

The Education of Exceptional Children in Québec:
A Study of Government Policy Goals and Legislative Action

William J. Smith

Administration and Policy Studies in Education

McGill University, Montréal

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A Study of

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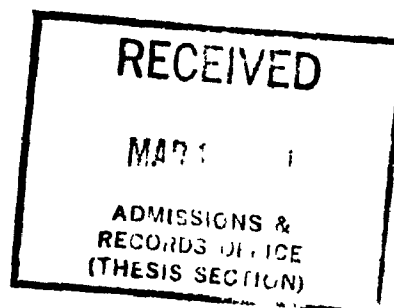
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Abstract

Policy research in education is a relatively new discipline which deals with the analysis of public policies governing education. The professional literature provides both a conceptual and methodological basis for defining what constitutes a public policy and the means to carry out different types of analysis. Using such a framework, this study analyzes the policy of the Government of Québec with respect to the education of exceptional children. More specifically, the study focuses on the policy goals and legislative action of the Government.

Three separate research questions are each addressed by a systematic analytical framework using a form of qualitative content analysis. The methodology consists first of summarizing all policy data in a computerized database and then scrutinizing these summary statements to search for and analyze emergent themes and the content of policy objectives and standing decisions. The relation between these elements is then determined on the basis of specified decision rules. This analysis has also been subjected to an inquiry audit to test for the dependability and trustworthiness of the results.

The analysis reveals three emergent policy themes, over eighty specific objectives and almost 100 standing decisions, which are found in statutes, regulations, enuntes and administrative documents. Various incongruencies between the goals and the legislative action are identified and discussed; implications for further research are presented, with reference to the literature.

Abrégé

La recherche concernant les politiques d'éducation est une branche de savoir récente qui traite de l'analyse des politiques publiques régissant l'éducation. La littérature fournit à la fois une base conceptuelle et méthodologique pour les définir et des moyens de les analyser. Dans ce cadre, l'étude analyse la politique du Gouvernement du Québec à l'égard de l'éducation des élèves exceptionnels. Plus précisément, les objectifs de la politique et les actions législatives du Gouvernement constituent les objets principaux de l'étude.

Un cadre de référence systématique et une forme d'analyse qualitative de contenu, sont utilisés pour répondre à trois questions de recherche. La méthodologie consiste d'abord à résumer toutes les données de la politique dans une base de données informatisée. Ensuite, chacun de ces sommaires est scruté afin de découvrir les thèmes, le contenu des objectifs et celui des décisions permanentes de la politique. Par la suite, la relation entre ces éléments est établie par les règles de décision prédéterminées. De plus, cette étude a été soumise à une vérification d'enquête afin d'évaluer sa validité et sa fiabilité.

L'analyse identifie trois grandes thèmes de politique, plus que quatre-vingt objectifs et presque cent décisions permanentes qui se trouvent dans les lois, les règlements, les ententes et les documents. Diverses divergences entre les objectifs de la politique et les actions législatives sont identifiées et discutées; des objets de recherche future sont présentés, en relation avec la littérature.

Acknowledgments

This thesis is the culmination of several years of part-time study which would never have been undertaken or sustained without the encouragement and support of several members of the department, especially, Dr. Gary Anderson and my advisor, Dr. Charles Lusthaus. Part-time study must compete with many other demands, often making it difficult to respect deadlines and find sufficient "quality time" to complete assignments and research. Throughout this process, Dr. Lusthaus has always been available for consultation, very often on unreasonably short notice, and for this I am very grateful.

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Finally, I wish to acknowledge the support of my wife and colleague, Helen Donahue, in completing this project. In addition to helping in library searches and the editing and proofreading of several drafts of the manuscript, her experience in special education and research has been invaluable in reviewing ideas and improving upon the quality of the analysis. Most of all, when the going was the toughest, her encouragement made the difference.

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Chapter 1.

Introduction and Overview

1.1. Introduction

Throughout North America, provincial (state) and local educational authorities have adopted a variety of policies aimed at providing all school-age children with access to educational services. On the national level in the United States, the Federal Government, as well as the Supreme Court, has long played a key role in developing such policies. The role of education has been eloquently expressed by Earl Warren, then Chief Justice of the United States Supreme Court:

In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all in equal terms. (Brown v. Board of Education, 1954, p. 493)

Although Brown dealt with racial discrimination, the principles enunciated by the court have been used to support the advocacy of complete and nondiscriminatory education for other minority groups.

In Canada, the Federal Government has been less active in developing national education policy, largely because of the division of legislative powers in Canada. According to the provisions of section 93 of the Constitution Act, 1867, provincial governments have the exclusive authority to make laws and regulations relating to education. There are only two restraints on this power. The first is the protection guaranteed to denominational and dissentient schools by the same section of the Act which prohibits any enactment which would "prejudicially affect" such schools. The second is the Canadian Charter of Rights and Freedoms [Canadian Charter] (1982).

Consequently, the study of education policy in Canada focuses primarily on the policies of provincial governments.

In Québec, the Government has issued broad statements of policy on the provision of educational services over the years, both to the population at large and to particular groups of pupils. Moreover, the Government has adopted various measures which are designed to translate these policies into action. In addition to focusing on the rights of minorities to such services, a great deal of attention has been paid to the rights of "abnormal" pupils. Pupils, who, for one reason or another, were regarded as being different from "normal" pupils have been considered as "disabled", "handicapped" or "exceptional", the term which will be employed in this study.

The Government of Québec has enunciated general statements of intent with respect to the services which ought to be provided to such pupils; it has also adopted various measures aimed at the implementation of these intents and at the monitoring of results. Taken together, these elements constitute the special education policy of the Government. This study will focus on the stated goals and legislative decisions of this policy.

The rest of this chapter provides an overview of educational policy making in Québec and the purpose and organization of the study.

1.2. Educational Policy Making in Québec

This section is intended to provide a brief synopsis of the principal contextual

features of the Québec education system which are important to the understanding of the formulation of government policy on education. The reader who is interested in a more comprehensive examination of the system as a whole and its historical development are referred to Magnuson (1980) and Henchey and Burgess (1987). Each of these works also contains a wide variety of references to various works dealing with specific aspects of the system. Educational policy making in Québec is rooted in studies and reports and has traditionally focused on certain key themes.

The present system is a result of the reforms begun in the "Quiet Revolution" of the 1960's and continued in the late 1970's and early 1980's. The first phase gave rise to the Report of the Royal Commission of Inquiry on Education in the Province of Quebec [Parent Report] (1963-1966), as well as a plethora of new statutes dealing with education, including the Education Act and an Act Respecting the Ministère de l'Éducation [MEQ Act]. The second phase produced various discussion papers and policy statements (Ministère de l'Éducation [MEQ], 1977, 1978a, 1978b, 1979a, 1979b, 1979c, 1980), as well as amendments to existing legislation and new regulations, including the Regulation Respecting the Basis of Elementary and Preschool Organization [Elementary Régime] and the Regulation Respecting the Basis of Secondary Organization [Secondary Régime].

There has been a continuing preoccupation with the issues of language, presently governed by the Charter of the French Language [French Charter], religion, quality education and equal educational opportunity. However, all of these issues must be understood in light of the steady increase of centralized authority in education over the past twenty five years. In the words of Henchey & Burgess (1987):

Whereas education in Quebec was once the exclusive preserve of the Church and the school boards and with a relatively cohesive sense of purpose, it is now a multidimensional activity in which several different groups compete for power.... Since the Quiet Revolution there has been a marked increase in the power of the provincial government, especially that of the Ministry of Education, in the whole field of education in Quebec. The powers of the Ministry to govern by regulation have left their mark on virtually every aspect of the Quebec educational scene and have resulted in a distinct weakening of the power of school boards as well as of other intermediary bodies such as colleges and universities (pp. 193-194).

This centralizing process, often accompanied by increased complexity, has taken place in general administration, curriculum and finance.

In terms of administrative control, one of the essential criteria by which a school board's autonomy must be measured is the right to hire and fire personnel, especially teachers. In the public sector in Québec, the remuneration, benefits and major working conditions of all teachers and other unionized employees are determined by ententes, the portion of collective agreements negotiated provincially. Although school board representatives play a part in these negotiations, the Government exercises the predominant role. These ententes are comprehensive and complex and, in the case of those governing teachers, they play an important part in setting the educational policy agenda of the Government and school boards.

Curriculum is likewise centralized; its content is largely determined by the Minister in accordance with provincial statutes and regulations. Administrative directives, known as "instructions" further delineate the rules which school boards must follow in organizing programmes and courses.

The system for the funding of education is also centralized. In 1979, the

Government adopted an Act Respecting Municipal Taxation and Providing Amendments to Certain Legislation. By the provisions of this Act, the Government denied school boards the right to levy taxes in support of education beyond a certain specified limit, unless approved by the electors in a referendum (s. 353). These changes had a significant impact on the relative sources of school board revenues. In the period from 1976-77 to 1986-87, the amount of total school board revenue accruing from provincial grants rose from 76% to 92% (MEQ, Direction générale de la recherche et du développement, 1987). These grants consist primarily of block grants, with some categorical grants for specific items. The methods used to compute the grants are complex and depend largely on the computerized manipulation of board data according to provincially set parameters.

It is within this context that the Government of Québec has developed its special education policy which governs the rights of exceptional children to education and related services.

1.3. Purpose of the Study

At present, there is a great deal of concern and debate among different members of the education community over the provision of service to exceptional children. This dialogue does not often focus on the right of such children to attend school, a right taken for granted by the vast majority of people. Rather, the principal issues are class size norms and pupil/teacher ratios [PTR], the appropriate level and type of support services and, especially, the integration or "mainstreaming" of pupils into the regular educational system. The Conseil supérieur de l'éducation [CSE] (1985) has described the issue of integration thus:

L'intégration scolaire des élèves en difficulté d'adaptation et d'apprentissage n'est pas un dossier "léger" et simple. C'est un dossier qui a même tous les traits d'un dossier de société, avec ce que cela comporte de remise en question des habitudes, des attitudes, des valeurs mêmes (p. 35).

The discretion allowed by government policy has been criticized by the Office des personnes handicapées du Québec [OPHQ] (1984), stating that the failure of schools to adapt to the needs of the handicapped is "because of the autonomy of each school commission" (p. 108). By contrast, there are also those who are concerned with the level of resources which special education absorbs at the expense of those devoted to regular instruction (O'Shaughnessy, 1986).

The Government, especially one which has such centralized control of legislative action, collective agreements, curriculum and funding, is the ultimate arbiter of these competing interests. Its policy on special education will decide the rights and obligations of all members of the educational community with respect to this issue. However, this policy may not be clearly understood by those who are affected by it or who wish to influence it.

If there is to be a meaningful debate over special education policy, then there is a concomitant need for different policy alternatives to be developed and studied. However, before such research can be carried out, there is a need for accurate information about the present state of government policy concerning special education. In this regard, the most basic issue is the identification of the elements of the policy. Once these are determined, the policy can be subjected to various types of analysis directed to answer more specific questions.

To date, little research has been carried out in Québec with respect to the special education policy of the Government. There is a lack of research material describing the different aspects of government policy. More specifically, there is a dearth of basic literature analyzing the intentions of government policy, the implementation of these intentions or their ultimate impact on the education of exceptional children.

There is therefore a need to begin to examine the issues raised above and provide material which will be useful to researchers, educators, parents and other interested parties. It is these considerations that the following problem statement purports to address.

1.4. Problem Statement

The special education policy of the Government of Québec cannot be found in a single document, nor has it remained static over time. The policy is at once eclectic and elusive. The principal aim of this study is to describe the elements of this policy and to provide an analysis of some of its fundamental aspects. More specifically, the study will focus on the policy goals and legislative action of the Government with respect to the education of exceptional children.

Insofar as policy goals are concerned, the study aims at discovering the intentions of the Government with respect to special education. These goals constitute the Government's "policy agenda" and are the first point of reference for any analysis. They will be described in terms of their content and any patterns which can be discerned with respect to different themes. The discussion of these goals will focus on the themes which emerge from the analysis and the level of government

commitment to special education inherent therein.

The second major thrust of the study - legislative action - aims at discovering the variety of decisions made by the Government to translate policy goals into action and which have a basis in legislation. The reason for the emphasis on this basis is the premise that "[government] decisions should be made by the application of known principles or laws without the intervention of discretion in their application" (Black, 1979, p. 1196). These decisions will also be described in terms of their content and any patterns which can be discerned with respect to different themes. They will further be described in terms of the source of the decision - a statute, a regulation, etc. - and the relation to the goals of the policy. The discussion will focus primarily on the relation of the decisions to the goals and the extent to which they actualize the intentions of the former.

Because of the lack of research in this area, this study will deal strictly with primary source documentary data, as hereinafter defined. The study purports to make a contribution to answering some of the basic questions raised in the previous section and provide useful material for further research and policy development.

