 2R3
416-244-1215

UNIVERSITY ADDRESS : Faculty of Education
York University
North York, Ontario M3J 1P3
416-736-2100 (33994)

CITIZENSHIP : Canadian

LANGUAGES : English
Sign Language (Working Knowledge)
Esperanto (Working Knowledge)

EDUCATION - DEGREES : Ed.D., U. of British Columbia
(Special Education)

: M.Ed., U. of British Columbia
(Special Education)

: B.A., Queen's University
(Psychology and English)

- CERTIFICATES : Elementary School Teacher's
Certificate, Ontario

: Specialist Additional Qualification
Teacher of the Deaf, Ontario

EMPLOYMENT HISTORY

York University

- : Associate Professor
1977 to present
- : Director
Graduate Program in Education
1980-1983
- : Co-ordinator
Preservice Special Education
1980-1981

U. of Saskatchewan

- : Assistant Professor
Institute of Child Guidance and
Development, U. of Saskatchewan
1975-1977
- : Director
Language and Learning Clinic
Institute of Child Guidance and
Development, U. of Saskatchewan
1975-1977

U. of British Columbia

- : Teaching Assistant
Graduate Diploma Program in
Hearing Impairment
1974-1975 and 1970-1972

**Ontario Ministry of
Education, Belleville**

- : Principal
Teacher Education Centre
(Provincial Teacher Preparation
Program in Hearing Impairment)
1972-1974

**Ontario School for the
Deaf, Milton**

- : Assistant Superintendent
(Responsible for academic,
vocational, and support programs
preschool through secondary
school levels)
1967-1970

**Ontario Schools for
the Deaf, Belleville
and Milton**

- : Supervising Teacher and Teacher
1960-1967

HONOURS : Distinguished Contribution Award
Association of Canadian Educators of the
Hearing Impaired
July, 1991

: Certificate of Appreciation (in recognition of work and
professional guidance in training teachers of the deaf
in the province of Ontario)
The Ontario Educators of the Hearing Impaired
November, 1991

: Honourary Research Fellow
Centre for Integrated Education and Community
September, 1991

- PROFESSIONAL ORGANIZATIONS**
- : Canadian Association of
Teacher Educators
 - : Canadian Association of
(Educational) Psychologists
 - : Canadian Educational
Researchers Association
 - : Ontario Educators of the
Hearing Impaired
 - : Association of Canadian Educators
of the Hearing Impaired
 - : Canadian Society for the Study of
Education
 - : International Association of
Special Education
 - : The Association for Persons
with Severe Handicaps
 - : American Educational Research
Association SIG-Research on
Education of Deaf Persons
- EDITORIAL POSITIONS**
- : Editor, Occasional Monograph
Series, Association of
Canadian Educators of the
Hearing Impaired (ACEHI)
 - : Associate Editor, ACEHI Journal

UNIVERSITY COMMITTEES

: Faculty of Education

-Chair, Academic Program Model Review Committee, 1993

-Chair
Search Committee for Director, Graduate Program in Education, 1992, 1991

-Chair
Tenure and Promotions Subcommittee 1980-1981

: Graduate Program in Education

-Chair
Graduate Executive Committee 1980-1983

: Senate

-Senator, 1991-

-Vice-Chair, Senate Library Committee, 1992-1993

-Chair
Senate Committee on Examinations and Academic Standards 1981-1983

Other

- Representative, Faculty of Education Metropolitan Educational Research Committee 1993-

- Sabbatical Leave Fellowship Fund Office of Research Administration York University 1992, 1993

- Representative, Faculty of Education Committee on the Development of Environmental Research York University 1992

Exhibit - Curriculum Vitae of Dr. Gary Bunch, filed as Exhibit A-30 at Ontario Special Education (English) Tribunal, first referred to at p. 1027 of Transcript of Proceedings, Volume 6.

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PROFESSIONAL COMMITTEES

- : Chair
Board of Directors
Centre for Integrated Education
and Community
1992-**
- : Co-chair
Teacher Certification Review
Committee
Association of Canadian Educators
of the Hearing Impaired
1990-1991**
- : Chair
Board of Governors,
Frontier College,
1990-1991**
- : Chair
Trillium Committee
(A fund-raising committee for an
ex-offender rehabilitation program)
HELP Program, Frontier College
1986-1988**

GRADUATE TEACHING

: COURSES

-Full inclusion of all students
(Designed and initiated)
1991-1993

-Full inclusion of hearing impaired
students
(Designed and initiated)
1989-1990

GRADUATE SUPERVISIONS

: THESIS (Education/Psychology)

Masters - 7 (Completed)

Masters - 1 (On-going)

Masters - 1

Doctoral Committees - 3

Doctoral Externals - 3

: RESEARCH PROJECT (Education)

Masters - 4 (Completed)

Masters - 3 (On-going)

RESEARCH FUNDING

- : **Scottish Rite Foundation,
Community School-Based Education
of Severely Developmentally Delayed
Students,
\$4,291.00,
1989**
- : **Laidlaw Foundation,
Community School-Based Education
of Severely Developmentally Delayed
Students,
\$60,000.00,
1987-1990**
- : **Waterloo County Roman Catholic
Separate School Board,
Community School-Based Education
of Severely Developmentally Delayed
Students,
\$7,500.00,
1987-1990**
- : **Hamilton-Wentworth Roman Catholic
Separate School Board,
Community School-Based Education
of Severely Developmentally Delayed
Students,
\$6,000.00,
1987-1990**
- : **York Region Roman Catholic Separate
School Board,
Community School-Based Education
of Severely Developmentally Delayed
Students,
\$6,000.00,
1987-1990**
- : **Allan Roehner Institute,
Community School-Based Education
of Severely Developmentally Delayed
Students,
\$5,500.00,
1987**
- : **Canadian Educators of the Hearing
Impaired,
Teacher Perceptions of Training
Needs in Hearing Impairment,
\$450.00,
1988**

Exhibit - Curriculum Vitae of Dr. Gary Bunch, filed as Exhibit A-30 at Ontario Special Education (English) Tribunal, first referred to at p. 1027 of Transcript of Proceedings, Volume 6.

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: Ontario Educators of the Hearing Impaired,
Running the Gauntlet (Manuscript),
\$250.00,
1987

: Corrections Canada,
Readability Levels of Canadian Newspapers and Ethnic Publications,
\$5,000.00,
1987

PUBLICATIONS :

BOOKS

- : Bunch, G.O., Forest, M, and Pearpoint, J. (In preparation). Teaching and learning with common sense: Inclusive education Inclusion Press
- : Bunch, G.O. (1991). Don't pass me by: Writings from the street. Toronto, ON: Inclusion Press
- : Bunch, G.O. (1987). The curriculum and the hearing impaired student: A theoretical and practical consideration. Boston, MA: College Hill Press.
- : Hazmill, D.D., Bartel, M.R., and Bunch, G.O. (1984). Teaching children with learning and behavior problems. Boston, MA: Allyn and Bacon, Inc.
- : Bunch, G.O. and Robertson, G. (Eds.). (1983). Selected psychoeducational tests. Orillia, ON: Ptarmigan Publishing.
- : Robertson, G. and Bunch, G.O. (Eds.). (1983). Selected educational programs. Orillia, ON: Ptarmigan Publishing.

