HISTORICAL OUTLOOK

Submit to Wayne a brief written history of the delivery of special education in New Brunswick

The first legislation on special education in New Brunswick was passed by the government in 1892, in the form of an act providing for the housing and education of blind persons. Later, in 1903, the education of the deaf was addressed by the *Act respecting the Education of Deaf and Deaf Mute Persons*. Prior to 1957, school boards had the power, under the *Schools Act*, to exclude students with mental disabilities or severe physical disabilities, such as cerebral palsy, and educational services for such children were the responsibility of their parents.

With the adoption of the *Auxiliary Classes Act* in 1957, the Province took on responsibility for providing educational services for students with major disabilities. The actual services were delivered through community groups operating under the Canadian Association for the Mentally Retarded (CAMR), today the Association for Community Living. However, students in some regions did not receive services because the association was not present throughout New Brunswick.

From 1972 to 1977, several reports tackled the issue of special education. The Owens-MacLeod report, entitled *Right to Choose and the Right to Be Served* (1972), expressed the need to retain local autonomy in the administration of special programs (the right to choose) and the need for students with disabilities to receive basic health, education, and welfare (the right to be served).

In 1973, the Pinet-MacLeod report, *Education Tomorrow*, advocated the integration of special education into the public school system. It recommended that the Department of Education fund the education of all children, including

those with severe intellectual disabilities, that exceptional students attend regular classes as far as possible, that the identification of students and diagnoses be more specific, and that all the government departments work together to meet the needs of exceptional students.

In 1974, the Department of Education tabled a White Paper in the Legislative Assembly on *Opportunities for the Handicapped*, detailing the recommendations of the Pinet-MacLeod report with regard to special education and reiterating the following three principles:

- school boards must be responsible for educating <u>all the children</u> residing within their territory;
- 2. children with difficulties must be educated as close as possible to their community; and
- 3. sharing of services and co-operative planning are effective means of offering services to children with difficulties.

On June 13, 1975, the *Education of Aurally or Visually Handicapped Persons Act* was passed with a view to confirming and ratifying the agreement signed on January 24 of that year between the four Atlantic provinces dealing with the establishment of the Atlantic Provinces Special Education Commission (APSEA). The role of the Commission was to look after programs and services for visually or hearing impaired students. It followed up on one of the recommendations of the Pinet-MacLeod report concerning the education of students with low-incidence handicaps.

In the late 1970s, the parents of children with learning disabilities and their association played an important role in the implementation of services for such children under the *Schools Act* of 1967. The Act governed educational services for students between the ages of 6 and 21 who were not identified as students with a moderate intellectual disability or severe physical disability according to

the *Auxiliary Classes Act*. The association for students with learning disabilities participated in the establishment of an initiative commonly called the Comprehensive Plan (Comprehensive Plan for Services to Students with Learning Disabilities). The sums identified in this plan were earmarked for the funding of services for students with learning disabilities. However, in carrying out work aimed at identifying such students, the school districts came to identify other specific needs, and that is how the school districts developed new services and allocated financial resources from their regular budgets to meet the needs of students with mild intellectual disabilities, language delays, or emotional disorders.

In November 1984, the Department of Social Services announced the closure of the Dr. William F. Roberts Hospital School in Saint John, which ceased its operations in December 1985. The children returned to their respective communities. An effort was made to place these children in educational settings commensurate with their needs and ages. Unfortunately, the interdisciplinary teams and rehabilitation services promised to the schools and communities were not available to a sufficient degree. However, the savings that resulted from the closure of the facility were spread among the departments of Health, Social Services, and Education in order to develop shared services.

That same year, in response to a Cabinet recommendation, the Support Services to Education (SSE) program was developed. Cabinet recognized that the education system could not rely exclusively on teachers to give the students the most favourable educational environment. Under the SSE program, the school districts were able to benefit from the professional services of speech therapists, social workers, and psychologists. Unfortunately, in 1997, following the reorganization of rehabilitation services, the interdisciplinary teams were dissolved, and the professionals from those teams and the speech therapists from the Support Services to Education program were transferred to the Extra-Mural Program, with the consequences that we now know.

As we have seen, during the 1970s and 1980s, the government assumed responsibility for the education of all students, exceptional or not. It subsequently began to close separate schools and institutions, integrated exceptional students into the public schools and the same buses, and encouraged the participation of all students in school-based and extracurricular activities.