1.5. Organization of the Study

Chapter 2 contains a review of the relevant literature. In particular, the general literature dealing with public policies and policy research and the literature dealing with special education policy goals and legislative action will be reviewed.

The research design will be presented in chapter 3, beginning with various

theoretical concepts used, the scope of the study and the specific research questions which will be addressed. Thereafter, the sources of data and the methodology will be described.

Chapter 4 contains the background and overview of the policy and the analysis of the data. The latter is organized in terms of the various themes of the policy which emerged from the analysis.

The final chapter summarizes the overall results of the analysis and discusses the relation of Québec policies to the literature. Implications for policy development are presented, as well as appropriate conclusions and recommendations for future research.

The study necessarily includes references to various government agencies, many of which have long names which are often referred to by an acronym. For the convenience of the reader, all such names and abbreviations are listed in Appendix A. Other appendices include various supplementary material, as well as a summary of the raw data used in the analysis.

Chapter 2.

Review of the Literature

2.1. Introduction

As stated in the previous chapter, this study provides an analysis of the policy of the Government of Québec with respect to the education of exceptional children, focusing on policy goals and legislative action. The theoretical basis for this study is found in the professional literature dealing with the analysis of public policies.

The systematic study of public policy first took place in the field of agriculture (Mitchell, 1984). Thereafter, public policy analysis was developed in the disciplines of political science, economics and sociology. Harold Lasswell is often referred to as the "intellectual father" of these various fields (Lazarsfeld, 1975; Yeakey, 1983). Lasswell, himself a political scientist, recognized that policy research required an inter-disciplinary approach and this characteristic persists, as different matters of public policy are studied by policy researchers. Policy analysis in education is of even more recent vintage and "has followed rather than led the policy research movement in America" (Yeakey, 1983, p. 275).

As the study of public policies has developed, various conceptual notions have emerged in the literature to differentiate among various types of policies and the study of same. This chapter begins with a discussion of these notions and then reviews the literature dealing with the analysis of special education policies.

2.2. Policy Research

The terms used to describe the study of public policy are varied and confusing (Bardes & Dubnick, 1980). Yeakey (1983) defines policy research as "the

systematic investigation of implicit and explicit courses of action formulated and executed by actors relative to a given issue or set of issues" (p. 256). Bardes and Dubnick describe **policy analysis** as a field of study which uses problem-solving techniques to study a variety of questions which range from the descriptive and explanatory to the evaluative and which focus on expressions of government intentions or actions. One could easily conclude from these definitions that the terms "policy research" and "policy analysis" were synonymous. A review of the field, however, indicates that this is not the case.

Housego (1980) considers "policy science" and "policy analysis" to be sub-categories of the broader field of "policy research". By contrast, Trow (1984) views "policy analysis" and "policy research" to be two separate fields. The distinction between policy "science" and "research" appears to more semantic than substantive, while the opposite seems to be the case when the differences between policy "research" (or "science") and "analysis" are compared.

Policy research is an academic discipline, involving "the systematic investigation of macro-level policy and decisionmaking" (Yeakey, 1983, p. 258). This discipline is often viewed as bridging the gap between pure and applied research (McCarthy, 1986; Nagel, 1980; Yeakey, 1983); however, the goal of any such research is the pursuit of knowledge for its own sake. It thus remains quite different from policy analysis. The goal of the latter term, according to Coleman (1972), "is not to further develop theory about an area of activity, but to provide an information basis for social action" (pp. 2-3). Similarly, MacRae (1980) defines policy analysis as the process of choosing the best available alternative, using reason and evidence.

Trow (1984) describes the distinction between researchers and analysts according to three conditions. First, researchers tend to conduct their work in universities, subject to peer review, while analysts are associated with government or particular agencies and have a client's needs to satisfy. Second, researchers tend to operate with a high degree of specialization, concentrating on a narrow problem, while analysts are typically required to be more eclectic and to deal with a broader range of issues. Third, researchers normally choose their own work and timelines, while analysts are usually assigned work by a client who expects results by a certain deadline.

It was mentioned earlier that policy research can involve evaluative questions; however, policy evaluation is usually thought of as a discrete field, separate from policy research (Guba & Lincoln, 1981; Nevo, 1983). Evaluation has been defined by the Joint Committee on Standards for Educational Evaluation (1981) as "the systematic investigation of the worth or merit of some object" (p. 12). It is this judgemental purpose of evaluation which sets it apart from other policy research questions and explains why it is considered as a separate field.

Policy research is typically concerned with two dimensions: process and content. The process dimension deals with the methods, strategies and techniques by which policy is made. The content dimension focuses on the substance of public policies, that which is bounded by the policy. This study has been designed in the policy research tradition, and not as part of the policy analysis or evaluation tradition. The following section provides an overview of the meaning of public policies in general,

with particular reference to the principal aspects of policy content: goals and actions. The issues discussed therein form the theoretical basis for this study, while chapter 3 explains the research design used to carry out the analysis.

2.3. Public Policies

According to Bardes and Dubnick (1980), there is a lack of consensus in the literature concerning the meaning of the expression "public policies", which have been described as "elusive beasts" by House and Coleman (1980, p. 183), suggesting that their definition is not a straightforward matter. Similarly, Guba (1984) suggests that the term "policy" can be defined in a variety of ways and the definition chosen conditions the type of policy analysis to be carried out.

Mitchell (1984), describes the conditions of scarcity and conflict as the origin of both politics and policy. Accordingly, public policy is seen as a means used by governments to resolve competing interests with respect to various desires and values among members of society. A similar view is expressed by Downey (1988), who describes policy as a process to choose among competing demands and needs, to allocate resources and to make guidelines to achieve the desired results. Mitchell also suggests that policy can be understood and subsequently defined by one of four mutually exclusive paradigms. This conceptualization of policy is criticized by Shapiro and Berkeley (1986) as being too rigid and not in keeping with the literature. Yeakey (1983) reviews policy definitions and suggests that diversity rather than uniformity characterizes the definitions of policy found in the literature. There are, however, typical notions about public policy which can be found in several sources.

Hartman (1980) describes policy as "a course of action or inaction towards the accomplishment of some intended or desired end" (p. 56). Similarly, Patton and Sawicki (1986) define policy as "a settled course of action to be followed by a government body or institution. Often used as a synonym for plan and program" (p. 38). These definitions and those presented by other authors (Guba, 1984; Yeakey, 1983) suggest that public policies always involve some notion of **goals and action/lack of action**. Public policies can be enacted at various levels - federal, provincial and local. They can be introduced by the government itself or by a subordinate public body, such as a school board which has a "governing" function. For purposes of discussion, the term "government" will be used to refer to any such public body.

Policy Goals

A policy can be viewed as an instrument of governance, used first to establish intents and priorities (Downey, 1988; Yeakey, 1983). While recognizing the considerable debate on the definition of public policies, Bardes and Dubnick (1980) also suggest that public policies are first concerned with the expression of government intentions. These intentions can be viewed as the assertion of "policy goals", one of the definitions adopted by Guba (1984).

Policy goals may be stated in a variety of forms, which range from very informal to very formal media. On the one end of this continuum, government leaders make policy assertions in the legislative assembly, in public speeches and interviews with the media. At the more formal end, goals are found in written government

declarations, policy papers and the preambles to some statutes.

The problem being addressed by the goal may be stated explicitly or it may need to be inferred from the policy goal itself. Goals are an expression of the willingness of the government to act but are not, per force, intended to directly cause the desired goal to be achieved, nor even provide a direction for their achievement (Hartman, 1980). They are declaratory in nature and are considered to be non-prescriptive. Examples include the commitment of the government to facilitate the social and educational integration of the handicapped, the credo that the public should be protected against inferior institutions or the promise that the government will enact legislation to change the administration of the criminal justice system (Guba, 1984).

The expression of government policy goals may serve several purposes. They may be used to express basic social values and assert a new policy direction. For example, Guthrie (1983) has studied the evolution of United States educational finance policy in the light of the changing goals of equality, efficiency and liberty. Goals may be used in "agenda setting" and for testing public opinion before embarking on legislative enactment. Goal statements may have strong symbolic value and may even be used as a substitute for any other policy action (Bardes & Dubnick, 1980). In other words, a government may attempt to "satisfy" demand for a particular policy by the simple public assertion of the desired goal.

Generally speaking, however, policy goals are a precursor to some form of government action. In the general notions of policy described above, goals are the

"first half" of the policy equation, the "second half" being the action which the government takes. These actions, which include plans, decisions and guidelines for implementation, constitute the actualization of these goals (Hartman, 1980). Accordingly, policy goals become the touchstone or reference point to analyze the intentions of the government and the actions which it takes to carry out these intentions.

Policy Actions

As mentioned above, public policy involves more than an expression of government intentions; it also involves some form of government action. Without action, policy becomes moribund and of little interest to either stakeholders or researchers. It is not surprising, therefore, that much of the policy literature focuses on what is actually done, as opposed to what is proposed or intended (Bardes & Dubnick, 1980). These actions can be described according to the nature and form of the activity undertaken.

Salisbury and Heinz (cited in Yeakey, 1983) describe government action in terms of structural policies, those which establish rules, and allocation policies, those which confer benefits. Other actions include planning and developing programmes and other procedures designed to foster the implementation of policy objectives. Guba (1984) has characterized these efforts as guidelines and problem-solving strategies for subordinate bodies and individuals.

One activity which is discussed widely in the literature, and which is particularly relevant to this study, is the control which governments exercise by means of laws

and regulations (Downey, 1988; Hartman, 1980). These standing decisions are the means by which a government "regulates, controls, promotes, services and otherwise influences matters within its sphere of authority" (Guba, 1984, p. 66). These decisions may take various forms: however, they are all based on legislative authority, that is, "the power to enact general rules of conduct, which confer legally enforceable rights on citizens and impose legally enforceable obligations on them" (Special Committee of the Canadian House of Commons, cited in Reid & David, 1978, p. 271). Accordingly, with the exception of some ancillary provisions, all standing decisions are prescriptive in nature, i.e., they set forth what must be done, or not done, and, possibly, the conditions pertaining thereto.

Every prescriptive statement establishes, ipso facto, the limits of choice on the part of the person or body to whom the statement is directed, making it authoritative and legally coercive (Yeakey, 1983). Furthermore, the statement may be considered to be either mandatory or non-mandatory. Mandatory statements require compliance and "prescribe, in addition to requiring the doing of the things specified, the result that will follow if they are not done" (Black, 1979, p. 414). According to this view, sanctions are necessarily associated with mandatory prescriptions and not with non-mandatory ones. For example, the government may require that boards provide educational services to the handicapped and stipulate the legal recourses available to parents to force compliance.

A non-mandatory statement may allow an action to occur but not require it; such provisions are also known as permissive statements or "enabling clauses [or] statutes" (Black, 1979, p. 472). Thus, in contrast with the preceding example, the

government may permit school boards to organize classes for the intellectually handicapped, without creating an obligation for them to do so. A non-mandatory statement may also be described as directory, that is, one which states that something should be done but does not have to be done; it is a provision having "no obligatory force, and involving no invalidating consequence for its disregard" (Black, 1979, p. 414).

The primary sources of standing decisions are constitutions and statutes. A constitution is designed, among other purposes, to recognize and protect the values of a nation (Hogg, 1985). In Canada, there is a federal constitution but no provincial ones. The most pervasive expression a provincial government can give to policy assertions is a "fundamental" or "quasi-constitutional" law, such as the Québec Charter of Human Rights and Freedoms [Québec Charter] (Brun, 1988). The inclusion of government policy in a statute, such as the Act to Secure the Handicapped in the Exercise of their Rights [Handicapped Act], is also a powerful expression of intent because the provisions of such laws are of "public order".

A government may enact policy by means of regulations and other forms of delegated legislation. Regulatory provisions must satisfy three criteria to be considered as a standing decision: they must be made pursuant to specific legislative authority; their content must be normative and impersonal; they must have constraining force on the basis of the statute which is its ultimate author (Garant, 1985; Pépin & Ouellette, 1982). If these conditions are met, the decision has "the same force of law as have the provisions of the statute itself" (Reid & David, 1978, p. 273).

The above actions can be described as "active" policy decisions; policy can also be "passive" in form, called "nondecisions" by Bachrach and Baratz (cited in Yeakey, 1983). In the latter case, the government decides not to act and policy becomes one of omission rather than one of commission. It is not surprising that there is less attention to this phenomenon in the literature than that paid to the types of standing decisions described above as they cannot be directly observed but must be inferred.

In the following sections, the literature on special education policies will be reviewed.

2.4. Special Education Policy Research

2.4.1. Policy Goals

The very existence of public policy on special education is a relatively new phenomenon (Kirk & Gallagher, 1983). Prior to the adoption of such policies in North America and Western Europe, the education of exceptional children has been described as one of persecution, neglect and mistreatment (Kirk, 1972; Stone, 1983; Tweedie, 1983). The development of public policy goals to provide for the education of exceptional children began, in the nineteenth century, with minimal objectives.