CHAPTERS

- : Bunch, G.O. (In press). Development, learning, and learning styles of the 15 to 18 year old learner. In P. Anisef and I. Johnson (Eds.). Learning and sociological profiles of Young Canadian adults. The Edwin Mellen Press
- : Bunch, G.O. (1992). The need for redefinition. In J. Pearpoint, M. Forest, and J. Snow (Eds.), The inclusion papers, (pp. 111-113). Toronto: Inclusion Press

- : Stainback, W., Stainback, S., and Bunch, G.O. (1989). Introduction and historical background. In S. Stainback, W. Stainback, and M. Forest (Eds.), Educating all students in the mainstream of regular education (pp. 3-14). Baltimore, MD: Paul H. Brookes Publishing Co.
- : Stainback, W., Stainback, S., and Bunch, G.O. (1989). A rationale for the merger of regular and special education. In S. Stainback, W. Stainback, and M. Forest (Eds.), Educating all students in the mainstream of regular education (pp. 15-26). Baltimore, MD: Paul H. Brookes Publishing Co.

MONOGRAPHS

- : Bunch, G.O. (1991). Teacher perception of preparation needs in deafness. Occasional Monograph Series, Association of Canadian Educators of the Hearing Impaired, 1.

DIRECTORIES

- : Bunch, G.O. (1982). Services for the hearing impaired: An Ontario directory. Toronto, ON: York University, Faculty of Education.

PROCEEDINGS

- : Bunch, G.O. (Ed.). (1977). Proceedings of the third national convention of the Association of Canadian Educators of the Hearing Impaired. Edmonton, Alberta: Association of Canadian Educators of the Hearing Impaired.
- : Bunch, G.O. (Ed.). (1974). Proceedings of the first national convention of the Association of Canadian Educators of the Hearing Impaired. Belleville, ON: Association of Canadian Educators of the Hearing Impaired.

ARTICLES:

REFEREND JOURNALS

- : Bunch, G.O. and Malnyk, T.L. (1989). A review of the evidence for a learning disability-hearing impaired subgroup. American Annals of the Deaf, 142, 297-300.
- : Bunch, G.O. (1987). Designing an integration rating guide. Volta Review, 89, 46-56.
- : Bunch, G.O. (1987). Teacher preparation in hearing impairment: A proposed model. Canadian Journal of Education, 12, 439-445.
- : Bunch, G.O. (1987). Teacher preparation in hearing impairment: A proposed model. Canadian Journal of Education, 12, 439-445.
- : Bunch, G.O. and Forde, J. (1987). Pilot standardization of the Peabody Picture Vocabulary Test-Revised on hearing impaired subjects. ACEHI Journal, 12, 165-170.
- : Bunch, G.O. (1984). Language programming and mental retardation: Points and programmes. Mental Retardation, 34, 16-21, 24-28.
- : Bunch, G. and Sanche, R. (1979). An overview of special education programmes in Canadian universities. Canadian Journal of Education, 4, 67-78.
- : Bunch, G.O. (1979). Degree and manner of acquisition of written English language rules of the deaf. American Annals of the Deaf, 124, 10-15.
- : Bunch, G.O. (1978). Testing receptive and expressive language ability in hearing impaired children. B.C. Journal of Special Education, 2, 227-237.

- : Bunch, G.O. (1978). Assessment of the language of the hearing impaired: Developments in Canada. ACEHI Journal, 5, 52-56.
- : Bunch, G.O. (1977). Mainstreaming and the hearing impaired child: Decision-making. B.C. Journal of Special Education, 1, 11-17.
- : Bunch, G.O. (1973). Educating the mentally retarded deaf child. Mental Retardation, 2, 24-28.
- : Bunch, G.O. (1971). An academic-vocational programme for multiply handicapped deaf children. Volta Review, 71, 417-425.
- : Bunch, G.O. (1970). Emotionally disturbed children in the regular classroom. Special Education, 44, 29-33.

**REFERRED JOURNALS:
INVITED ARTICLES**

- : Bunch, G.O. (in press). Teacher attitudes to full inclusion. Exceptionality Education Canada.
- : Bunch, G.O. (1991). Full inclusion: Parent and educator objectives for students with challenging needs. Developmental Disabilities Bulletin, 12(1), 80-101.
- : Bunch, G.O. (1978). Language without thinking. ACEHI Journal, 4, 39-43.

NON-REFEREKED JOURNALS:

- : Bunch, G.O. (1983). Classroom evaluation of exceptional students. School Guidance Worker, 18, 44-48.
- : Bunch, G.O. and Clarke, B.R. (1978). The deaf child's learning of English morphology. Audiology and Hearing Education, 4, 12-16, 24
- : Bunch, G.O. (1973). Canadian services for multiply handicapped deaf children. Canadian Teacher of the Deaf, 2, 27-31.
- : Bunch, G.O. (1972). Concept development and the classroom reading performance of deaf children. Canadian Teacher of the Deaf, 1, 14-23.

PROCEEDINGS:

- : Bunch, G.O. (1987). Curricula and the mainstreamed hearing impaired student. In P.J. Owsley (Ed.), Proceedings of the International Symposium on the Education of the Hearing Disabled. Atlantic Provinces Special Education Authority, Amherst, Nova Scotia
- : Bunch, G.O. (1978). Adaptation of the Berko model to investigate the deaf child's development of morphological rules. Proceedings of MSSD Research Conference on "The Nature of English Acquisition of Deaf Adolescents", Gallaudet College, Washington, D.C., 517-536.
- : Bunch, G.O. (1975). The deaf child with learning disabilities. In R.J. Valine (Ed.), Proceedings of Will You Listen Conference (pp. 127-147. Prince George, British Columbia: Prince George Society for the Hearing Handicapped.

- : Bunch, G.O. (Ed.). (1974). Proceedings of a provincial conference on aims and objectives of the education of the deaf individual in Ontario. Belleville, ON: Teacher Education and Media Centre, Ontario Ministry of Education

OTHERS:

TESTS

- : Bunch, G.O. (1981). Test of Receptive Language Ability. Toronto ON: G.B. Services.
- : Bunch, G.O. (1981). Test of Expressive Language Ability. Toronto, ON: G.B. Services.

SCALES

- : Bunch, G.O. (In press). Educator Opinion Questionnaire. Inclusion Press.
- : Bunch, G.O. (1986). Integration Rating Guide. Toronto, ON: G.B. Services.