On May 29, 1982, at the 25th Annual Conference of the New Brunswick Division of the Canadian Association for the Mentally Retarded, then Premier Richard Hatfield stated that students with mental disabilities and those with special needs had a right to an education. And he promised that his government would integrate those students into the regular school system. This statement by the Premier came one year after the government launched a study of the *Auxiliary Classes Act* (1981), designed to provide for the education of all children with special needs in the least restrictive environment.

From February to April 1983, the Department of Education sponsored public hearings on the *Auxiliary Classes Act*, and, in September 1983, the authors of the Correia-Goguen report recommended that the *Schools Act* and the *Auxiliary Classes Act* be amended, that a single statute govern special education programs and services, and that free school privileges be offered to all children.

On June 18, 1986, the New Brunswick Legislature passed Bill 85 amending the *Schools Act* and repealing the *Auxiliary Classes Act*. Thereafter, the *Schools Act* was the only legislation governing programs and services for all students, except students with sensory handicaps, for whom programs and services are governed by the *Education of Aurally or Visually Handicapped Persons Act*. The revised *Schools Act* marked the launch of the inclusion movement, i.e., the full participation of all students in all aspects of school and community life, without regard to their disability or difficulty. This new Act was also the only one that required justification of the *exclusion* of an exceptional student from a regular

class, not his/her inclusion. In the wake of the Act's adoption, the Advisory Committee to the Minister of Education under the *Auxiliary Classes Act* remained intact and was asked to develop a statement of principles on school integration.

In January 1988, the Francophone sector of the Department of Education published a document on school integration entitled Énoncé de principe sur l'intégration scolaire, and in March of that year, the Anglophone sector released a document on the same topic called *Working Guidelines on Integration*. Although the objectives were the same, the two documents tackled the issue of integration of exceptional students differently and proposed different approaches for achieving those objectives.

In the summer of 1988, the Department of Education established an advisory committee on the implementation of school integration. The committee was subsequently divided into two subcommittees, one Francophone and the other Anglophone, that were to report to the Minister in February 1989. Owing to the strong concerns expressed by parents and teachers, in May 1989, the New Brunswick Legislature referred the reports of the two subcommittees to the Special Committee on Social Policy Development for consideration and public input. The Special Committee tabled its final report in April 1990.

The members of the Special Committee reaffirmed their support for the school integration process and recommended a number of actions to the government, some of which have still not been implemented; for example, some of the recommendations concerning early childhood education, teacher training and certification, number and type of exceptionalities in a classroom, integrated services, and funding to adequately meet the needs of exceptional students.

In 1987, following the tabling of the study Étude des services francophones pour les élèves handicapés de la vue et de l'ouie sous l'égide de la Commission d'éducation spéciale des provinces de l'Atlantique (CESPA) [Study of

Francophone services for visually and hearing impaired students under the auspices of the Atlantic Provinces Special Education Authority (APSEA)], the Department of Education's Francophone sector brought back the administration of services for students with sensory impairments and the related Francophone staff to New Brunswick. The administration and coordination of these services were entrusted to the Francophone Instructional Services Branch (formerly Student Services), and the hiring and supervision of staff, to the Francophone school districts.

In 1992, after a series of public consultations, the Downey-Landry Commission tabled its report *Schools for a New Century*, which held that no compromises should be made regarding the principles of integration. The Commission recommended that the Department of Health and Community Services and the Department of Education ensure that services for exceptional services be made available on an equitable basis, that additional resources be allocated in the areas of counselling, resource and methods teaching, psychology, and speech therapy, and that the different government departments develop a protocol to meet the needs of students with severe behaviour disorders. After the report was tabled, the Department of Education granted additional sums to the school districts. This additional funding, called Supplementary Educational Programs or Excellence budget in the budget process, enabled the districts to develop new initiatives in different areas related to special education.

Following the Final Report of the Special Committee on Social Policy Development on school integration in April 1990 and the Report of the Downey-Landry Commission, the Department of Education's two sectors continued to carry out the integration of exceptional students according to their own procedures. However, no policy was developed and applied by either sector to govern the implementation of the *Schools Act* provisions dealing with the education of exceptional students. As a result, special education programs and

services evolved with practice while taking into account certain guidelines developed by the Department of Education.

Each sector developed its own supporting documents. All the documents were examined by the stakeholders concerned and then backed up by in-house training aimed at ensuring the uniform application of programs and practices throughout the province and in all the school districts. For the Anglophone sector, the document *Best Practices for Inclusion* (1994) presented the winning conditions for successful inclusion and served to guide the work of the education stakeholders. The Francophone sector published two documents, one on the elementary school - *L'école primaire* (1995) - and the other on high school - *L'école secondaire au Nouveau-Brunswick* (1996), which presented the educational direction to be followed for the academic success of all students.