At first, policy goals for the education of exceptional children focused on custodial care. This development, according to Crowner (1985) depended largely on a change in attitude, expressed as a "humanistic argument that educating handicapped children

was morally correct" (p. 503). These goals had their roots in the eighteenth century ideas of enlightenment. The broad socio-political values of democracy, individual freedom and egalitarianism were applied to the education of the handicapped (Hallahan & Kauffman, 1982). However, this "progressive" attitude was counterbalanced by a desire to segregate such children in separate facilities - for their own good - but also, and more to the point, to protect normal children from the "feeble-minded" and the "subnormal" (Lazerson, 1983).

By the end of the 1960's in the United States, the expectations of parents and the public had changed but the policies governing the education of exceptional children had not changed significantly. A majority of states did not have mandatory education for exceptional children and where education was provided, it was usually in a separate and isolated setting (Stone, 1983). In the early 1970's, parent advocacy groups - initially middle class whites, and subsequently joined by non-whites and non-English-speaking parents (Lazerson, 1983), supported by professional associations (Gearheart, 1980), demanded change and equal treatment for handicapped children.

The difference between expectations and existing policies can be described as a discrepancy between actual goals, those contained in government policy, and desired goals, those postulated by various policy advocates (parents, educators, researchers, etc.). A review of the literature reveals that much of the discussion of goals focuses on the latter type, i.e. on the goals which public policies ought to foster. Accordingly, the discussion of goals tends to be normative in nature. By contrast, the research which deals with public policies themselves tends to focus on

government actions, a literature which will be reviewed in the following section.

The fundamental goal underlying special education policy is that exceptional children be guaranteed the right to education (Lippman & Goldberg, 1973; H.R. Turnbull, 1986). This goal is often discussed in terms of a broader social value, known as **equal educational opportunity [EEO]** (Guthrie & Koppich, 1987).

EEO is a pervasive concept which has been used to advance the cause of the poor, racial minorities and exceptional children (Friedman & Wiseman, 1978; Guthrie, 1983; Kirp, 1977). In the 1960's, the United States Government commissioned a major study on the state of educational opportunity throughout the country. The commission report (Coleman, Campbell, Hobson, McPartland, Mood, Weinfeld & York, 1966) discussed inequality in terms of five factors: racial segregation, differences in resource inputs, intangible resources, differences in output or achievement and differences in social and economic background of students. Various approaches to remedy these problems have led to different conceptual definitions of EEO (Nwabuogu, 1984). Providing EEO for exceptional children subsumes the goals of equal access - to education, equal benefits - of and from resources and services, and equal protection - of the law (H.R. Turnbull, 1986).

Equal access to education is concerned with more than the simple right to attend school but also with non-segregated placement, a policy goal which was pioneered in the battle against racial discrimination in the United States. Building on the doctrine that "separate educational facilities are inherently unequal" (Brown v. Board of Education, 1954, p. 495), special education policy advocates sought to put an end

to the practice of providing education for handicapped children in a separate and isolated setting (Stone, 1983). This movement has pursued three inter-related policy goals: normalization, deinstitutionalization and mainstreaming.

Winzer (1987) defines normalization as the belief that "all exceptional individuals, no matter what their levels and types of handicap, should be provided with an education and living environment as close to normal as possible" (p. 13). Often referred to as the placement of the student in the least restrictive environment [LRE] (H.R. Turnbull, 1986), normalization is associated with the movement to remove handicapped persons from institutions and with mainstreaming, the social integration and instruction of exceptional pupils in regular classrooms (A.P. Turnbull, 1982; Winzer, 1987). In contrast to mainstreaming, A.P. Turnbull points out that the goal of a LRE placement is "the balance between an individual child's needs for extraordinary treatment and limitations on his liberty to be educated in a normal environment" (p. 283).

The goal of equal benefits for exceptional children subsumes many subordinate goals. One such goal, which is closely related to non-segregated placement, is non-discriminatory admission and classification procedures (H.R. Turnbull, 1976), a policy goal associated with the elimination of racial and cultural discrimination in schools (Lazerson, 1983). Other goals include the desire to eliminate the labelling of exceptional children, a practice often judged to be injurious to these children (Winzer, 1987), the provision of "appropriate" educational programmes and meeting the needs of particular groups, such as young children (Meisels, 1985; Swan, 1984). The Council for Exceptional Children [CEC] has reviewed the range of policy goals

for providing service to exceptional children and suggests a comprehensive list of goals for legislators (cited in Lippman & Goldberg, 1973). The Canadian Committee of the CEC (1974) has likewise proposed various goals for consideration by federal and provincial governments.

The goal of equal protection is concerned with the means of securing the attainment of the foregoing goals of rights and benefits. As such, the goal seeks to ensure that exceptional children are not treated differently from other children and that a process is provided for to ensure that this right is respected (H.R. Turnbull, 1986). This goal is usually discussed in terms of the "due process of law" and "equal protection of the laws" for all persons, expressions used in the United States Constitution (U.S. CONST. amend. V, amend. XIV).

2.4.2. Policy Actions

The pursuit of policy goals can be undertaken by various means; Kirp (1983) has identified four such means: professional, political, legal and bureaucratic. Kirp further states that "legalism has grown substantially more important in the United States during the past two decades, while bureaucratic standard setting...has fallen from favor" (p. 76). Higgins and Barresi (1979) also describe the evolution of public policy in the United States in terms of ensuring rights for exceptional children under the law and the constitution. Much of the literature which deals with government policy actions in North America reflects this approach.

The study of government policy actions is bounded by the constitutional framework of the country involved and its legal traditions. Both Canada and the United States

are federal states, where education is essentially the responsibility of the provincial (or state) governments (Constitution Act, 1867, s. 93; U.S. CONST., amend. X). However, in each country, special education policies can be examined from both a national as well as a provincial or state perspective. The literature reflects this dual perspective, especially in the United States (Abeson & Ballard, 1976; LaVor, 1976).

Special Education Policy in the United States

The literature dealing with American policies tends to have a federal focus because of several inter-related factors. The first reason for this focus is the United States Constitution, which embodies the basic policy actions designed to translate the aforementioned goals into action.

Although the Constitution does not specifically mention education, the "due process" and "equal protection" provisions (amend. V, amend. XIV) have been used to advance the cause of minority groups for educational rights (Friedman & Wiseman, 1978; Kirp, 1977; Nwabuogu, 1984;). In the years following the Brown decision (1954), it was commonly believed that the right-to-education was protected by the Constitution (Batemen & Herr, 1981). Even though some of this early optimism has waned, the Constitution remains a powerful force in retaining a federal focus in the development of American education policy (Arons, 1986). A second reason for this continuing focus is the development of federal statutory law (H.R. Turnbull, 1986).

The key expression of this focus is the federal statute, the Education of the Handicapped Act [EHA], a consolidation of various acts, especially P.L. 94-142, the

Education for All Handicapped Children Act (1975). Building on various court decisions and the laws enacted by several states, P.L. 94-142 is a watershed in the development of American federal policy for the education of exceptional children (Abeson & Zettel, 1977; Gartner & Lipsky, 1987). Designed to guarantee free appropriate public education, this act "was to transform special education practice across the nation by bringing all states up to the [same] standard" (Singer & Butler, 1987, p. 125). The impact of the EHA is such that case-law is often discussed in the literature in "pre-EHA" and "post-EHA" terms (Bateman & Herr, 1981; H.R. Turnbull, 1986).

Litigation has been a driving force in interpreting existing constitutional and statutory law in the United States, causing the enactment of new statutes (Prasse, 1988) and the strengthening of a federal focus of special education legislation (Higgins & Barresi, 1979). Fischer (1982) asserts that the expanding role of the judiciary since Brown (1954) in formulating educational policy has relegated local control of education to the realm of folklore. Kurland (cited in Kirp, 1977) expressed the importance of judicial intervention this way: "The Supreme Court of the United States is really the schoolmaster of the Republic and if it cannot command, it can at least educate the American people about what they need to do to improve the educational systems of the country" (p. 117).

Special Education Policy in Canada

In contrast to the United States, Canada has not traditionally had any federal focus in the educational domain. As a result, it has been argued that policy development has been slower and more dependent on American research than would otherwise

have been the case (Perkins, 1979). Neither the Canadian Constitution nor any federal statute is a source of special education policy (Murray-Register, 1981; Treherne & Rawlyk, 1979). Prior to the entrenchment of the Canadian Charter in the Constitution (Constitution Act, 1982), special education policy was strictly a provincial matter (Smith, 1980). Csapo (1980), while arguing for increased federal initiative and funding of special education, states that the lack of such development is largely due to the desire of provincial governments to preserve total control over education.

This lack of federal focus has predictably led to considerable variability in special education policies across the country (Goguen & Leslie, 1980) and a concentration of policy research on provincial legislation. Ballance and Kendall (1969) completed one early national survey of such legislation. They noted that existing legislation was deficient and argued for "broad based legislative provisions which will clearly ensure the right of exceptional children to receive a proper education" (p. 54). These same authors also argued that policies should ensure that educational services for exceptional children are provided in the mainstream of regular education and not in enclosed classes.

In 1970 the Commission on Emotional and Learning Disorders in Children [CELDIC] published its report, One Million Children, which examined the state of the art of special education in Canada. In the early 1980's, a limited number of articles surveyed special education policy in Canada (Goguen, 1980, Karagianis & Nesbitt, 1980, Murray-Register, 1981; Smith, 1980); however, except for the study by Smith, all of these are very brief and synoptic.

In discussing right-to-education policy for exceptional children, Smith (1980) concluded that, at the time of writing, these children had no right in any province to an appropriate education, and in half the country they had no right even to be in school (p. 373, emphasis added). He also noted that some provinces provide for exceptions to a general right-to-education rule, which have the effect of excluding exceptional pupils. Second, he characterizes the power of a school to set up segregated classes as a potential denial of education.

Smith posits that government legislative action should encompass six rights and obligations: (1) that no exceptions to the right to education be allowed; (2) that education be obligatorily worthwhile; (3) that special education be mandatory, not discretionary; (4) that boards which cannot provide a given service be obliged to contract with another body to provide it; (5) that administrators who exclude children from school be subject to the same penalties as parents who fail to send their children to school; (6) that the courts be the final arbiter as to whether a board is discharging its obligations. .

As alluded to above, the adoption of the Canadian Charter in 1982 provided the possible beginning of a national focus for special education policy in Canada. The Canadian Charter provides for equality before and under law and equal protection and benefit of law without discrimination based on several factors, including mental or physical disability (s. 15).

The Canadian Charter has given rise to a plethora of research which is beyond the

scope of this review to survey. The reader who is interested in a general overview of the significance of the Canadian Charter in Canadian constitutional law is referred to Hogg (1985); Tarnopolsky and Beaudoin (1982); Bayefsky and Eberts (1985). In terms of its general implications for education, see MacKay (1984); Manley-Casimir and Sussel (1986); Dickinson and MacKay (1989).

Much of the literature which deals with the protection of special education rights by the Canadian Charter is speculative (Cruickshank, 1986; Giles, 1988; MacKay, 1984, 1986; Poirier & Goguen, 1986; Wilson, 1985; Zuker, 1984). This is partly because the Charter is still relatively new but also because Canadians have not had the same penchant for litigation which has been observed in the United States (Anderson, 1986; Cruickshank, 1986). MacKay (1984) and Manley-Casimir (1982) also suggest that the belief in individual liberties has been stronger in the United States than in Canada. However, as noted by Sussel and Manley-Casimir (1986), this tradition may change because of the advent of the Canadian Charter.

The issues dealt with are similar to those described in the U.S. literature beginning with access to schooling. Cruickshank (1986), in discussing the lack of government statutory policy on special education concludes that "the courts will only take the student to the school door and not define what happens in the classroom" (p. 66). Other authors emphasize that the equality debate has not stopped at "the school door".

Attention has focused on other issues such as resource allocation, programmes and outcomes. Wilson (1985) has pointed out the importance of providing for additional

funds, teachers, etc. to disadvantaged children, such as the handicapped, to prevent their merely stagnating in school. Bayefsky (1985) argues that without such assistance, these children will be given the opportunity to participate in the educational "race" but with little hope of success - "Free to try. Born to Lose" (p. 5).

Poirier, Goguen and Leslie (1988) survey the educational rights of exceptional children in each province of Canada. In this work, the authors describe these rights according to four themes: right to education, right to appropriate education, the conditions necessary for the exercise of these rights and the rights of parents.

Côté (1984) has studied the right to elementary education in Québec and suggests that the provisions of the Québec Charter which guarantee free public education do not add anything substantive to the right to education which is provided for in the Education Act. It has also been pointed out (Thibert, 1979) that the amended sections of the Act (ss 480 et seq.) do not provide the protection for these pupils which was believed would be achieved, according to the statements contained in the policy papers. Côté argues that the failure of the Government to adopt regulations which were foreseen in the Act gave boards a relatively high level of discretion in determining the services which were mandated by the Act for exceptional pupils.