PAPERS (1977-1992)

361

- : Teacher attitudes and full inclusion.
(1992, November). Paper presented at the Provincial Conference of the Council for Exceptional Children, Toronto, Ontario.
- : Contemporary issues in integration.
(1992, November, Paper presented at Luncheon Meeting, Provincial Chapter, Student C.E.C., Provincial Conference of the Council for Exceptional Children, Toronto, Ontario.
- : Learning styles of the 15 to 18 year old learner.
(1992, May). Ministry of Education/OCLEA Conference on the Specialization Years, Toronto, ON.
- : Teacher attitudes to full inclusion.
(1991, November). Paper presented at the Conference of the Association for Persons with Severe Handicaps, Washington, D.C.
- : Parent and educator objectives in full inclusion of students with challenging needs.
(1990, December). Paper presented at the Conference of the Association for Persons with Severe Handicaps, Chicago, Illinois.
- : Teacher perceptions of preparation needs in deafness.
(1990, July). International Congress on Education of the Deaf, Rochester, New York.
- : Variables in mainstreaming decisions in hearing impairment.
(1989, November). Paper presented at the Provincial Conference of Ontario Educators of the Hearing Impaired, London, Ontario.

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- : Teacher perception of training needs in hearing impairment. (1989, August). Paper presented at the National Convention of Canadian Educators of the Hearing Impaired, St. Johns, Nfld.
- : Full inclusion of disabled children. (February, 1989). Paper presented to the Board of Directors, Niagara Peninsula Children's Centre, St. Catharines, Ontario.
- : Reading in the home. (1988 November). Paper presented at Resource Services Symposium, E.C. Drury Regional Centre for the Deaf, Milton, Ontario.
- : Assessment and programming together: Curriculum-based evaluation and teaching. (December, 1987). Paper presented to Professional Development Meeting, York Region Public School Board, Aurora, Ontario.
- : Helping children to read at home. (October, 1987). Paper presented to Peel Association of Hearing Impaired Children, Mississauga, Ontario.
- : Curriculum concerns for mainstreamed hearing impaired students. (August, 1987). Paper presented to National Convention of Association of Canadian Educators of the Hearing Impaired, Saskatoon, Saskatchewan
- : Mainstreaming and hearing impairment. (1987, February). Paper presented at the meeting of The Association for Deaf and Hearing Impaired Children of Manitoba, Winnipeg, Manitoba.

- : Mainstreaming hearing impaired children and curricular concerns. (1987, February). Paper presented at meeting of The Association for Deaf and Hearing Impaired Children of Manitoba, Winnipeg, Manitoba.
- : The curriculum and the mainstreamed hearing impaired child. (1986, October). Paper presented at the International Symposium on the Education of the Hearing Disabled, Amherst, Nova Scotia.
- : Integration Rating guide. (1986, February). Paper presented to Meeting of Itinerant Teachers of Southern Ontario, Milton, Ontario.
- : Evaluation for integration. (1986, January). Paper presented at Sir James Whitney School for the Deaf, Belleville, Ontario.
- : Salient aspects of integration assessment. (1985, December). Paper presented to Hearing Impairment Staff, Clairlea Public School, Scarborough, Ontario.
- : Pilot norming of the PPVT-R on hearing impaired subjects. (August, 1985). Paper presented at the National Convention of the Association of Canadian Educators of the Hearing Impaired, Milton, Ontario.
- : Development of an integration rating guide. (1985, August). Paper presented at the National Convention of the Association of Canadian Educators of the Hearing Impaired, Milton, Ontario.
- : Integration of hearing impaired students. (1985, March). Paper presented to meeting of speech pathologists and teachers of the hearing impaired, Dufferin-Peel Roman Catholic Separate School Board, Mississauga, Ontario.

- : Classroom assessment of exceptional children: The role of the principal. (1984, April). Paper presented to Professional Development Meeting of Principals and Vice-principals, Board of Education for the City of Scarborough, Scarborough, Ontario.
- : Psychoeducational assessment: The teacher and the child. (1984, January). Paper presented at the Professional Development Meeting of Special Education Staff of the East Parry Sound Board of Education, South River, Ontario.
- : Considerations for the individual educational plan. (1984, January). Paper presented at the Professional Development Meeting of Special Education Staff of the East Parry Sound Board of Education, South River, Ontario.
- : Designing behavioural objectives for the exceptional child. (1984, January). Paper presented at the Professional Development Meeting of Special Education Staff of the East Parry Sound Board of Education, South River, Ontario.
- : Language and language disorders. (1983, October). Paper presented at Professional Development Meeting of Hastings County Board of Education, Belleville, Ontario.
- : Classroom evaluation for exceptional students. (1982, May). Paper presented at Curriculum '82 Conference of the Simcoe County Board of Education, Collingwood, ON.
- : Evaluating students. (1982, February). Paper presented at the Professional Development Meeting of District 18, O.E.S.T.F., Peterborough, Ontario.

- : Aspects of psychoeducational assessment in special education. (1981, December). Paper presented at Conference of Association of Research Officers in Ontario, Toronto, Ontario.
- : Student evaluation in the classroom. (1981, October). Paper presented at the Provincial Convention of the Conference for Exceptional Children, Toronto,
- : Assessing the language abilities of hearing impaired students. (1981, August). Paper presented at the National Convention of the Association of Canadian Educators of the Hearing Impaired, Vancouver, British Columbia.
- : Classroom evaluation of exceptional children. (1981, June). Paper presented at the Professional Development Meeting of the Durham Unit, Ontario English Catholic Teachers' Association, Toronto, Ontario.
- : Learning disabilities: Identification and programming. (February, 1981). Paper presented to Professional Development Meeting, Timmins, Cochrane, Iroquois Falls Board of Education, Timmins, Ontario.
- : Assessment within the classroom. (1980, November). Paper presented to Professional Development Meeting of Metropolitan Toronto Roman Catholic Separate School Board, Toronto, Ontario.
- : Research in hearing impairment in Canada: Issues and needs. (1979, August). Paper presented at the National Convention of the Association of Canadian Educators of the Hearing Impaired, Moncton, New Brunswick.

- : Problems of early identification and intervention. (1979, May). Paper presented to Association of Master Teachers, York Region Board of Education, Aurora, Ontario.
- : Key elements in early childhood programming for hearing impaired children. (1979, February). Paper presented to Executive Group, York Region Board of Education, Aurora.
- : Adaptation of the Berko model to investigate the deaf child's development of morphological rules. (1978, September). Paper presented at the Research Conference on the Nature of English Processed by Deaf Adolescents, Gallaudet University, Washington, D.C.
- : Testing expressive and receptive language ability in hearing impaired children. (1978, June). Paper presented at the National Convention of the Alexander Graham Bell Association, St. Louis, Missouri.
- : Assessment of the language of the hearing impaired: Canadian developments. (1978, February). Paper presented at the First Conference of Manitoba Educators of the Hearing Impaired, Winnipeg, Manitoba.
- : Language without thinking. (1977, November). Paper presented at Annual Meeting of Association of Maritime Teachers of the Deaf, Amherst, Nova Scotia.

Exhibit - Curriculum Vitae of Dr. Gary Bunch, filed as Exhibit A-30 at Ontario Special Education (English) Tribunal, first referred to at p. 1027 of Transcript of Proceedings, Volume 6.