Today, in New Brunswick, there are no more special classes or institutions, and all students are enrolled in a regular class at a public school. New Brunswick is seen as a leader in the area of school inclusion both nationally and internationally. The different education stakeholders and the general public support the principle of inclusion, and no one wants to turn back. Moreover, certain schools and schools districts showed that it was possible to achieve excellence in education while practising inclusion. These different settings focused their energies on teaching methods, the continuing education of their staff, collaboration between the different stakeholders, and the conviction that all students can succeed. The administrators of these schools and districts firmly believed that they could succeed and devoted all their resources and energy to that objective.

Despite this recognition at the national and international levels, the fact remains that the New Brunswick school system, both the Francophone and Anglophone sectors, is encountering major difficulties. It is being criticized for its poor performance on national and international tests, and some persons tend to place

the blame for that on the inclusion of exceptional students. School administrators report a growing increase in the number of exceptional students, particularly those with severe behaviour problems. They want to meet the Act's objectives but deplore the lack of human and financial resources to respond adequately to the needs of exceptional students.

The province's two teacher associations also criticize the lack of human resources, more specifically the lack of health professionals to meet certain specific needs. They denounce the workload of regular classroom teachers, the high number of exceptional students in the same class, the number of meetings and case conferences, and the lack of professional training.

In 2002, the New Brunswick government published a policy statement on kindergarten to Grade 12, entitled *Quality Schools, High Results*, as part of its *Quality Learning Agenda*. The policy statement sets out specific measures in different areas of education that will have an impact on the learning of all students. The unique feature of this initiative lies in the fact that the government requires the Department of Education to establish a specific deadline for each of the actions set out and to report periodically on the progress achieved. Some of the different actions identified will have a direct effect on special education programs and services.

In the area of preschool education, the Department of Education plans earlier registration of kindergarten students, screening of children prior to entry, and collaboration with the Department of Family and Community Services, which is responsible for preschool programs. In terms of prevention, the Department is placing the emphasis on literacy and thereby wants to ensure that all students are subject to a reading and writing assessment at the end of Grade 2. Negotiations have begun with the universities responsible for teacher training to ensure that new teachers have the necessary knowledge and skills to function in inclusive settings. Other initiatives are already under way in the areas of

giftedness, the continuum of services, and funding of services. This study is also part of that plan.

Conclusion

Perusal of the different reports published on the topic of special education or the integration of exceptional students in New Brunswick reveals that many of the problems characterizing today's education system have already been recognized. Back in 1987, after the passage of the *Schools Act*, there was recognition of the importance of investing in early childhood education, increasing the financial resources earmarked for education, training teachers and working in co-operation with the other departments concerned. When we analyze today's situation, we see that the problems remain the same. It would be useful to reconsider the recommendations made in the past and try to implement them.

b) Outline the history of the Reviews of Inclusive Education within the province of New Brunswick including a summary of major conclusions and recommendations. Include author, date, what action (if any) taken in response, and all other relevant information.

The Outlook should take into account the specifics of the dual language systems.

Any other historical information you consider to be relevant.

MacLeod, G.E.M & Pinet, A. *Education Tomorrow: Report of the Minister's Committee on Educational Planning*. Fredericton, N.B. Department of Education, October 1973.

Here are the main recommendations concerning special education (page 52):

- The financial responsibility of the Department of Education for the education of all children, including those who are moderately mentally disabled.
- The participation of exceptional children in the regular school program.
- The adoption of a specific and thorough method of identifying student learning difficulties.
- The preparation of curriculum guides to suit the needs of mildly and moderately mentally disabled students and of guides for adapting the curriculum for children who are language-deprived, emotionally disturbed and physically handicapped.
- The presence of consultative and coordinating services for special education in the districts.
- The development of learning centres at the district level.
- The availability of supervisory staff to provide consultative and coordinating services.
- The establishment of interprovincial services for low-incidence handicaps, as suggested in the Kendall report.

This recommendation was implemented in 1975 with the agreement between the four Atlantic provinces for the establishment of the Atlantic Provinces Special Education Commission (APSEA) and the passage of the *Education of Aurally or Visually Handicapped Persons Act*. The APSEA is responsible for programs and services for students with sensory impairments, i.e. students who are visually or hearing impaired.

 A study of resources in terms of finances and personnel that can be obtained from all departments of government to offer special education programs and services.

In addition, on page 54 the report's authors mention the concept of education paraprofessionals and recommend that consideration be given to the possibility of employing such persons in the province's schools, not to replace teachers in instructional roles but to relieve them of non-teaching activities so that they are able to devote themselves wholly to more professional duties.