No review of literature on Québec policy would be complete without reference to the various studies carried out by the Conseil supérieur de l'éducation. The Conseil has made several recommendations on the development of a special education policy by the Government. It has consistently maintained that the social integration of

exceptional pupils should be the main goal of this policy (1977, 1983, 1985). It also suggests that several areas of current policy require a more complete elaboration (1985).

2.5. Special Education Policy Themes

In discussing both policy goals and legislative actions, as well as the relevant case-law, various authors have focused on several major themes. The typonomy of the themes varies from author to author; however, the differences are more semantic than substantive. Abeson and Zettel (1977) discuss special education policy in terms of four themes: right to education, non-discriminatory evaluation, appropriate education and due process of law. H. R. Turnbull (1986) uses these four but includes least restrictive placement and parent participation as separate headings. Similar themes are discussed by Bateman and Herr (1981) and Gartner and Lipsky (1987). The review of this literature suggests that equal educational opportunity is the fundamental theme underlying special education policy and that this basic notion is complemented by three general themes: assessment and placement, appropriate programmes, and due process and parents.

2.5.1. Equal Educational Opportunity

EEO is fundamentally concerned with equity in the pursuit of the benefits offered by education. Education is often regarded as an egalitarian liberty, a basic right to be enjoyed by all citizens; in addition, the pivotal role of education to both individuals and society is also emphasized (Foster & Pinheiro, 1988). As stated in Brown (1954), education is "the very foundation of good citizenship ... the principal instrument in awakening the child to cultural values, in preparing him for later

professional training, and in helping him to adjust normally to his environment" (p. 493).

Providing EEO for exceptional children begins with an elimination of discrimination but non-discrimination alone does not provide true equality of opportunity (MacKay, 1986). According to H. R. Turnbull (1986), the pursuit of such opportunities for exceptional children requires a different construct to define equality, one where different (and usually more) resources are provided to the handicapped; in other words, unequal inputs = equal opportunity. The general themes which follow provide a framework to conceptualize the substantive and procedural rights required in order to provide EEO for exceptional children.

2.5.2. Assessment and Placement

Policy on assessment deals with the theories, standards and procedures which are used to screen, test, classify and ultimately decide on the placement of a pupil in a special education programme (Gartner & Lipsky, 1987). In addition to the purely educational aspect of this process, the issue is of concern to policy-makers because it deals with identifying the number of children to be served, and the ultimate cost of the programme (Davis & Smith, 1984). One critical policy issue identified in the literature is the extent to which the policy (or practice) deals with possible discrimination or bias, especially by the use of I.Q. tests which have been normed on the majority population (Elliott, 1987; Prasse & Reschly, 1986; H. R. Turnbull, 1986).

Wood, Johnson and Jenkins (1986) discuss the policies required to prevent

discrimination in assessment, namely those dealing with the training of board personnel and the obligation of assessment professionals to leave a "paper trail" describing their activities. Fafard, Hanlon and Bryson (1986) indicate the necessity for state special education policy to ensure that the evaluation of students referred for testing is carried out in a timely fashion. Taylor, Tucker and Galagan (1986) discuss state policy for dealing with inappropriate referral by regular classroom teachers, where "special education was seen as the first, not the last, resort for children with learning or behavior problems" (p. 381), thus creating a the massive backlog of children waiting for assessment. They describe how new state policy requires regular classroom screening and intervention before any referral for special services can be made.

Policy on placement deals with the setting in which the pupil is to be educated and can be conceptualized as a continuum, described as a cascade model by Gearheart (1974), from the regular classroom on one extreme to an institution on the other. The principal issue discussed in terms of U.S. placement policy is the LRE requirement of the EHA and the Rehabilitation Act of 1973. This requirement presumes that every handicapped child can be educated in a regular setting and places the onus on the school system to prove that this is not so in a particular case (Bateman & Herr, 1981). H. R. Turnbull (1986) describes this policy as a rebuttable presumption which permits the child's needs (for an enhancing placement) to prevail over his or her rights (for an integrated placement) when this is deemed to be appropriate.

McKinney and Hocut (1988) report on the resistance of regular classroom teachers

to wholesale mainstreaming and the need for policies to anticipate these problems and to deal with them. Similarly, Sarason and Doris (1982), in reviewing problems associated with the implementation of mainstreaming, criticize government policy for not providing for such strategies, and specifically, for not mandating changes in the training of teachers and other personnel.

2.5.3. Appropriate Programmes

Policy on programmes deals with the provision of individualized and appropriate education. As stated by Foster and Pinheiro (1988), legal rights to education are meaningless without a policy which ensures that quality educational services are provided. In analyzing the provisions of the EHA, H.R. Turnbull (1986) states that "the Act's technique for defining 'appropriate,' then, is to require that a process be followed, in the belief that a fair process will produce an acceptable result - an appropriate education" (p. 113). Citing Board of Education v. Rowley (1982), Turnbull argues that "appropriate" education, according to the EHA, does not mean "best" or "maximum" education; rather it means that handicapped students are entitled to services which are comparable to those offered to the non-handicapped. Similar conclusions about the nature of "appropriateness" are drawn by Edmister and Ekstrand (1987).

The EHA also mandates the preparation of a written individualized educational programme [IEP] for each handicapped child. In studying both state and federal policies for exceptional children, Abeson and Ballard (1976) state that individualization requires specific goals, timetables for and periodic review of these goals - "all of which produces greatly enhanced fiscal and educational

accountability" (p. 90). The mandatory use of IEP's is not without its critics, with many educators feeling that an inordinate amount of time is spent on this activity (Bateman & Herr, 1981).

Various authors have examined state policy and achievement in early childhood special education. Meisels (1985) argues that policy should be directed so that service delivery will be more effective in permitting young children at-risk to reach their potential and prevent more serious problems developing. Swan (1984) identifies four dimensions of state policy for this clientele. Of particular interest is the observation that state guidelines "serve to encourage high quality educational practice" (p. 425) and the importance of certification requirements for special education teachers.

2.5.4. Due Process and Parents

Policy on due process deals with information sharing, participation and adjudication of disputes which are often key areas of concern to policy makers (Gartner & Lipsky, 1987). One of the policy issues addressed in the literature is the appropriateness of the system. H. R. Turnbull (1986) notes that there are thirty six grounds upon which a due process hearing can be sought: "This alone makes due process a provision that can be wielded in good faith or in bad, for the legitimate purpose of correcting deficits in a handicapped child's educational rights or for purposes of harassment" (p. 192). While recognizing the problems with this approach, Turnbull concludes that the necessity of due process is beyond dispute. Edmister and Ekstrand (1987) are less conclusive, contending that litigation alone is not a productive means for answering all the questions raised by the special

education policy.

These latter concerns are evident from a reading of the studies dealing with cases where litigation is pursued over a multi-year period (Fafard, Hanlon & Bryson, 1986; Tillery & Carfioli, 1986). Luckasson (1986) raises two issues with respect to protracted litigation: the detrimental effect on the child awaiting appropriate placement and the tremendous financial burden on the parents to persevere until the end of the process. From these various authors, it appears that the jury is still out on the efficacy of depending to such a great extent on due process to formulate policy and define educational services for handicapped children.

2.6. Conclusion

In this chapter, the literature on policy research was reviewed, emphasizing the distinction between this field of inquiry and policy analysis and evaluation. Thereafter, the literature dealing with special education policy goals and legislative action was reviewed. It was found that the literature dealing with goals tended to be normative in nature, while the literature concerning legislative action followed a legal tradition. Last, the policy themes which are prevalent in the discussion of special education were reviewed. Even though different typonomies were used by various authors, three themes - assessment and placement; appropriate programmes; and due process and parents - synthesize the patterns observed.

Although some of the literature surveyed dealt with both goals and legislative action, there was no evidence of a systematic comparison of the two, nor an attempt to delineate any discrepancies which might arise from such a comparison.

Furthermore, it was noted that there was a lack of literature on Canadian special education policy in general and on Québec policy in particular.

As mentioned earlier, this study has been conceptualized in the policy research tradition and will examine both the policy goals and legislative action of the Government of Québec with respect to special education and the relation between the two. The following chapter provides the overall research design used by the study to fulfill these objectives.

Chapter 3.

Research Design

3.1. Introduction and Definition of Terms

The purpose of this chapter is to describe the overall research design of the study. Specifically, the research questions are set forth, the principal data and their sources are presented and the methodology is explained; these sections are followed by the constraints and limitations of the study.

In this initial section, various definitions upon which the research design is based will be presented. Each definition is based on the literature concerning policy research in general and special education policy in particular, as reviewed in chapter 2.

Government policy on special education is defined as an assertion of goals expressed by some formal means in order to respond to a perceived need or problem, together with any standing decisions designed to control or influence certain behaviours with respect to these goals (Guba, 1984).

Special education is defined as the provision of "specially designed instruction to meet the unique needs of the **exceptional child**" (Hallahan & Kauffman, 1982, p. 5) and related services, at the preschool, elementary and secondary levels.

An exceptional child is defined as one "who deviates from the average or normal child in mental characteristics, sensory abilities, neuromotor or physical characteristics, social behaviour, communication abilities or multiple handicaps.

Such deviation must be of such an extent that the child requires a modification of school practices, or special educational services, to develop to maximum capacities" (Kirk & Gallagher, 1983, p. 4).

Policy goals are defined as a written communication that is designed to express the formal adherence of the Government of Québec to a particular objective or to make a promise to carry out some action, with respect to **special education**, as defined above.

Standing decisions are defined as the means by which the Government of Québec has taken direct action, on the basis of legislative authority, with respect to **special education**, as defined above, in order to govern the conduct of those to whom the decision is directed. A standing decision may be either mandatory or non-mandatory, as defined by Black (1979).

Both **policy goals** and **standing decisions** can be discussed in terms of themes. A theme is defined as a principal subject, a recurring leitmotif or focus of attention occurring throughout a document or set of related documents. It may be further defined by specific elements or a detailed expression of the theme.

3.2. Scope of the Study and Specific Research Questions

As alluded to in chapter 1, this study will focus on the special education policy goals of the Government of Québec and the standing decisions of the Government which are designed to actualize these goals. A government can seek to achieve its policy objectives through a variety of ways, not all of which can be considered to

be standing decisions, as defined in the preceding section. Before proceeding, it is important to clarify which government decisions or actions will not be dealt with by this study.

Government often attempts to influence both individuals and institutions by various non-prescriptive means. These can include guidelines to assist people in implementing a particular policy, the means for so doing or various rewards for adopting a particular course of action. In the educational milieu, these latter means typically include curriculum guides, the provision of financial resources and funding incentives. As useful as these tools are for pursuing government policy objectives, they are not standing decisions because they do not constitute a rule or a norm of conduct to be followed. These tools, however, may be the product of a standing decision.

For example, a department of education may make an "assessment kit" available to boards to be used in the diagnosis of learning disabilities; as such, the kit constitutes a strategy for dealing with the problem of assessment. It may result from an administrative decision which has no basis in law, per se. By contrast, it may result from a government regulation which stipulates that boards shall carry out the assessment of children with learning difficulties, using the instruments supplied for that purpose by the department of education. Consequently, any such decision will be treated by this study but the existence of any guides not mandated by such a standing decision, will not be dealt with.

In accordance with the definition of special education adopted in the preceding

section, the study will deal with "exceptional pupils" who are of "school age" and who are contemplated by government policy. Thus, the study will first determine which pupils are considered as "exceptional" by the Government; similarly, the meaning of "school-age" will be established according to government laws and regulations, rather than on any theoretical basis.

The specific research questions addressed by this study are enumerated in the following table. The constraints and limitations with respect to these questions will be presented in section 3.5.

Table 3.1

Specific Research Questions

1. Policy Goals

- A. What are the themes which emerge from the stated goals of the Special Education Policy of the Government of Québec?
- B. What are the objectives which the Government intends to pursue by virtue of the stated goals of the Policy?

2. Standing Decisions

- A. Are there any additional themes which emerge from the standing decisions of the Policy?
- B. What legislative action has the Government taken by virtue of these standing decisions?

3. Relation Between Policy Goals and Standing Decisions

- A. What is the relation between the standing decisions and the policy goals, according to the themes of the Policy?
 - B. What is the relation between the standing decisions and the policy goals, according to the objectives of the Policy?
-

3.3. Sources of Relevant Data

3.3.1. Policy Goals

As discussed in chapter 2, policy goals are typically contained in a discussion paper, policy statement, manifesto or other public pronouncement. On occasion, they may also be included in the preamble to a statute or regulation. Such a preamble is not part of the law itself and is therefore not considered as a standing decision. Like the notes which often accompany a legislative bill, they are more properly viewed as an expression of government intent. The English version of the document, if one exists, will be used as data. However, the French version will also be consulted and any discrepancies between the two will be reported. The sources of data of the Government's policy goals are enumerated in the following table.