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SPEAKING TOUR

: Series of papers on education of hearing impaired children and exceptional children. (1978, October). Ministry of Health, Quito, Guayaquil, Quenca and other centers, Ecuador. (for CUSO)

TELEVISION PRODUCTIONS

: Bunch, G.O. and Forest, M. (Producers and Directors). (1980). Learning Disabilities. In York University Counterpart Series. (Videotape). Toronto, ON: York University.

REVIEWS: RESEARCH PROPOSALS

: Social Sciences and Humanities Research Council of Canada

: Secretary of State

: VOICE for Hearing Impaired Children

: Alberta Mental Health

: ARTICLES

: ACEHI Journal

: Canadian Journal of Research in Early Childhood Education

: Canadian Journal of Behavioural Science

: Canadian Journal of Education

: Exceptionality Education Canada

: TEXT MANUSCRIPTS

: University of Toronto Press

: Allyn and Bacon, Inc.

: Prentice-Hall, Inc.

: Copp Clarke-Pitman, Inc.

: Frontier College Press

: Inclusion Press

Exhibit - "Aspects of Integration of Students with Challenging Needs", by Dr. G. Bunch, filed as Exhibit A-31 at Ontario Special Education (English) Tribunal, first referred to at p. 1042 of Transcript of Proceedings, Volume 6.

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**ASPECTS OF INTEGRATION
OF
STUDENTS WITH CHALLENGING NEEDS**

**A Report
prepared for the
Advocacy Resource Centre for the Handicapped**

by

**Dr. Gary Bunch
Faculty of Education
York University
Toronto, Ontario**

ASPECTS OF INTEGRATION OF STUDENTS WITH SPECIAL NEEDS

THE MOVEMENT TOWARD INTEGRATION

The roots of the present societal movement toward integration of more and more students with challenges to their learning rise from three areas:

1. The lack of any consistently clear evidence in research studies that special education classroom placement results in more academic or social gain than does regular education classroom placement.

There is simply no consistent evidence that one type of placement is more effective than the other in academic or social achievement. Leonoff (1992), in the introductory section of an Ontario study into the effects of mainstreaming emphasized the difficulty of drawing "firm conclusions about the effectiveness of mainstreaming" due to the quality of the available research. Though this or that individual will argue that there is a difference, such argument is oriented more to individual cases, rather than to the "average" case. A complicating factor is that full integration or inclusion has not seriously been attempted with students with what are often referred to as "severe and profound" levels of challenge to their learning. With no clear evidence that segregated placements are proving productive, many parents, advocates, and professionals advance the position that it is inappropriate to force so many students into educational placements away from their neighbourhoods and friends.

2. The preference of many parents for placement in the neighbourhood school in a normal community situation.

Wilgosh (1993) states "Parents of children with disabilities want their children to have opportunities for making neighbourhood friendships, enhanced by attendance at the local school and to be prepared for living and working in society as adults". Such friendships and preparation for adult life, parents argue, will not occur when children are placed primarily in the company of other children with equal levels of disability in some distant school. Maximum realization of potential will have the greatest opportunity of occurring close to home in the company of students of a range of abilities, who will model normal behaviour and who will have normal expectations of all of their peers. The Ministry of Education recognized the right of parents to be heard in its Consultation Paper on the Integration of Exceptional Pupils (1992). This consultation paper states that "When a parent requests that his or her child be placed in a regular class, the decision regarding the placement of the pupil should usually rest with the parent". If a severe disability is involved or if additional resources are required, "The wishes and preferences of the parent(s) are as important as are the opinions of educators" during the decision making process. The meaningful inclusion of parents in the placement of their children is a major dynamic in the movement to integration of children across a wide spectrum of abilities.

3. The continuing "normalization" movement initiated in the 1960's and 1970's and marked by the 1972 publication of Wolfensberger's The Principle of Normalization in Human

Services.

Social services, recreational services, community services, and other non-school services have made considerable progress in including individuals with disabilities in the regular life of their communities. Society in general has accepted the thesis that the world, the nation, the community are stronger when all individuals interact cooperatively in joint endeavour on matters of mutual concern. Education has come late to this view, particularly in terms of individuals with severe to profound levels of challenge. The mounting relationship between education and the larger societal movement is clear. Today's society has moved in terms of gender and race. It is moving in terms of ability.

THE CONTACT HYPOTHESIS

The primary theoretical underpinning of the integration or inclusion movement in education is the "Contact Hypothesis" credited to Christoplos and Renz (1969). This hypothesis advanced the concept that increased contact between individuals considered to be intellectually challenged and regular students would reduce social stigmatization and lead to increased social acceptance of students with special needs. Placement in regular classes would provide opportunity for increased social interaction among children. This, in turn, would provide increased opportunity for students with challenges to their learning to model on their regular peers, which would lead to modification of behaviour.

Educators have embraced this concept fully to partially, but only for a restricted number of students. Common practice is to establish an undefined line which varies from situation to situation to determine if regular, part-time regular, or full time special class placement is chosen. This line appears dependent on the vigour of parents in advocating for their child, on the willingness of a regular classroom teacher to accept teaching responsibility for a particular child, on the use of questionable standardized tests, on financial considerations, and on the personal philosophies of administrators. There is no question that every school system integrates the majority of its special needs students. The only question is "Where will a particular teacher, school, or school system draw the line of acceptance?".

This "line drawing", in the absence of clear research findings and minimal professional experience beyond the integration of students with mild to moderate levels of challenge, in essence, is based on educator attitude. Do educators believe that certain students can be taught, can learn, and that regular classroom teachers, supported by appropriate resources, can teach them? I have argued that one effect of maintaining two separate school systems, regular and special, has been to have salient effect on educator attitudes. Teachers have been told that only specially qualified teachers can teach students with challenges to their learning. Concomitantly, under the dual structure model, regular teachers can teach only the "regular" students. In addition,

students with special needs were considered to be best educated in special classrooms in a centralized facility. We know now that the promises of segregated education have not been fulfilled. However, many teachers and others remain convinced that students with special needs should not be educated in regular classrooms under the responsibility of regular classroom teachers. This is an attitude about reality and not reality itself. It is an overly simplistic manner of considering the most appropriate placement for many students. It is an attitude based more on teacher perception than on established student need.

As a result of my experience in educational systems which segregate many learners and in systems which include all learners in age appropriate regular classrooms, I have determined the place at which I draw my personal line. It is my belief and experience that almost all learners can be included in the regular classroom with benefit. The sole area of exception I would make are learners whose presence in a regular classroom, in some fashion, would present a physical danger to themselves or to others.

TEACHER ATTITUDE

Almost no research exists which examines teacher attitude to the integration of students with challenges to their learning, outside of research conducted in dual (regular and special) educational systems. What we have available is research from systems where the system is socialized to reject the belief that all students may be taught by appropriately supported regular

classroom teachers. That research indicates that regular classroom teachers find considerable concern with integration as presently practiced. This concern relates to the integration of students with mild and moderate levels of challenge as research on the severe to profound levels is almost completely non-existent. A common finding of such research is that special education teachers and school administrators find integration more practicable than do regular classroom teachers. This type of finding further reinforces the belief that regular classroom teachers cannot function successfully and powerfully in inclusion.