Correia, Claire L. & Goguen, Léonard J. Report of a Study Concerning the Auxiliary Classes Act of New Brunswick. July 1982

The Correia-Goguen report is certainly the most important report in the brief history of integration (today, inclusion) in New Brunswick and the instigator of Bill 85 – *Act to amend the Schools Act* and of the *Schools Act* proclaimed in 1987.

In their Preamble, the authors mention that "Special Education is based on the assumption that every child has the right to an appropriate education. Its fundamental purpose is the same as that of regular instruction: the optimal development of the student to reach his highest potential as an individual and as a member of society." They go on to say that "special programs should be created on the basis of educational needs, not on categories or labels, and must provide meaningful experiences which will allow the student to acquire new skills and develop his abilities."

The importance of this report is derived not so much from the recommendations concerning amendments to the *Auxiliary Classes Act* but from proposal #11 found in Part III of the document (page 41). In that section, the authors propose a study of legislation concerning special education and related services for children and youth with unique learning needs. They even suggest the setting up of a task force with the following mandate:

1) to follow up on the recommendations and concerns presented in this report;

- to analyze all existing legislation concerning educational services (the three Acts governing education in New Brunswick) and determine their compatibilities <u>under one Act</u>;
- 3) to analyze existing legislation in related services areas such as social services, health and justice;
- 4) to prepare legislative proposals for an amended Schools Act which would ensure the provision of integrated and comprehensive educational services to all children with unique learning needs in New Brunswick.

In that same section, the authors touch on other equally important points in special education such as the concept of special education, the concept of integration, the concept of children and youth with unique learning needs, personnel, staff development, identification, funding of special services, and provincial resources.

BrattonPosno Associates. Special Education: Recommended Funding Procedures – The Final Report. January 1988.

This report was initially requested by School District No. 20 in Saint John because it believed it was underfunded following the changes to the *Schools Act* in 1987, but it quickly became a provincial report.

The report's authors mention that, when it comes to offering and funding special education services, it is much more effective to describe such services in terms of the needs and the resources necessary and avoid the jargon of definitions and categories of students. They add that the new budget formula, besides being adequate and equitable, will have to be flexible enough to take school district characteristics into account and proactive enough to anticipate and produce the desired changes.

On page 21, the authors mention that, without an individual education plan, there can be no accountability in special education. In education, the only accountability that really matters is that students benefit from the instructional process. Still according to the authors, the educational goals for all students are exactly the same. The objectives and methods may vary, but the basic objective remains the same.

In their conclusion, the authors identified a timetable for the implementation of a funding system to meet the requirements of the new *Schools Act*. The first step should be the establishment of a model for the preparation of individual education plans and guidelines for using a school-based strategic team by February 1988. Unfortunately, the Francophone sector did not develop such a document until 2004, while the Anglophone sector developed one two years earlier, in 2002. The authors asked the Department of Education and the Department of Health and Social Services to work on establishing teams at the

regional level to meet the needs of students by March 1988. Lastly, they suggested the piloting of a budget formula based on the resources necessary to meet the students' needs. The Department of Education unfortunately did not follow through on this report's recommendations.

Commission on Excellence in Education. Schools for a New Century – Report of the Commission on Excellence in Education. May 1992.

In relation to the integration of children with special needs, the commissioners believed there should be no turning back, that an important step had been taken and we had to ensure its success. "Integration is not an end in itself. It is the means by which students with disabilities are treated in such a way that they can maximize their learning potential. This must and can be done without derogating from the opportunity afforded other students to realize their learning potential."

Recommendation No. 5

"That additional resources in such areas as guidance and counselling, resource and methods teaching, child psychology, and speech pathology be directed towards elementary school students."

 To follow up on that recommendation, since 1992, the Department of Education has added sums of money to the school district budgets in connection with "Supplementary Educational Programs." The initiatives in question are called Remedial Programs (funding is based on enrolment from Grades 7 to 12) and Kindergarten Integration (funding is based on the number of kindergarten classes at September 30 of the preceding year).

Recommendation No. 6

"Consistent with the Department of Education's directions, procedures should be established for use by districts to provide for enrichment activities for gifted and talented students; in addition, more formal ways of recognizing special talents and achievements should be considered."

 To follow up on that recommendation, since 1992, the Department of Education has added sums of money to the school district budgets in connection with "Supplementary Educational Programs." The initiative in question is called Enrichment, and the funding that the districts receive is based on school enrolment at September 30 of each year for Grades 7 to 12.