Table 3.2

Special Education Policy Goals Data

Type and Source of Data

Admin. Documents:

The schools of Québec: Policy statement and plan of action [Schools of Québec] (MEQ, 1979b) *

The schools of Québec: Policy statement and plan of action: Children with difficulties in learning and adaptation [Special Education Plan] (MEQ, 1979c) *

L'école s'adapte à son milieu: Enoncé de politique sur l'école en milieu économiquement faible [Disadvantaged Areas] (MEQ, 1980)

Statute:

Preamble of the Act Respecting the Conseil supérieur de l'Éducation [CSE Act]

* Collectively, they are referred to as the "policy papers".

3.3.2. Standing Decisions

The source of standing decisions is significant as an expression of government intent. For purposes of this study, the source of data is defined as one of four types, as described below. The English version of each source, if one exists, will be used; however, the French version will also be consulted and any discrepancies reported.

Statutes and Regulations

The source of statutes will be the looseleaf editions of the Revised Statutes of Québec and the Lois refondues du Québec. However, annual or sessional volumes will be used as sources for legislative bills and amendments to existing acts. The source of regulations will be the Revised Regulations of Québec (1981) and the looseleaf edition of the Règlements refondues du Québec. As no looseleaf edition of the English version exists, the Gazette officielle du Québec will be the source of the English version of all amendments and new regulations enacted since 1981. All such material will be sought using the principles laid down by LeMay and Goubeau (1988).

Ententes

The majority of the provisions of the collective agreements governing teachers and boards are contained in provincially negotiated ententes by virtue of an Act Respecting the Process of the Negotiation of the Collective Agreements in the Public and Parapublic Sectors. They contain many clauses dealing directly or indirectly with special education. These clauses are binding on local unions and

boards (s. 34) and therefore constitute a general rule of conduct. The Government authorizes the employer mandates (s. 42) and is a signatory party to these ententes (s. 34); consequently, they are considered as part of the standing decisions of the Government.

Administrative Documents

The Government may enact policy by means of administrative documents, which are "quasi-regulations". Such a document must satisfy the three criteria discussed in chapter 2 to be considered as a standing decision. The sources of data of the Government's standing decisions concerning special education policy are enumerated in the following table.

Table 3.3

Special Education Policy Standing Decisions Data

Type and Source of Data

Statutes:

Québec Charter

French Charter

Education Act

CSE Act

Handicapped Act

Public Buildings Safety Act

Youth Protection Act

Table 3.3 (Cont'd)

Special Education Policy Standing Decisions Data

Type and Source of Data

Regulations:

Elementary and Secondary Régimes

Regulations re French Charter

Regulations re Public Buildings Safety Act

Regulation re Teacher Certification

Ententes:

Entente Between The Quebec Association of Protestant School Boards, and the Minister of Education and The Provincial Association of Protestant Teachers, as subsequently amended, 12 November 1976. [1975 Entente]

Entente Between the Employer Bargaining Committee for Protestant School Boards and the Provincial Association of Protestant Teachers, as subsequently amended, 22 May 1980. [1979 Entente]

Provisions Constituting Collective Agreements Binding Each of the School Boards for Protestants and Each of the Certified Associations Affiliated with the Provincial Association of Protestant Teachers, S.Q., 1982, c. 45, as am. S.Q., 1983, c. 17 & as subsequently amended, 11 December 1982. [1982 Decree]

Entente Between the Employer Bargaining Committee for Protestant School Boards and the Provincial Association of Protestant Teachers, as subsequently amended, 28 April 1987. [1986 Entente]

Documents:

1987-88 Instructions

National Building Code of Canada, 1985

3.4. Methodology

This study will adapt the method of naturalist inquiry, as described by Lincoln and Guba (1985), including the use of an inquiry audit to test for trustworthiness. More specifically, the study will employ a qualitative form of content analysis to examine the data and search out emergent themes. The analysis will not be based on any a priori theories; if appropriate, generalizations may be induced on the basis of the data analyzed. The study resembles a case-study in that it is based on an in-depth analysis of one particular subject. The results will be interpreted in terms of this particular case and no attempt will be made to generalize beyond the boundaries defined by the study. The use of content analysis techniques and the criteria for judging results are dealt with in the next section.

3.4.1. Use of Content Analysis Method

To qualify as a formal method of inquiry, content analysis must imply something more than "the careful reading of written materials" (Holsti, 1968, p. 597). The definition of content analysis is often defined in purely quantitative terms as a method employing frequency counts of content variables or the relation among them (Borg & Gall, 1983). According to this view "content analysis is a research technique for the objective, systematic, and quantitative description of the manifest content of communication" (Berelson, 1954, p. 489). Similarly, according to Bailey (cited in Patton & Sawicki, 1986), the objective of content analysis is "to take a verbal nonquantitative document and transform it into quantitative data." (p. 61)

In contrast to this rather narrow perspective, Best (1977) defines content analysis as "the systematic examination of current records or documents as sources of data.... It is well to remember that the emphasis in documentary materials is not always

accurately evaluated by frequency of appearance or quantity of space occupied" (p. 129). Krippendorff (1980) also takes a broader approach: "Content analysis is a research technique for making replicable and valid inferences from data to their context" (p. 21). Krippendorff further states that Berelson's use of the terms "manifest" (what is physically present in the communication) would exclude the analysis of latent content (gleaned from interpretative reading "between the lines"). Similarly, he argues that limiting the term to quantitative means is unduly restrictive.

Krippendorff's more eclectic view was also taken by Smith (1975) who argues in favour of both quantitative and qualitative techniques, stating that the latter approach is more suitable to deal with "forms and antecedent-consequent patterns of forms" (p. 218). George (1959) expressed the necessity of the qualitative approach in the following terms.

The content term in an inferential hypothesis or statement of relationship may consist of the mere presence or absence of a given content characteristic or a content syndrome within a designated body of communication (pp. 9-10).

On the basis of the foregoing, it is contended that content analysis, using the qualitative, rather than the quantitative approach is an appropriate method for this study. First, the vast majority of the data in question - statutes, regulations, policy statements and administrative directives - could not be reduced to content variables which could be counted. By contrast, they may reveal "patterns", the term used by Guba and Lincoln (1981). For purposes of this study, these patterns will be denoted as themes, as defined in section 3.1

Qualitative analysis is sometimes criticized by those who claim that only experimental designs offer the possibility of validating the results of the analysis. Various means have been suggested to deal with this issue. Among them, Lincoln and Guba (1985) have proposed the use of an inquiry audit, "based metaphorically on the fiscal audit" (p. 317), as a means for establishing the trustworthiness of an analysis. Like the accountant, the inquiry auditor examines the process of the inquiry and attests to its dependability. He also examines the product of the inquiry - the findings and the conclusions and verifies that they are supported by the data and are internally consistent. In so doing, he establishes the confirmability of the analysis. An adaptation of the inquiry audit method will be used in this study, according to the terms of reference included in Appendix B.

In order to apply the method of qualitative analysis, the steps enumerated below, adapted from Fox (1969) and Smith (1975), will be followed.

1. Define the problem to be resolved by the analysis.
2. Locate the relevant data.
3. Decide on the unit of analysis.
4. Construct a framework for conducting semantic and inferential content analysis of the data.
5. Establish any necessary constraints and limitations.

Steps 1 and 2 have been presented in sections 3.2 and 3.3, respectively. Step 3 is described below and the remaining steps will be briefly described in the sections which follow.

Unit of Analysis

The standard unit used to analyze the semantic content of the data is defined as a discernible statement about the theme in question. Unlike some forms of content analysis (Fox, 1969), no standard semantic form, such as a sentence or a phrase, will be used to define the unit. This approach has been chosen for two reasons. First the data are so disparate in form that a given statement may be expressed as part of a sentence or it may be expressed using several sentences. Second, in analyzing the provisions of legal materials and contracts, the meaning of one section may only become clear in relation to another. As a result, the thematic unit has been chosen in preference to a purely semantic form for purposes of analysis. Each of these units will be distilled into a summary statement which reflects the substance of the original text. Substance is defined as "essence; the material or essential part of a thing, as distinguished from 'form'. That which is essential" (Black, 1979, p. 1280).

3.4.2. Analytical Framework

In general, the methodology consists first of summarizing the raw data by unit of analysis, analyzing these summary statements and coding the results. To facilitate this, a database file was created, using a microcomputer programme. This procedure makes it possible to produce various reports, according to different arrangements of the data and thus facilitate the detection of different patterns. It also permits fast accurate tabulation of the results of the analysis.

It was assumed that some goal statements might be repetitive, while some might subsume the contents of another or foreshadow standing decisions which are beyond

the scope of this study. Counting all goal statements could distort the conclusions concerning the number of discernible goals of the policy. It was therefore decided to report all goal statements but to distinguish "essential" ones from those which are "non-essential" for one of these reasons.

Some of the standing decisions are found in the ententes, which are renegotiated every three years. Hence, some clauses are repeated in successive texts, while others are deleted or added. By contrast, laws and regulations remain in force, unless amended or repealed. It was therefore decided to report all such decisions but to distinguish those presently in force from those which are not.

The specific analytical frameworks used to answer each of the three research questions are included in the following tables.

Table 3.4

Analytical Framework for Research Question 1

1. The relevant data will be synthesized by compiling summary statements representing each unit of analysis.
 2. All goal statements will then be analyzed in relation to each other to distinguish "essential" and "non-essential" statements, according to the decision rule included in Appendix C.
- A. Policy Themes**
3. a) A "trial and error" review of the summary statements will be conducted to discover the emergent themes, which will then be defined in operational terms;
b) thereafter, the semantic content of each unit will be analyzed to discover the presence or absence of each theme.
- B. Policy Objectives**
4. The semantic content of each unit will then be analyzed to determine the objectives of the Policy.
 5. These findings will be systematically coded and described and then discussed, providing appropriate conclusions.
 6. These results will then be subject to an inquiry audit, using one external researcher.
-

Table 3.5

Analytical Framework for Research Question 2

1. The relevant data will be synthesized by compiling summary statements representing each unit of analysis.
2. All standing decisions will then be reviewed to distinguish those presently in force from those which are not.

A. Policy Themes

3. a) The semantic content of each summary statement will be analyzed to discover the presence or absence of each theme which emerged from the analysis of the policy goals (Q 1);
b) the semantic content of each unit will then be analyzed to discover the presence or absence of any additional theme;
c) any additional theme will be defined in operational terms.

B. Legislative Action

4. The semantic content of each unit will then be analyzed to determine the legislative action taken by the Government.
 5. These findings will be systematically coded and described and then discussed, providing appropriate conclusions.
 6. These results will then be subject to an inquiry audit, using one external researcher.
-

Table 3.6

Analytical Framework for Research Question 3

1. The data on goal statements and standing decisions will be reviewed to remove, for purposes of answering this question, all "non-essential" goal statements (Q 1) and all standing decisions not presently in force (Q 2).

A. Thematic Relation

2. The relation between the standing decisions and the policy goals with respect to the themes of the Policy will be determined by comparing the distribution of goal statements and standing decisions by theme.

B. Relation According to Policy Objectives

3. The relation between the standing decisions and the policy goals with respect to the objectives of the Policy will be analyzed according to the decision rules contained in Appendix C.
 4. These findings will be systematically coded and described and then discussed, providing appropriate conclusions.
 5. These results will then be subject to an inquiry audit, using one external researcher.
-

3.5. Constraints and Limitations

The study will not deal with adults who are not covered by the "school-age" provisions of provincial statutes and regulations. Furthermore, special education in

private schools will not be dealt with, except to the extent to which policy goals or decisions governing the public education system refer to them.

Some aspects of government policy have remained stable over the years, while others have evolved. It is therefore necessary to establish the temporal limits of the study. The school year 1978-79 has been chosen as a starting point because it coincides with the publication of the Government's major policy papers on education in general and special education in particular. It has been decided to follow the evolution of the policy for a ten-year period, ending with the 1987-88 school year, the last school year completed at the time of writing.

In December, 1988, the National Assembly adopted a legislative bill to replace the current Education Act (S.Q., 1988, c. 84). This new statute will not come into force until July 1, 1989 and several key sections of the Act will not come into force until a later date (s. 728). Moreover, the Act empowers the Government to adopt various regulations (ss 447 et seq.), including regulations dealing with special education (s. 450). It will likely be some time before such regulations are introduced. Given this situation, it was decided not to consider the new act for purposes of this study.

The provincial funding system can be considered as a separate policy of the Québec Government which intersects with its policy on special education. The budgetary rules governing school boards are based on statutory authority (Education Act, s. 15.1). Accordingly, the standing decisions dealing with special education funding, could be considered to be a part of both policies. However, given the complexity

of the funding system and the number of changes which have occurred in the system over the past ten years, it was decided to exclude any aspect of the funding system from the present study. The importance and the nature of the funding system are such that they could only be adequately dealt with by a separate study.