I conducted a study of teacher attitude in teachers from both dually structured school systems and systems which included all students, regardless of degree of challenge to learning, in the regular classroom. Findings in this study challenged the traditional view of regular teacher attitude toward inclusion of students with challenging needs. At the beginning of the study all subjects were regular classroom teachers. None were prepared in special education and none had worked in inclusive systems. One group was about to enter a first course in special education and then move into special education positions the following teaching year. The second group had just accepted teaching positions in school systems with inclusive policies and would enter these positions in the following teaching year. In the summer prior to studying special education or taking up their new teaching duties, the two groups completed an attitude survey

prepared for the study. The following May they completed the same survey a second time. The attitude survey was constructed to group individual items under ten general areas. Six areas dealt with professional/personal views of inclusion of students with challenging needs. Four dealt with the more pragmatic areas of working conditions/relationships.

Results indicated that when they were at the same point in their careers, that is, regular education teachers prepared for and experienced in dually structured systems, attitudes in both groups were closely similar. Where one group responded affirmatively to a major area, the other group tended to do so as well. When one group expressed some degree of less positive attitude about an area, so did the other group. Following one year of teaching experience in their new roles, though similarity in general response continued, it was not as closely similar as previously. Those who had moved to special education responsibilities had moved to less positive attitudes in every area. Those who actually taught in an inclusive system had moved to more positive attitudes in all professional/personal areas. Conversely they were less positive in working conditions/relationships, though more positive than the group who had become special education teachers in dually structured systems. The results suggest to me that those who involve themselves in integration find that it is a valuable educational process, even though there are some practical areas where attention is needed. Further, the results suggest that those who

enter a dually structured system and that integration is not as possible as they had once considered it. Those who do it, find it acceptable overall. Those who do not do it, find it less acceptable. The controlling difference is that of attitude, rather than whether integration of students with challenging needs is acceptable and practicable educational policy.

OTHER CONTRIBUTING FINDINGS

Arrival at this position was not dependent on this single study of educator attitude. It has been complemented, reinforced, and extended by professional reading, discussions with many educational professionals, parents, advocates, and individuals with disabilities, and additional research I have undertaken. The nexus of my position may be found in a research study I conducted on the full inclusion of students with challenging needs in three Ontario school systems. All have policies of inclusion in regular classrooms of all students at age appropriate levels. So far the study has had a three year field phase and a three year analysis and writing phase. Thirty two students ranging in placement from kindergarten to Grade 9 were followed for three years as they progressed through the school systems. Over the term of the study placements in a total of 96 different classrooms were observed. Approximately 100 different elementary and secondary teachers, 42 different schools, and 42 different principals were involved. Central activities of the study were routine, frequent observation of in-class student activities, repeated interviews with parents, regular classroom teachers, and principals on the

abilities, needs, and progress of each student, and interviews with senior administrative staff regarding the philosophical position of their Boards and their service delivery systems. Partial findings of the study have been published in articles on parent and educator objectives for students with challenging needs (Bunch, 1991) and on teacher attitudes (Bunch, in press). These and other findings have been incorporated into a series of courses available to teachers at the preservice, inservice, and graduate levels at York University.

The general finding of the study is that inclusion of students with high levels of challenging need is within the power of the average classroom teacher. My research assistant and I spent approximately 400 days or parts of days over a three year period observing classroom practice and conducting interviews. We attended planning sessions, interacted with regular classroom teachers, resource teachers, teacher assistants, principals, and parents in and out of school. At no time did we obtain any indication that inclusion was less than practicable or positive for all concerned. Teachers were able to plan for all students in a class, using a parallel curriculum approach when necessary. Children in classrooms were learning effectively. The services of teacher assistants were distributed on the basis of proven need. Administrators supported teachers in adequate fashion. Special education resource teachers created positive, supportive relationships with their regular classroom peers. Parents were satisfied with school effort and the progress of their children.

A particular observation during the study was that peers are a positive and powerful support to academic and social integration into the regular classroom. We observed a variety of classrooms, from the primary level to the secondary, in which the Circle of Friends peer support system was implemented. This inclusion strategy originated in Ontario and is used around the world with success. It is based on the concept that peers will accept and support their learning challenged peers in many minor and major ways with advantage to themselves and to the included peers. Consultative support in implementing the Circle of Friends dynamic is available within the province. A variety of alternative peer support systems are well-known within the field of education.

During our involvement over the three year period there were instances when immediate teacher response was required to deal with temporary disruptions. Consistent planning and cooperation was needed. Inclusion was not always an untroubled process. However, the routine classroom atmosphere, as well as the school atmosphere, was one of normality, acceptance, and attention to teaching and learning.

SUMMARY

My professional involvements in education run a gamut from experience as a teacher and administrator in segregated residential schools for deaf children to experience in the area of special education and the area of human development at the university level. Over the years I have moved to a position of

being a firm advocate of inclusion of all learners in regular classrooms, if that is the choice of parent and student. I have no doubt that inclusion is beneficial to both regular and special needs students. I have no doubt, as well, that regular classroom teachers, ably assisted by resource teachers, and well-led by informed and supportive administrators are fully capable of integrating almost any student.

There are a number of concerns relating to inclusive policies and implementation. Among these are preservice teacher education, inservice teacher education, professional development at the Board level, adequate and prompt support, and the issue of parental choice. As far as teacher professional development in inclusive education is concerned there are increasing opportunities for regular classroom teachers, administrators, and others to participate in supportive courses and other forums. In Ontario the Faculty of Education at York University offers both inservice and graduate course in inclusion. I believe the University of Western Ontario offers a course on integration. For a number of years a summer institute on inclusion has been held at McGill University and others have been held across Canada. Presentations on integration philosophy and strategies are increasingly common at conferences and other professional development meetings.

The majority of practical issues surrounding the societal and educational movement toward inclusion of more and more individuals in the routine activities of communities are being

Exhibit - "Aspects of Integration of Students
with Challenging Needs", by Dr. G. Bunch,
filed as Exhibit A-31 at Ontario Special
Education (English) Tribunal, first referred
to at p. 1042 of Transcript of Proceedings,
Volume 6.

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addressed successfully. As these concerns emerge, ways to respond
to and ameliorate them are working into educational practice.
Such issues are secondary to the issue of teacher attitude which
will decide the success or failure of integration for any
individual child.

Bunch, G.O. (1992). Teacher attitudes to full inclusion.

Exceptionality Education Canada, 2, 1-20.

Bunch, G.O. (1991). Full inclusion: Parent and educator objectives for students with challenging needs. Developmental Studies Bulletin, 19, 80-101.

Christoplos, F., and Kenz, P. (1969). A critical examination of special education programs. The Journal of Special Education, 3, 371-379.

Leonoff, D. J. (1992). The social effects of mainstreaming of moderately mentally handicapped children into regular education settings. Unpublished manuscript, York University, Department of Psychology, Toronto, Ontario.

Ministry of Education. (1992). Consultation paper on the integration of exceptional pupils. Toronto, Ontario: Author.