Recommendation No. 8

"That an inter-departmental committee be struck, with representation from Education, Health and Community Services, and the Solicitor General, to draw

up a protocol for signature by the respective ministers detailing the responsibilities to be assumed and the resources to be provided by each in dealing with egregiously disruptive behaviour."

- This recommendation led to the signature of Articles of Agreement on services for *Children and Youth with Severe Behavior Disorders*, on October 14, 1994, between the departments of Education, Health and Community Services, Human Resources Development, Solicitor General, and Advanced Education and Labour. Unfortunately, this agreement did not meet the expectations of the Department of Education.
- To follow up on this recommendation, since 1992, the Department of Education has added sums of money to the school district budgets in connection with "Supplementary Educational Programs." The initiatives in question are called School Improvement Fund, More Responsive Schools, and Positive Learning Environment.

Government of New Brunswick. *Quality Learning Agenda* Policy Statement on K-12: *Quality Schools, High Results.* 2003.

This document contains initiatives in different spheres of education that will have an impact on the learning of all students. What sets the *Quality Learning Agenda* apart is the fact that the government requires the Department of Education to establish a specific deadline for each of the actions set out and to report periodically on the progress achieved. Among the different actions identified, here are the ones that will have a direct effect on special education programs and services.

Emphasize pre-school learning

Within one year, clear standards for appropriate pre-school development will be communicated to parents and caregivers, and to public health nurses and social workers as appropriate, in partnership with Family and Community Services (FCS) and the Department of Health and Wellness (DHW).

Within one year, practical, evidence-based information will be developed in partnership with FCS and DHW, and provided to parents, caregivers and professionals working with children, to communicate best practices for early intervention with children with exceptionalities.

Within three years, all school districts will conduct school-readiness screening, in collaboration with FCS and DHW, to assess the developmental abilities of children related to learning and school success.

Target early literacy

Within one year, clear standards for Grade 2 literacy achievement in reading and writing will be communicated to teachers, parents and students.

Within one year, procedures will be in place to ensure that, by January of their kindergarten year, students requiring reading intervention will be identified by their teachers.

Within one year, a new reading assessment will be developed to be administered to students at the end of Grade 2.

Within two years, all students who do not meet the Grade 2 literacy standards will have an intervention program designed to address the needs of the individual student.

New teaching positions will be added over the next four years in support of this new early literacy program.

Within three years, all elementary teachers will have received specialized training to teach reading. This will include online professional development opportunities.

Within four years, all New Brunswick teacher training institutions, in cooperation with the Atlantic Provinces Education Foundation (APEF), will provide new teachers with the strategies needed to bring their students to the provincial literacy standards.

Ensure a disciplined, positive school environment

Monitoring and feedback processes will be implemented to ensure the success of the positive learning environment initiatives leading to demonstrable improvement in the school environment.

Continuing to equip teachers and administrators with current research findings on classroom management, professional development and policy support to empower them to manage disruptive behaviour.

Address issues associated with classroom composition

Maintaining the policy of providing regular classroom settings for the inclusion of all students to the fullest extent possible, while pursuing other flexible learning options as necessary to ensure the educational needs of all students are met.

Challenge and support students with a range of particular needs

Over the next two years, we will re-examine the effectiveness of professional support services provided to the school population, which a number of students require in order to be able to focus on learning. Specifically, we will develop a government-wide plan involving FCS and DHW to ensure sufficient non-teaching professionals are also available to support learning-focused classrooms and individual achievement.

Within three years, new provincial certification standards will be developed for resource and methods teachers.

Within four years, all New Brunswick teacher training institutions will provide new teachers with the knowledge, skills and competencies required to successfully teach students with diverse learning needs within their classrooms.

Promote quality teaching

Beginning in 2005, all New Brunswick educators will have increased access to professional development in a number of areas through online training.

Ensure strong school leadership

Within the 2003-04 school year, we will examine New Brunswick principal certification requirements to be sure our principals and vice-principals are well-equipped to provide strong school leadership, focused on instruction, that meets the needs of today's schools and the diversity of students who attend them.

Within two years, we will develop a plan, in collaboration with school districts, to address the need for training of principals and vice-principals tailored to local needs.

Develop a comprehensive K – 12 accountability framework

Specific standards and accountability measures will be developed with our education partners to ensure we are all steering in the right direction for our children. The framework will: set out provincial achievement and service standards; identify measures and monitoring mechanisms; provide processes for feedback and improvement; and ensure that New Brunswickers are informed of our progress.

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