There are different ententes for three groups of teachers and school boards:

Teachers affiliated with the Centrale de l'Enseignement du Québec [CEQ] and Catholic school boards;

Teachers affiliated with the Provincial Association of Catholic Teachers [PACT] and Catholic school boards;

Teachers affiliated with the Provincial Association of Protestant Teachers [PAPT] and Protestant school boards.

However, the provisions of different ententes concerning special education, at a given point in time, are very similar. Consequently, it was decided to analyze only those governing the Protestant system.

All statutes, regulations, ententes and administrative standing decisions are subject to interpretation by the courts. Similarly, the application and interpretation of the ententes is subject to review by the grievance arbitration procedure, provided for in the ententes, in accordance with the provincial Labour Code. Court decisions and arbitral awards can shape government policy by defining the scope of existing provisions and creating a reason for modifying policies to respond to the interpretations handed down. It was felt that an analysis of these decisions and awards warranted a treatment which was beyond the scope of this study. Consequently, they have been excluded as a source of data.

It is recognized that the identification of which administrative documents constitute standing decisions can involve a complex debate based on the principles of administrative law to which reference was made in chapter 2. Such a debate is beyond the scope of this study. The MEQ Instructions have been included because they are treated by the Ministère and school boards as standing decisions; although the regulatory authority of these directives is unclear. Furthermore, the Instructions were the only documents named by a MEQ official when asked by the investigator to enumerate any such departmental documents (C. Dupont, personal communication, April 14, 1988). One specific administrative document governing the education of children in establishments under the responsibility of the social affairs ministry (Ministère des Affaires sociales [MAS], 1981) was not retained because its essential purpose is to delineate the responsibilities of the MEQ and the MAS.

Some of the findings of the study, such as the distribution of goal statements by theme, will be presented in the form of tables to show the patterns which emerge from the analysis. It is recognized that no firm conclusions can be drawn from these distributions because the data is not amenable to purely quantitative analysis. A particular provision may address two separate themes and is therefore entered twice. The existence of a single decision with far reaching implications may have far greater consequences than the existence of several insignificant ones. The effect of one decision may be modified or even nullified by the impact of another decision. For these and similar reasons, conclusions based on the numerical distribution of the data are limited to showing trends and do not purport to demonstrate statistically precise relations.

Chapter 4.

Data Analysis: Findings and Discussion

4.1. Introduction and Background

Present government policy concerning special education can be traced back to the Parent Report (1963-1966), as well as to a policy paper of the Ministère de la Santé, de la Famille et du Bien-être social (1969), the CELDIC report (1970) and the Report of the Québec Committee of the Commission on Emotional and Learning Disorders in Children (1970). More particularly, its immediate antecedent is the report of the Comité provincial de l'enfance inadaptée [COPEX] (1976). The general principles contained in the Parent and COPEX reports are included in Appendix F.

The Government response to the importuning of COPEX for a coherent provincial policy came three years later in the publication of two major policy papers - the Schools of Québec (MEQ, 1979b) and the Special Education Plan (MEQ, 1979c). The first document is the result of a vast consultation on education, initiated by the publication of a green paper, entitled Primary and Secondary Education in Québec (MEQ, 1978b). Together, they form the basis of government policy on special education.

This chapter presents the results of the data analysis and discusses the findings, after a brief overview of the Policy. The data analysis report, which summarizes the raw data and contains the systematic coding of the analysis, is included in Appendix E.

4.2. Overview and Scope of the Policy

The Schools of Québec (MEQ, 1979b) deals with education in general and includes chapters on curriculum, measurement and evaluation, and parental participation. The Special Education Plan (MEQ, 1979c) is a more detailed version of the special education chapter contained in the general policy paper. The French version of the Special Education Plan (MEQ, 1978a) was actually published before the French version of the general policy paper (MEQ, 1979a), emphasizing the attention which the Government was devoting to this subject. Before proceeding further, there is a need to clarify the scope of the Policy, that is, who is contemplated by its provisions.

Various expressions have been used to denote "special" pupils. In French, the term has evolved from "l'enfance exceptionnelle" through "l'enfance inadaptée" to the present one "l'élève en difficulté d'adaptation et d'apprentissage" [EDAA]. In English, various expressions, including "exceptional children", "children with difficulties in learning and adaptation" and "pupil with learning disabilities" have been used and there remains less consistency in English than in French. At present, an exceptional child is defined by regulation to be "any pupil suffering from a mental, sensory or physical deficiency, social maladjustment, learning problems or several of these handicaps" (Elementary Régime, s. 1). This definition covers the range of exceptional pupils from the mildly learning disabled to those with the most severe problems but excludes the gifted. However, we are now beginning to see the use of the word "handicapé" in contrast to the more general term EDAA (MEQ, Direction générale du financement, 1988a, 1988b). This emerging distinction is illustrated in Figure 4.1. The following citations are the two official definitions of

"handicap" which exist, one a statutory definition, and one which has been adopted by the Commission des droits de la personne du Québec [CDPQ]:

Handicapped person...a person limited in the performance of normal activities who is suffering significantly and permanently, from a physical or mental deficiency, or who regularly uses a prosthesis or an orthopedic device or any other means of palliating his handicap (Handicapped Act, s. 1g).

Handicap...un désavantage résultant d'une déficience, soit une perte, une malformation ou une anomalie d'un organe, d'une structure ou d'une fonction mentale, psychologique, physiologique ou anatomique (CDPQ, 1987, p. 499).

Throughout this study, the general expression "special education" or "exceptional child" will cover all such pupils, unless a specific exception is noted. In such a case, the expressions "LD" and "handicapped" will be used to denote the distinction.

		Disability	
		Mild	Severe
I n c i d e n c e	High	<u>Pupils with "Learning Difficulties"</u>	
	Low	<p>Mild learning disabilities Severe learning disabilities Mild intellectual deficiency Behavioural problems</p> <p><u>"Handicapped" Pupils</u></p> <p>Moderate intellectual deficiency Severe intellectual deficiency Severe developmental problems Visual impairment Auditory impairment Physical handicap Multiple handicaps</p>	

Figure 4.1 Exceptional Pupils Covered by Government Policy

4.3. Emergent Themes.

Initial analysis of the stated goals of government policy for emergent themes revealed various possible patterns, some of which were overlapping. For example, one statement dealt with the integration of pupils into regular classes but it also dealt with teacher rights. In other cases, a statement could be interpreted as pertaining to one theme or another, depending on how the latter were defined.

Further analysis suggested that the first of these problems could be resolved by conceptualizing the patterns according to a two dimensional paradigm, with one dimension describing the "subject" of the statements, i.e. the topic or matter dealt with and the other describing the "object" of the statement, i.e. that to which the action intended by the statement is directed. For semantic clarity, the "subject" dimension is deemed to denote the theme of the statement and the "object" dimension is deemed to denote the focus of the theme.

Using this approach, three themes and five focuses were tentatively identified and operationally defined. A trial and error review of the data confirmed the existence of these descriptors but suggested that a more detailed categorization could be achieved. As a result, two of the three themes were further delineated by subordinate elements, each of which has been designated as a component of the theme. After further trial and error testing, the precise meaning of each of these components was incorporated into the operational definition of the pertinent theme.

A similar attempt was made to further delineate each focus. Although it was found that some focuses did contain identifiable components, such a breakdown was not

retained. First, the retention of such sub-divisions increased the possible points of intersection between themes and focuses by ten to twenty fold, depending on the number of additional components added. Trial and error testing also revealed that this added complexity tended to obfuscate the emergent theme rather than clarify it. The paradigm is illustrated in Figure 4.2.

	F o c u s e s				
	Pupil	Standards	Parents	Staff	Support
T Access					
h Quality Education					
e					
m Integration					
e					
s					

Figure 4.2 Emergent Themes and Focuses

The analysis of the standing decisions did not reveal any additional themes, compared to those which emerged from the analysis of the goal statements. The definition of each theme is provided in the relevant sections of this chapter; these definitions are also included in Appendix C, together with the definition of each focus.

4.4. Cross-Theme Policy Statements

4.4.1. Findings

There is only one general goal statement which cuts across all three of the above mentioned themes. Because it merely summarized that which is contained in more specific goal statements included under each theme, it was deemed to be "non-essential" by virtue of the decision rule contained in Appendix C. All other goal statements are found under the three major themes, as presented in the succeeding sections of this chapter. The vast majority of standing decisions are also found under one of these themes. However, there are some which cut across these themes, as dealt with below.

The Québec Charter guarantees basic equality rights without discrimination based on "... a handicap or the use of any means to palliate a handicap" (s. 10). It also prohibits any exploitation of the handicapped (s. 48). There are also some cross-theme decisions which are specifically directed to special education.

Each school board must provide the board-level consultative committee for parents with a copy of its policy on special education, including an identification of the financial resources devoted thereto (Elementary Régime, ss 12, 28; Secondary Régime, s. 13) but is not obliged to consult parents before adopting the policy. Boards are obliged, however, to consult teachers concerning its special education policy via an advisory committee. This consultation also includes discussion of the specialized resources available for special education (Elementary Régime, ss 12, 28; Secondary Régime, s. 13; 1986 Entente, 8-11.02/03).

The distribution of the current cross-theme standing decisions by focus is concentrated under the rubric of direct services to pupils, as shown in Table 4.1.

Table 4.1

Current Cross-Theme Decisions by Focus

Pupils	Standards	Parents	Staff	Support	Total
8	3	1	4		16

The vast majority of the current cross-theme standing decisions are found in statutes, as illustrated by the distribution by data source shown in Table 4.2. All eleven such decisions are found in the Québec Charter.

Table 4.2

Current Cross-Theme Decisions by Data Source

Statute	Regulation	Entente	Admin Doc	Total
11	2	2	1	16

4.4.2. Discussion

The use of the term "handicap" in the Québec Charter (s. 10) is not defined; Brun (1988), however, concludes, on the basis of several reported cases, that the

previously cited definition from the Handicapped Act (s. 1g) is applicable. This definition is somewhat restrictive in that the deficiency must be "significant" and "permanent" or involve some means of palliating the handicap. Of even greater interest to the education field is the emerging tendency to distinguish between "handicapped" pupils and those "in difficulty". Inasmuch as the latter group are not considered to be handicapped, a learning disabled pupil, for example, could not use the Québec Charter to combat a case of alleged discrimination.

The fact that the board must consult teachers concerning its special education policy but not parents would suggest, at least at a general level, that the Policy provides for greater involvement of teachers than parents in setting special education policy at the board level.

4.5. Access

4.5.1. Findings

4.5.1.1 Policy Goals

A. Emergent Theme

The definition of the theme "access" and its components which emerged from the analysis of the goal statements is contained in the following table.

Table 4.3

Definition of the Theme Access

Access:

The provision of free publicly supported education for all exceptional pupils, including the following components:

right-to-education - the right to attend school for exceptional pupils, including additional preschool and extended education beyond normal school-leaving age;

availability - the availability within the region, or by other means, of regular and, if need be, special educational services for exceptional pupils;

accessibility - the physical accessibility of school buildings and their facilities to exceptional pupils.

B. Policy Objectives

Right-to-Education

The Policy aims at having each board provide services directly to all its exceptional pupils or, if they are unable do so themselves, to make agreements with other boards or private schools to do so. A commitment to provide preschool education for four-year old children with serious problems is stipulated and various goal statements affirm the right of handicapped students to extended schooling.

Availability of Services

The Government asserts that "access to the public school system must be made easier by the distribution, on a regional basis, of certain services which are now centralized" (MEQ, 1979b, p. 61), including the spread of services for all four-year old children in underprivileged areas. Inter-board agreements, the pooling of

resources among boards and the coordination among boards and the various government agencies are seen as appropriate means to achieve the goal of increased availability of services.

Accessibility of Facilities

The Policy provides for the modification of building standards for new schools, the identification of buildings in each administrative region which present no physical barriers and the preparation of a renovation plan. This plan is to ensure, to begin with, that there is at least one elementary and one secondary school in each administrative region which is barrier-free; subsequently, that there is at least one such elementary and secondary school in each board.

The summary distribution of the "essential" access goal statements by component and focus is shown in section 4.5.1.3; the detailed distribution is included in Appendix D.

4.5.1.2 Standing Decisions

A. Emergent Theme

No new component to the theme of access emerged from the analysis of the standing decisions.

B. Legislative Action

Certain provisions of the Handicapped Act are designed to facilitate the access of handicapped students to education. The OPHQ can establish, upon the request of any handicapped person contemplated by the Act (s. 1g), a service programme

which may include an educational component (ss 45-51) and complementary material assistance (ss 52-60). The remaining standing decisions concern the right-to-education and accessibility to facilities; there are none directly relating to the component of availability of services.

Right-to-Education

The Québec Charter stipulates that "every person has a right, to the extent and according to the standards provided for by law, to free public education" (s. 40) and the Youth Protection Act includes educational services in its enumeration of children's rights (s. 8).