Wilgosh, L. (1993). Issues related to the integration of children with special needs. In L.L. Stewin and S.J.H. McCann (Eds.), Contemporary educational issues: The Canadian mosaic (2nd Ed.), (pp. 323-332). Toronto, Ontario: Copp Clark Pitman Ltd.

Wolfensberger, W. (1972). The principle of normalization in human services. Toronto, Ontario: National Institute on Mental Retardation.

CURRICULUM VITAE

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DEGREES RECEIVED

Ph.D. Psychology, Institute of Psychiatry,
University of London, England, 1962.
Registered as a Psychologist in the Province of
Ontario, 1962.

M.A. Psychology, University of Toronto, 1958.

B.A. Psychology, University of Toronto, 1956.

EMPLOYMENT HISTORY

1967 - present Faculty member, Department of Special Education,
Ontario Institute for Studies in Education.

July 1971 - December 1975 Chairman, Department of Special Education,
Ontario Institute for Studies in Education.

July 1970 - Associate Professor, Department of Special Education, present
cross-appointed to Educational Clinic and Department of Applied
Psychology, Ontario Institute for Studies in Education.

July 1969
June 1970

Assistant Professor, Department of Special Education, cross-appointed to Educational Clinic and Department of Applied Psychology, Ontario Institute for Studies in Education.

April 1967 - .

Program Chairman, M.A. Program, School Consulting Option, Department of Applied Psychology, Ontario Institute for Studies in Education.

July 1967 -

Assistant Professor, Educational Clinic, cross-appointed to Department of Applied Psychology, Ontario Institute for Studies in Education.

October 1966 -

Practicum Supervisor in the School Consulting Program, Department of Applied Psychology, Ontario Institute for Studies in Education.

September 1965 -

Director of a Saturday morning remedial-recreational April 1967 programme for children with perceptual-motor handicap. Sponsored by Etobicoke Parents' Council for Special Education.

Winter 1965 -

Consultant Psychologist, Toronto Psychiatric Hospital, 1966 Child and Adolescent Out-Patient Unit.

October 1962 -
August 1967

Chief Psychologist, Etobicoke Board of Education.

1958 - 1960

Staff Psychologist, Toronto Psychiatric Hospital, (inclusive) Child and Adolescent Out-Patient Unit.

1957

Five month summer internship at Sunnybrook Hospital.

SCHOLARLY AND PROFESSIONAL ACTIVITIES

Consultancies

November 1967

Consultant to members of Psychological Services of the Metropolitan Toronto Separate School Board.

May 1968

Consultant to staff of the Chedoke Child and Family Centre, Hamilton, Ontario, regarding educational programs for emotionally disturbed, perceptually handicapped and brain injured children.

September 1968

Consultant to the administrative staff and special education

personnel of the Ottawa Separate School Board regarding the reorganization of Special Education Services.

- September 1968 Consultant to the Director of Special Education, The Hamilton Board of Education, regarding special class for children with learning disabilities.
- 1970 - 1972 Consultant to the Canadian Association for Children with Learning Disabilities.
- 1972 Consultant to Ontario Ministry of Corrections.
- 1971 - present Consultant to Children's Television workshop re T.V. program "The Electric Company", New York.
- 1970 - 1971 Consultant in educational research and child development to Ontario Educational Communications Authority.
- 1972 - 1974 Consultant in research and questionnaire design to Board of Jewish Education, Toronto.
- 1975 - 1978 Consultant to Blissymbolics Communications Foundation.
- 1977 - present Consultant to Wellington County Roman Catholic Separate School Board.

Other Professional Activities

- 1968 Member of the Mental Health Advisory Committee, Humber College of Applied Arts and Technology.
- 1969 - 1973 Member, Advisory Board, Integra Foundation and Camp Towhee (concerned with operation of a residential summer camp for children with perceptual-motor disabilities).
- February 1969 Arrangements Chairman, Ontario Psychological Association Annual Meeting.
- 1970 Member, Association for Children with Learning Disabilities Committee on private school programs.
- 1970 Participation in Educational Television Program "Chalkdust" re Learning Disabilities.

- 1971** External Examiner, University of Alberta, Ph.D. thesis examination of K. Wilton, "Eye-movements, surprise and conservation acceleration".
- 1972 & 1973** Initiator and member of the Joint Committee for Research and Program Development in Learning Disorders (a joint OISE-Ontario Ministry of Education Committee to plan, organize and run a yearly symposium on learning disabilities in children. First Symposium held February 1972, Second Symposium held February 1973.
- February 1973** Session Chairman, Second Annual International Symposium on Learning Problems.
- Research Proposal Evaluator, Special Education, Canada Council.
- Member of the Advisory Board, Journal of Learning Disabilities.
- March 14-15, 1975** Co-chairman of "Entering Urban Education: The Special Problem of the Black Student" - O.I.S.E., Toronto.
- 1983** Research proposal evaluator, Hospital for Sick Children Foundation.
- 1983** Co-chairman of "Assessment for the Teaching/Learning Process: An International Symposium, O.I.S.E., Toronto.
- 1986 - 1988** Internship Supervisor, Department of Applied Psychology, OISE.
- 1987** Course on "The Resource Teacher as a Consultant. McGill University. Certificate in special education program (Northwest Territories).
- 1988 (August)** Course on "Assessment". McGill University Summer Institute.
- 1990** Member Board of Directors, Canadian Down Syndrome Society.

Memberships

American Psychological Association

American Educational Research Association

Canadian Educational Research Association

CAREER NUMBER OF SUPERVISORSHIPS

<u>Degree</u>	<u>Completed</u>	<u>In progress</u>	<u>Inactive</u>
M.A.	13	1	-
Ed.D.	3	1	-
Ph.D.	3	-	-

GRADUATE COURSES TAUGHT DURING THE LAST FIVE YEARS

1285	Special Learning Disabilities
3290	Issues in Special Education
1292	Educational Assessment and Programming for Exceptional Children
1280	Exceptional Children and Youth
1287	Approaches to the Counselling and Guidance of Exceptional Children and their Parents
1987	Intermediate Assessment
4294	Curriculum Adaptations and Instructional Strategies

RESEARCH ACTIVITIES FOR THE PAST FIVE YEARS

Funded Research

1982 - 1983 Individual
Textbook on Assessment
Source: O.I.S.E.
Amount: \$1,700.
Purpose: Library research; grant in aid of publication

The Implementation of Bill 82

Source: O.L.S.E. (Large Scale Research & Development grants)

Amount: \$66,000. \$108,000.

1984 - 1986 Phase 3. The Education Act 1980 (Bill 82)

Implementation Study: Board policies and school level practices

Source: Ontario Ministry of Education, Research Contract No. 27722

Amount: \$99,191.

Field Development Activities

- 1982 Professional development - Scarborough secondary school teachers - Feuerstein's Instrumental Enrichment - A cognitive training program.
- 1983 Professional development - Scarborough teachers Instrumental Enrichment.
- 1983 Professional development - Peel County Vocational School Teachers Alternative approaches to student evaluation.

PUBLICATIONS

Thesis

Silverman, H. (1962). Correlates of Reading Disability in Children, University of London, England.

Books

Silverman, H. and Robertson, E. C. (1971). Tomorrow is Now. Toronto: Holt, Rinehart and Winston, (a book on psychology for secondary school students).

Silverman, H. (1971). Introduction to Psychology. Toronto: Forum House, Spring Ed.

Silverman, H. (1977). Handbook of Blissymbolics. Toronto: Ontario Ministry of Education.

Papers in Refereed Journals

Silverman, H. and O'Bryan, K. G. (1971). The Perceptually Handicapped Child: Some

O'Bryan, K. G. and Silverman, H. (1972). First Annual International Symposium on Learning Problems: A Report. Orbit, Vol. 3, No. 3, June Ed.

O'Bryan, K. G. and Silverman, H. (1973). Children's Television and Child Development. Canadian Association of School Administrators, March.

Henderson, K. and Silverman H. (1973). What's a New Canadian Program? Orbit, June Ed.

Silverman, H. (1979). Problems and Solutions in Special Education. Teacher Education.

Narrol, H., Silverman, H. and Waksman, M. (1982). Developing Cognitive Potential in Vocational School Students. Journal of Educational Research, Nov./Dec.

Waksman, M., Silverman, H., and Weber, K. (1983). Assessing the Learning Potential of Penitentiary Inmates. Journal of Correctional Education, June.

Silverman H., and Davidson, I. (1984). Early Identification: An Approach to Reformulation. Teacher Education.

Silverman, H. (1985). Dynamic Cognitive Assessment: An Alternative to Intelligence Testing. Canadian Journal of Special Education, Vol. 1.

Silverman, H. and Waksman, M. (1989, in press). Feuerstein's Instrumental Enrichment: Elicitation of Cognitive Interaction in the Classroom. Canadian Journal of Special Education.

Jordan, A. and Silverman, H. (1990). Teacher Assumptions and Beliefs about Exceptionality. Special Education Needs Review, Vol. 3, 69-81.

CHAPTERS IN BOOKS

Silverman, H. (1990). Psychometrics and Disability. In M. Wang & M. Reynolds (Eds). International Encyclopedia of Special Education. London: Pergamon Press.

Silverman, H. and Waksman, M. Assessing the Learning Potential of Penitentiary Inmates: An Application of Feuerstein's Learning Potential Assessment Device. In C. Haywood and D. Tzuril (1991) Interactive Assessment. New York: Verlag-Springer.

Technical Reports Relevant to Academic Work

- Gill, M., and Silverman, H. (1973). **Current Policies and Practices Concerning Programs for Emotionally Disturbed Children in the Ontario School System.** Toronto: O.I.S.E.
- Gill, M., Alexander, W. E. and Silverman, H. (1974). **An Evaluation Study of the Resource Program Operated by the Board of Education for the Borough of York.** Toronto: O.I.S.E.
- Silverman, H. (1974). **The Ontario Crippled Children's Centre Symbol Communication Project. Final Report.**
- Silverman, H. (1975). **The Educational Application of the Ontario Crippled Children's Centre Symbol Communication Module for Other Groups of Exceptional Children.** Toronto: Ontario Ministry of Education.
- Silverman, H. (1976). **The Formative Evaluation of the Ontario Crippled Children's Centre Symbol Communication Program.** Toronto: Ontario Ministry of Education.
- Silverman, H. (1976). **The Development of a Classroom Symbol Display for Physically Handicapped Non-Verbal Children.** Toronto: Ontario Ministry of Education.
- Narroll, H., Silverman, H. and Waksman, M. (1978). **Assessing and Developing Cognitive Potential in Vocational High School Students.** Toronto: Ontario Ministry of Education.
- Silverman, H., Davidson, I., Weintraub, L. (ed.). (1979). **Early Identification and Intervention: Selected Proceedings from the Fourth International Symposium on Learning Problems.** Ministry of Education. Toronto.
- Waksman, M., Silverman, H., and Weber, K. (1979). **Assessing the Learning Potential of Penitentiary Inmates: An Application of Feuerstein's Learning Potential Assessment Device.** Ottawa: Education and Training Division, Correctional Services of Canada.
- Silverman, H., Waksman, M. and Narrol, H. (1979). **A Comparison of the Questioning Style of Instrumental Enrichment Class Teachers and Regular Class Teachers in Vocational Schools.** Toronto: Ontario Ministry of Education.
- Davison, I., Silverman H., and Hughes, M. (1980). **Early Identification and Intervention Practice in Ontario School Boards.** Toronto: Ontario Ministry of Education.
- Silverman, H., Davidson, I., and Shaw, R. (1982). **Follow-up Survey of the Early Identification and Intervention Practices of Ontario School Boards.** Ministry of Education.

Silverman, H. (1985). **A Study of the Implementation of Bill 82**. Toronto: O.I.S.E.

Silverman, H., Wilson, A. and Seller, W. (1987). **Phase 3: The Education Amendment Act (1986). Bill 82 Implementation Study: Board Policies and School Level Practices**. Final Report presented to the Ministry of Education on Contract No. MA-512-02-652 (ASN 2772).

Papers Presented at Conferences

Silverman, H. (1965). "Diagnostic Features of Brain Damage in Psychological Tests and in School Performance." Delivered at the University of Toronto, Division of Postgraduate Medical Education, Faculty of Medicine Postgraduate Seminar in Child Psychiatry. March.

Silverman, H. (1965). "The Evaluation of Psychological Correlates of Reading Problems in Children." Delivered at the Ontario Medical Association 85th Annual Meeting - Ophthalmology Section. May.

Silverman, H. (1965). "Perceptual Aspects of Reading Disability". Delivered at the Ontario Speech and Hearing Association 7th Annual Convention. October.

Silverman, H. (1966). Special lecturer in a series of five lectures on "Psychological Correlates of Reading Disability", presented at the Ontario Curriculum Institute's Professional Courses for Teachers on the Teaching of Reading. July/August.

Silverman, H. (1966). "Remedial Programmes for the Perceptually Handicapped Child". Delivered at the Ontario Medical Association 86th Annual Meeting - Pediatric Section. May.

Silverman, H. (1967). "Educational Programs for Perceptually Handicapped Children". Paper presented at Ontario Medical Association Convention, Pediatric Section, Hospital for Sick Children, Toronto. October.

Silverman, H. (1970). "Perceptual-Motor Handicap and Reading Disability". Paper presented at the Ontario Educational Research Council Convention, Royal York Hotel, Toronto. December.

Silverman, H. (1970). "Evaluation of Remedial Programs". Paper presented at "Neurology Conference", Hospital for Sick Children, Toronto. December.

Silverman, H. (1971). "Eye Movements and Horizontal Decalage". Institute of Pedagogical Research, University of Geneva, Switzerland (with Dr. K. G. O'Hryan). June.

Silverman, H. (1971). "Research in Perceptual Handicap". Paper presented to Council for Exceptional Children Convention, Hamilton. December.

Silverman, H. (1972). "Recent Research in Perceptual-Motor Handicap". Paper presented at Council for Exceptional Children Convention, Toronto. December.