Prior to the publication of the two policy papers, the Education Act provided for the right of children domiciled in a given school municipality to attend a school in that municipality from six to sixteen years (s. 33). The Act further obliged a school board, subject to derogation from the Minister, to admit to its schools students placed therein in accordance with the provisions of applicable social service legislation (s. 34). A complementary text required school boards to provide the prescribed courses to these children, either directly or by inter-board agreement, provided that "they are deemed apt to follow such courses" (s. 189.3).

School attendance was compulsory from ages six to fifteen (s. 256) but exceptions were provided for, including those contemplating a child "who is prevented from attending school by illness or by reason of a physical or mental handicap...[or] who has been expelled from public school according to law and the school regulations (s. 258)". This latter exception referred to the right of the board to expel a pupil

"who is habitually insubordinate or whose conduct is immoral either in word or deed" (s. 189.16).

Insofar as exceptional pupils were concerned, the Act stated that a school board "may establish and maintain in their schools special classes or courses for children who are unable, by reason of physical or mental deficiency, to avail themselves of the instruction given in the regular classes" (s. 480, emphasis added). The Government had the right to make regulations governing special classes (s. 481) but, at the time the Policy was adopted, it had not done so. The admission of exceptional pupils was decided "by the principal, upon the advice of the teachers identified with such special classes" (s. 482). However, in 1978, section 483 was added to the Education Act (S.Q., 1978, c. 7, s. 95) to provide for extended schooling for pupils contemplated by the Handicapped Act.

Subsequent to the publication of the policy papers, various amendments were made to the Education Act (S.Q., 1979, c. 80). The general obligation of a school board was changed to "educational activities" in addition to prescribed courses and the condition that a pupil be "apt" to receive instruction was dropped (s. 19). The entry-level age for all pupils was lowered to five years (s. 6). The only mention of four-year old kindergarten is a provision in the Elementary Régime (s. 3) which only serves to establish the age of admissibility, if a board decides to offer such instruction. The amended sections specifically dealing with special education stipulate that the board "must offer special education services" (s. 480, emphasis added). The possibility of setting parameters to these services was provided for (s. 481) but at the time of writing, no such regulations have been adopted. The scope

of consultation was enlarged to include parents and all concerned staff, not simply teachers (s. 482). The principal sections of the Act and the Régimes are included in appendixes G and H, respectively.

Accessibility of Facilities

In December, 1976, the Government adopted a provincial building code (R.R.Q., 1981, c. S-3, r. 2) to apply to buildings constructed or altered since that date; the code included "special measures for access to buildings of persons in wheelchairs" (s. 3.1.1.2). The Government subsequently replaced this regulation by the 1980 edition of the federal building code (O.C. 912-84, 1984) and then by the 1985 edition, as subsequently amended (O.C. 2448-85, 1985; O.C. 1008-88, 1988). This document, the National Building Code of Canada, 1985 [Code] (National Research Council, 1985), provides for barrier-free access for "persons with physical or sensory disabilities, including those using wheelchairs" (s. 1.3.2). The occupancy requirements of the Code include access to public facilities on the entrance storey and other storeys serviced by an elevator, as well as to interior and exterior parking space (s. 3.7.2). Design standards are stipulated for washrooms, ramps, doorways, etc. (s. 3.7.3).

None of the above provisions cover buildings built before the date the regulations came into force. However, section 69 of the Handicapped Act requires owners of buildings not subject to the provincial code to submit a development plan to the Minister of Housing and Consumer Protection. This plan is to ensure that buildings constructed before December, 1976 are accessible to disabled persons. The obligation to submit such a plan comes into force according to the timetable and

standards established by regulation. To date, no such regulations have ever been adopted.

The majority of the current access standing decisions are found in statutes, as reflected by the distribution by type of data source shown in Table 4.4. The summary distribution of these decisions by component and focus is shown in section 4.5.1.3; the detailed distribution is included in Appendix D.

Table 4.4

Current Access Decisions by Data Source

Statute	Regulation	Entente	Admin Doc	Total
19	4		6	29

4.5.1.3 Relation Between Goals and Decisions

A. Relation According to Emergent Theme

The thematic relation between "essential" policy goals and standing decisions still in force has been determined by comparing the distribution of goals and decisions relating to the theme of access. Table 4.5 illustrates the comparison by component and shows that although goal statements are relatively evenly distributed, standing decisions are concentrated in two components, to the total exclusion of the component of availability.

Table 4.5

Relation of Access Goals and Decisions by Component

Data Type/ Component	Cross-Comp.	Right-to-Ed	Availib.	Accessib.	Total
Goals		5	6	5	16
Decisions	5	13		11	29

Table 4.6, which illustrates the comparison by focus, shows a concentration of goal statements on the focuses of direct services to pupils and support services. By contrast, standing decisions are concentrated on the focuses of standards and support services. Neither goal nor decision statements mention parents and only one of the former concern staff as a focus.

Table 4.6

Relation of Access Goals and Decisions by Focus

Data Type/ Focus	NA *	Pupils	Standards	Parents	Staff	Supp	Total
Goals	1	7	1		1	6	16
Decisions		13	15			1	29

* No single focus discernible

B. Relation According to Policy Objectives

The relation between "essential" policy goals and standing decisions still in force, according to the objectives of stated goals, has been determined by first determining whether the decisions are related to stated policy goals and, if so, whether they are supportive, neutral or unsupportive of the goals in question. Thereafter, the relation is determined according to whether the objectives of the policy goals have been addressed and, if so, whether they have been met, partially met or not met at all.

The decision rules are contained in Appendix C. The summary of this comparison is shown in the following tables; the detailed comparison is included in Appendix D. As shown in Table 4.7, only half of the decisions are deemed to be supportive of stated policy goals and approximately one quarter are not related to any stated goals.

Table 4.7

Supportiveness of Access Decisions

Supportive Decisions	Neutral Decisions	Unsupportive Decisions	Unrelated Decisions	Total Decisions
14	5	3	7	29

Table 4.8 indicates that the vast majority of objectives of the goal statements have not been addressed and only two have been completely met.

Table 4.8

Attainment of Access Goal Objectives

Objective Totally Met	Objective Partially Met	Objective Not Met at All	Unaddressed Goals	Total Goals
2	1	2	11	16

4.5.2. Discussion

4.5.2.1 Emergent Theme

The theme of access is fundamental to the entire policy of the Government because it provides for entry into the school system. The three components complement each other to provide for geographic and physical access, as well as the fundamental right to attend school.

The major finding of the comparison of goals and decisions by component is that there are no decisions concerning availability of services, even though this component accounts for an equal proportion of goal statements. The comparison by focus has revealed a mixed relation between the goals and the decisions of this theme. The policy goals focus on direct services to pupils and support services; the standing decisions also focus on pupils but their primary concern is with standards, not support services. This apparent inconsistency concerning the theme of access is reinforced when specific policy objectives are considered.

4.5.2.2 Policy Objectives and Legislative Action

Since there are no cross-component objectives, the decisions concerning the role of the OPHQ could not be directly related to policy goals. However, it should be pointed out that the OPHQ, whose sole vocation is the welfare of handicapped persons, provides for a an important source of support for handicapped students and is therefore indirectly supportive of the theme of access. The remaining discussion will deal with each of the theme components.

Right-to-Education

The principal objectives of the goal statements are zero-reject - education for all exceptional children, four-year old kindergarten and extended schooling for the handicapped. Although the goal statements recognize the possibility of inter-board agreements for special education services, no parameters are provided to control such a practice. Furthermore, the goal statements make no mention of providing for any specific means of recourse to parents who feel that the rights of their children are being denied.

All standing decisions but one are found in the statutes, potentially giving them the greatest force possible; however, their collective effect falls short of the objectives envisaged by the goals. Less than half of the decisions were deemed to be supportive and the objective concerning four-year old kindergarten was not met at all. The only objective deemed to have been met is the provision of extended schooling, and even this finding needs to be nuanced.

In meeting this objective, the Education Act enjoins the board to "take the necessary

measures" (s. 483) to provide extended schooling, which could imply the obligation to provide the means, both direct and indirect, which would permit a handicapped person to avail himself or herself of educational services - transportation, physical accessibility, etc. However, such additional rights are not explicit in the text, leaving more unanswered questions. The remaining discussion will focus on the objective of zero-reject.

The "fundamental right" to education provided for in the Québec Charter (s. 40) has little substantive meaning in that it does not guarantee the right to education per se; it merely guarantees the rights which are conferred by other statutes. If the latter provisions are minimal or non-existent, the Québec Charter provides no basis for a challenge. If they are applied in a discriminatory fashion, section 40 does not broaden the basis of contestation provided for in the aforementioned section 10 (equality rights).

On the surface, it would appear that significant changes have been made to the Education Act. Prior to its amendment in 1979, the wording of section 189.3 would suggest that the general right to education would not apply to exceptional pupils if, given their particular disability, the school board did not consider them "apt to follow such courses", a condition contained therein. In addition to eliminating this condition, the key section of the Act (s. 480) now speaks of "special educational services" in place of "special classes" which had suggested that access was limited to education in a segregated setting. Last, the language of this section has become mandatory. However, the exact scope of the section is not clear and may be interpreted in different ways.

First, section 480 does not stipulate what level of services a board is obliged to provide to discharge its legal obligation under the terms of this section. Second, the section is silent as to whether a board is obliged to offer these services itself or whether it may use its general power to make inter-board agreements (s. 189.3). Last, the authority of the board to expel insubordinate students, including exceptional children, was left untrammelled by this section, even if their behaviour were a direct result of a disability, such as emotional disturbance. All of these issues could have been addressed by appropriate regulations, as foreseen in section 481; however, as previously noted, no such regulations have ever been adopted.

Availability of Services

Although the Policy promotes the decentralization of certain services, it does not stipulate the types of services which should be made available in each region. Most of the goal statements focus on support services and regional coordination but no clear commitment is made. As there are no standing decisions directly relating to these objectives, the latter can only be met by discretionary administrative decisions without the guarantees or controls which only standing decisions, as defined in this paper, can provide.

Accessibility of Facilities

The analysis carried out has identified two objectives for this component. The first objective is to make new school facilities accessible to the handicapped. This objective has been met, according to the decision rules of the study. However, this right was in effect when the policy papers were adopted and subsequent

improvements in these standards resulted from changes in the federal Code and not from a provincial initiative.

The second objective is to make existing school facilities more accessible to the handicapped. This objective has not been met at all, according to the decision rules of the study. Section 69 of the Handicapped Act provides an enabling clause to meet this objective but this can only totally or even partially achieved by the issuance of regulations. The authority to adopt such regulations existed when the policy papers were adopted but no further statutory or regulatory action has been taken. The failure of the Government to have done so means that the same situation described above concerning availability of services is applicable to the accessibility of all school facilities not subject to the Code.

4.6. Quality Education

4.6.1. Findings

4.6.1.1 Policy Goals

A. Emergent Theme

The definition of the theme "quality education" and its components which emerged from the analysis of the goal statements is contained in the following table.

Table 4.9

Definition of the Theme Quality Education

Quality Education:

Education adapted to the specific needs of the child, which maximizes his or her personal development and which is enriched by measures designed to remedy the child's disability, including the following components:

prevention - the elimination of the causes of learning problems, both in general and in individual cases, including improvements in regular classroom instruction, early intervention and special measures for children in underprivileged areas;

screening/evaluation - the ways and means used to detect, diagnose and prescribe learning activities and placement, including the definition of disability categories and the use of an IEP;

learning activities - the educational, remedial and rehabilitation services provided to the child, including curriculum guides, teaching materials and the technique of diversified staffing;

B. Policy Objectives

The policy recognizes the right of parents to be associated with their child's assessment and placement. The remaining objectives are found in three complementary components.

Prevention

The prevention of maladjustment is described as the first step in achieving the goal of quality education for all pupils and the first step in prevention is identified as the determination of the causes of the problem. Three specific objectives are foreseen: improvements in regular classroom instruction, the early identification of children with learning problems and the provision of compensatory education programmes in

underprivileged areas.

Screening and Evaluation

Various approaches to assessment are advanced, including modification of the definitions of disability categories and the introduction of an IEP. The latter is to provide "a comprehensive view of a student's abilities and weaknesses used to set and pursue realistic objectives in the areas of training and personal development" (MEQ, 1979c, p. 27).

Learning Activities

The policy envisages a continuum of services, including educational, remedial and rehabilitative measures, the intervention of special education teachers in regular and enclosed special classes and a multi-disciplinary team approach. Staff development is emphasized.

The summary distribution of the "essential" quality education goal statements by component and focus is shown in section 4.6.1.3; the detailed distribution is included in Appendix D.

4.6.1.2 Standing Decisions

A. Emergent Theme

Two additional components of the theme of quality education emerged from the analysis of the standing decisions. First, many decisions contained in the ententes deal with the number of teachers to be hired or assigned to different types of pupils, typically referred to as the PTR, and with the rules governing the formation

of pupil groups. The second group of decisions are concerned with the language of instruction provisions of the French Charter. These additional components are defined in the following table.