Silverman, H., and O'Bryan, K. G. (1973). Learning Disabilities: Directions for Research, In Silverman, H. and O'Bryan, K. G. (eds.) Perspectives in Learning Disabilities, O.I.S.E.

O'Bryan, K. G. and Silverman, H. (1973). Learning Disabilities: Implications of Research for the Classroom. In Silverman, H., and O'Bryan, K. G. (eds.), Perspectives in Learning Disabilities, O.I.S.E.

Silverman, H., and O'Bryan, K. G. (eds.) (1973). Perspectives in Learning Disabilities. Proceedings of the First Annual International Symposium on Learning Problems, O.I.S.E.

Silverman, H. (1974). The School Psychologist and Learning Disabilities. Presented at "New Perspectives in School Psychology - Structures and Strategies", O.I.S.E., Toronto. February.

Silverman, H. (1974). Innovations in Early Childhood Education. Paper presented at The Ontario Educational Research Council, Burlington. April.

Silverman, H. (1977). The Bliss-Com: A Portable Symbol Printing Communication Aid, Fourth Annual Conference on Systems and Devices for the Disabled, University of Washington, Seattle. June.

Silverman, H. (1979). Assessment of Learning Disabilities Among Penitentiary Inmates. 5th International Congress, International Association for the Scientific Study of Mental Deficiency. Jerusalem, Israel, August 1-7.

Silverman, H. (1979). A Comparison of Teacher Questioning Style of Instrumental Enrichment Class Teachers and Regular Class Teachers in Vocational Schools. 5th International Congress, International Association for the Scientific Study of Mental Deficiency, Jerusalem, Israel, August 1-7.

Silverman, H. (1980). Dynamic Cognitive Assessment in School Psychology. 4th International Colloquium in School Psychology, Jerusalem, Israel. June.

Silverman, H. (1981). A Perspective on Special Education: Keynote Address. Council for Exceptional Children Annual Conference, Toronto. October.

Silverman, H. (1982). **Early Identification: An Approach to Reformulation.** OCLEA Distinguished Lecture Services, O.I.S.E. April.

Silverman, H. (1983). **Early Identification: An Approach to Reformulation.** OCLEA Distinguished Lecture Services, O.I.S.E. February.

Silverman, H. (1983). **Instrumental Enrichment: A Cognitive Training Program.** Distinguished Lecture Services, O.I.S.E. February.

Silverman, H. (1984). **Instrumental Enrichment: American Educational Research Association Conference.** New Orleans.

Silverman, H. (1986). **"The Concept of Integration: The Wellington Model".** Frobisher Bay School District personnel. Baffin Island, North West Territories. May.

Silverman, H. (1986). **"Instrumental Enrichment: Theory and Practice",** presented at Canadian Conference on Thinking, Toronto. November.

Silverman, H. (1987). **"Assessment vs. Diagnostic Testing".** Three day workshop to Western Arctic School Divisions, Hay River, North West Territories. February.

Silverman, H. (1987). **"Assessment vs. Testing and An Integrated Special Education Model.** To Welland County Separate School resource teachers and principals. March.

Silverman, H. (1987). **"Evaluating Special Education Programs and Services",** Ontario Council for Leadership in Educational Administration, OISE.

Silverman, H. (with Wilson, A.) (1988). **Special Education Legislation: School Board Policies and Practices.** Invited Address, Canadian Psychological Association Conference, Montreal.

Silverman, H. (1988). **Psychological Testing in Special Education.** First International Conference on Special Education, Beijing, China.

Silverman, H. (with Wakeman, M.) (1991). **A cognitive education program with Down Syndrome students.** Annual Conference, Canadian Down Syndrome Society, Halifax, Nova Scotia.

Other Publications

Silverman, H. **"Alternative Approaches to the Education of Educable Mentally Retarded Children"** - Course 1291, Department of Educational Theory, Ontario Institute for Studies in Education.

- Silverman, H. (1965). "Diagnostic Features of Brain Damage in Psychological Tests and In School Performance". Delivered at the University of Toronto, Division of Postgraduate Medical Education, Faculty of Medicine Postgraduate Seminar in Child Psychiatry, March.
- Silverman, H. (1970). Perceptual-Motor Training and School Achievement, Chedoke-McMaster Child and Family Centre, Hamilton, Ontario. Spring.
- Silverman, H. (1970). Research into Perceptual Handicap, Clarke Institute of Psychiatry. Fall.
- Silverman, H. (1970). The Perceptually Handicapped Child - Joint meeting of remedial staff of Hospital for Sick Children/Ontario Crippled Children Centre. Winter.
- O'Bryan, K. G. and Silverman, H. (1971). A Look at Learning - Intelligence. Ontario Educational Communications Authority, Toronto.
- Silverman, H. and O'Bryan, K. G. (1971). A Look at Learning - Readiness. Ontario Educational Communications Authority, Toronto.
- O'Bryan, K. G. and Silverman, H. (1971). A Look at Learning - Creativity. Ontario Educational Communications Authority, Toronto.
- Silverman, H. and O'Bryan, K. G. (1971). A Look at Learning - Educational Alternatives. Ontario Educational Communications Authority, Toronto.
- Silverman, H. (1971). "Research in Special Education". Paper presented at Special Education Branch, Department of Education meeting of regional consultants, Queen's Park. September.
- Silverman, H. (1971). "Research in Learning Disabilities". Paper presented to Regional Consultants, Department of Education and school officials of London, Ontario region. November.
- Silverman, H. (1972). "Learning Disabilities: Implications of Research for the Classroom". Paper presented with Dr. K. G. O'Bryan at the First Annual International Symposium on Learning Problems, Toronto. February.
- Silverman, H. (1972). Workshop "The Psychology and Education of Gifted Children" to Special Education Teachers and Consultants, Ottawa Public School Board. April.
- Silverman, H. (1974). "Evaluation of and Programming for the Non-Achieving Adolescent". Workshop for teachers, specialists and administrators of Sudbury Board of Education. Spring.

Exhibit - Curriculum Vitae of Dr. Harry Silverman, filed as Exhibit A-35 at Ontario Special Education (English) Tribunal, first referred to at p. 1364 of Transcript of Proceedings, Volume 8.

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Silverman, H. (1975). **Research in Special Education. EDEX program for Special Education Consultants and Faculty of Education, York University. Spring.**

Silverman, H. (1975). **"Special Education Trends and Issues" - Keynote Address to Brant County Professional Development Day Program, O.I.S.E., Toronto. Spring.**

Waksman, M., Silverman, H. and Mesner, J. (1984). **Cognitive Training for Gifted Children. Human Intelligence International Newsletter, 5(3), 2-3.**

WORKSHOPS PRESENTED

Silverman, H. (1987). **"Assessment vs. Diagnostic Testing". Three day workshop to Western Arctic School Divisions, Hay River, North West Territories. February.**

Silverman, H. (1987). **"Assessment vs. Testing and an Integrated Special Education Model". To Welland County Separate School resource teachers and principals. March.**