Table 4.10

Additional Components of the Theme Quality Education

PTR's / class size - the pupil/teacher ratios or class-size norms applicable to exceptional children;

English instruction - exemption for French language instruction (French Charter).

B. Legislative Action

Boards are obliged to have a policy on special education services which are to be provided after consultation with parents, teachers and other staff (Education Act, s. 482). The obligation concerning parents is repeated, but not elaborated upon, in the regulations (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13).

Screening and Evaluation

Regulations require boards to provide parents of exceptional pupils with information each month (Elementary Régime, ss 8 & 23; Secondary Régime, s. 8) and to include in its special education policy the evaluation process and progress review procedure used for these pupils (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13). The administrative directives (MEQ, 1986) define the disability categories and contain the only standing decision concerning individualized educational planning, which merely states that this process should take into account

the nature and seriousness of the student's limitations and difficulties.

The provisions concerning the identification of exceptional children which were included in the 1975 and 1979 Ententes have been eliminated and replaced in the 1986 Entente by an obligation for a classroom teacher to refer children manifesting problems for assessment via a school-level ad hoc committee (8-11.04 & 8-11.05).

Learning Activities

Subject to minor exceptions, all teachers employed by public school boards must possess a valid legal qualification (Education Act, s. 206). At present, the teaching diploma prescribed by law (Regulation Respecting Teaching Permits and Teaching Diplomas) specifies the grade levels and fields of teaching (such as special education) covered by the diploma. The administrative instruction on legal qualifications stipulates that a candidate for a provisional teaching authorization [PTA] in the field of special education must possess a bachelor's degree with at least two years in educational psychology or psychology (MEQ, 1987). However, nowhere does it state that a special education qualification is mandatory to teach in this field.

Similarly, the entente defines legal qualification in terms of a diploma, a teaching permit or a PTA (1986 Entente, 1-1.31) but makes no mention of being legally qualified for a particular teaching field or level; such matters are dealt with in the context of the assignment of teachers to various classes. The provisions dealing with qualifications for different assignments do mention that a teacher holding a general diploma cannot claim to be qualified to teach **special education classes**

(1986 Entente, 5-21.04). No mention is made about teaching exceptional pupils integrated into **regular classes** and the board retains discretion to recognize any teacher as being qualified (5-21.03).

The only other standing decision currently in effect concerning learning activities is a provision of the regulations which stipulates that a school board must include in its special education policy the grouping process used for exceptional children and the financial resources intended for these pupils (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13).

Pupil/Teacher Ratios and Class Size Norms

At the time the Special Education Plan (MEQ, 1979c) was published, the entente contained mandatory PTR's (1975 Entente, 8-2.00) and class-size norms (8-6.00). Lower PTR's and class-size norms for exceptional pupils varied according to the severity of various disability categories (Appendix XII). The PTR's have been eliminated from the ententes (1982 Decree) but provisions governing class size have increased in scope.

The 1986 Entente contains average and maximum class size norms for special education classes which are lower than those applied to regular classes (8-2.00) and vary according to the severity of the disability (Appendix XI). When exceptional pupils are integrated into regular classes, the board must lower the class size to take into account the number of pupils integrated from different disability categories; however, it is stipulated that this provision does not apply if the board elects to provide support services to these pupils (8-2.04, 8-11.06, Appendix X). In the case

of severely intellectually handicapped pupils, the class size norms do not apply if the board provides "visible aid other than a teacher" (8-2.05). Finally, special education class size norms are weighted for classes containing pupils from different categories (8-2.06).

English-Language Instruction

The right of access to a particular language of instruction is governed by the provisions of the French Charter. According to this statute, access to elementary and secondary instruction in French is a fundamental right and is compulsory unless a specific exception in the statute applies (s. 72). One exception states that "children having serious learning difficulties must be exempt.... The brothers and sisters of such children may also be exempted if they are not already attending school in Québec" (s. 81, emphasis added). The latter exemption was added by amendment (S.Q. 1983, c. 56, s. 16) and both exemptions are subject to regulatory provisions (ss 81 & 93).

The original regulation (R.R.Q., c. C-11, r. 5) was replaced in 1985 (O.C. 2820-84, 1985). The new version (r. 5.1) provides for detailed identification procedures, depending on the disability. If the requirements stipulated therein are met, the Minister shall grant the exemption; no discretionary power is reserved (s. 9). Likewise, if a brother or sister meets the requirement set forth in the French Charter (s. 81), i.e. is not already attending a Québec school, the exemption will be automatically granted.

The distribution of the current quality education standing decisions by the type of

data source is shown in Table 4.11. As can be seen in this table, there is no particular concentration of decisions in any one type of data source. The summary distribution of these decisions by component and focus is shown in section 4.6.1.3; the detailed distribution is included in Appendix D.

Table 4.11

Current Quality Education Decisions by Data Source

Statute	Regulation	Entente	Admin Doc	Total
7	12	13	8	40

4.6.1.3 Relation Between Goals and Decisions

A. Relation According to Emergent Theme

The thematic relation between "essential" policy goals and standing decisions still in force has been determined by comparing the distribution of goals and decisions relating to the theme of quality education. Table 4.12 illustrates the comparison by component and shows that goals statements are relatively evenly distributed among the components, excluding the two which only emerged in the analysis of the standing decisions. Standing decisions are evenly distributed across all components, with the notable exception of prevention.

Table 4.12

Relation of Quality Education Goals and Decisions by Component

Data Type/ Compon	X-Comp	Preven	Eval	Learn	PTR	Eng	Total
Goals	11	16	13	11			51
Decisions	8		6	7	9	10	40

Table 4.13, which illustrates the comparison by focus, shows a concentration of goal statements in two focuses: direct services to pupils and support services, the same concentration observed for access goal statements. By contrast, more than half of all standing decisions are found under the focus of standards.

Table 4.13

Relation of Quality Education Goals and Decisions by Focus

Data Type/ Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Goals	2	17	4	3	7	18	51
Decisions	1	8	21	4	4	2	40

* No single focus discernible

B. Relation According to Policy Objectives

The relation between "essential" policy goals and standing decisions still in force, according to the objectives of stated goals, has been determined by the decision rules contained in Appendix C. The summary of this comparison is shown in the following tables; the detailed comparison is included in Appendix D. As shown in Table 4.14, only five out of 40 decisions are deemed to be supportive and all but one of the remaining ones are not related to any stated goals.

Table 4.14

Supportiveness of Access Decisions

Supportive Decisions	Neutral Decisions	Unsupportive Decisions	Unrelated Decisions	Total Decisions
5		1	34	40

Table 4.15 indicates that the vast majority of policy goal objectives have not been addressed and only one has been totally met.

Table 4.15

Attainment of Access Goal Objectives

Objective Totally Met	Objective Partially Met	Objective Not Met at All	Unaddressed Goals	Total Goals
1	2	1	47	51

4.6.2. Discussion

4.6.2.1 Emergent Theme

If the theme of access begs the question "Access to what?", the theme of quality education answers the question. The components which emerged from the analysis of the goal statements provide for a logical sequence of prevention, assessment and appropriate education. The additional components which emerged from the analysis of the standing decisions complement the theme by adding the dimensions of norms for school organization and the right to instruction in English for exceptional children who would otherwise be obliged by law to be educated in French.

The major finding of the comparison of goals and decisions by component is the lack of decisions concerning prevention, even though this component accounts for the highest proportion of the goal statements (approximately one third). Moreover, almost half of the decisions deal with the two components not present in the policy goals. The comparison by focus has revealed a mixed relation between the goals and the decisions of this theme. The policy goals focus almost equally on direct services to pupils and support services (approximately one third each). By contrast, the primary focus of the standing decisions is on standards (slightly more than half), with a secondary focus on pupils and not support services. This apparent inconsistency concerning the theme of quality education is reinforced when specific policy objectives are considered.

4.6.2.2 Policy Objectives and Legislative Action

The principal cross-component objective concerning parental involvement is deemed to have been met by the decisions granting parents the right to be consulted about

the special education services to be offered to their child. However, the term "rehabilitation", used to translate "rééducation et réadaptation" (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13), appears to restrict the scope of these provisions by using such a narrow term in lieu of a more eclectic one such as "special educational services" (Education Act, s. 480) which would encompass educational, remedial and rehabilitative measures.

Moreover, it is not clear whether the obligation to consult applies only to the initial offering of special services or whether parents have a right to be consulted when changes are made to the nature of the service being offered. If the former, a parent might be consulted about the fact that his child was to receive the assistance of a specialist teacher but not about his subsequent placement in an enclosed class for the intellectually handicapped. Even if the provision requires consultation when a change is made, the parent has no right to insist on a particular service or refuse another.

Prevention

The Policy recognizes that regular classroom teachers have a vital role to play in prevention and that support services are required to foster their involvement. The emphasis on early identification offers the obvious advantage of providing timely assistance to a child; however, it is silent on the problem of labeling very young children as "learning disabled", etc. and hindering their future development. Last, the identification of social inequalities as one cause of social maladjustment and learning disabilities addresses the problems of children who are socially and economically deprived, providing for particular attention to this high-risk group.

The tenets of government policy constitute an eclectic and far reaching promise on the goal of prevention. However, there are no standing decisions, as defined by this study, which deal with prevention. Consequently, although there may be some discretionary or incentive programmes aimed at prevention, there are no rules sanctioned by law to govern board behaviour concerning prevention.

Screening/Evaluation

The Policy foresaw the retention of only broad disability categories, defined in such a way as to reflect the principles enunciated therein. This objective has been deemed not to have been met at all in that administrative directives have not been so amended and retain the specific categories which existed when the policy papers were published (MEQ, 1986).

The objective dealing with the IEP has been deemed to have been partially met because the administrative directives prescribe that IEP's must take into into account individual differences in the planning process (MEQ, 1986). However, these directives do not define in operational terms the process to be followed in making up an IEP, which, in any event, is not mandated by either statute or regulation.

The objective of parental involvement has been partially met but only to the extent that parents are entitled to receive monthly information about their child. No right to participate in the assessment process is provided for.

The remaining standing decisions are unrelated to specific policy objectives. The

amendment of the Régimes concerning evaluation and review (O.C. 2629-84, ss 2,3 & 7, 1984) merely requires a board to have a policy, without stipulating any parameters to govern it. The committee provided for in the 1986 Entente does provide a formal structure for monitoring the progress of special education pupils. However, it is not a standing committee but meets only on an ad hoc basis; furthermore, its recommendations are not binding on the school administration (8-11.04 & 05).

Learning Activities

None of the policy objectives of this component have been addressed by standing decisions. The regulations do not ensure that all teachers of special education pupils must possess appropriate qualifications, although the new requirements for certification appear to do so (MEQ, 1987). This situation is further obfuscated by the provisions of the teacher ententes concerning legal qualification and assignment (1986 Entente, 1-1.31, 5-21.00). Taken together, these decisions do not provide for the assurance that these teachers will be properly trained, despite the promises of the Policy. The regulatory provision concerning learning activities (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13) is like the previous provision on evaluation - the board must have a policy but no parameters are laid down to govern it.

The objectives subtended by the above components remain largely unaddressed. There are decisions but they do not flow from the policy goals and do not, therefore, provide the legislative action which would translate these goals into rights and obligations.

PTR's and Class-Size Norms

The elimination of the PTR's (1982 Decree) does not mean, per force, a reduction in the number of teachers which the board is required to hire because of the need to respect mandatory average teaching time and class-size norms. However, the elimination of the requirement to assign a certain number of teachers to special education services (1979 Entente) did remove a guaranteed level of resources for these pupils.

Smaller class-size norms, the weighting of integrated pupils when no support is provided, and the addition of a formula to compute the size of a class composed of pupils of different disability categories (1986 Entente, 8-2.00, Appendices X & XVI) will tend to provide for smaller classes for these pupils. These measures oblige a board to devote a certain level of teaching resources to special education. However, these provisions can have a negative effect on the goal of diversified staffing.

The application of rigid class-size norms prevents the school board, except by the injection of additional resources, from reducing the number of teachers for a given group of special education pupils, while adding other professionals or support staff in their place. The only exception to this situation is the case of severely intellectually handicapped pupils. The proviso that class-size norms do not apply if the board provides "visible aid other than a teacher" (8-2.05) permits the board to hire personnel other than teachers and, potentially, provide for a more appropriate blend of instructional and other staff.

English Language Instruction

The terms employed for the exemption of certain pupils from mandatory French language education (French Charter, s. 81) suggest that there is now a third type of exceptional pupil: those with "serious learning disabilities" in addition to the "handicapped" and those "in difficulty" . Similarly, the regulation (R.R.Q., 1981, c. C-11, r. 5.1.) provides for a third set of definitions to add to the conflicting ones found in administrative directives and the ententes.

It is beyond the scope of this paper to discuss the procedures provided for in the above mentioned regulation. However, it should be noted that this is the only occasion where the Government has chosen to mandate such procedures for the identification of exceptional pupils. Thus, the provision of (or limiting) exemptions from French language instruction is defined by detailed regulatory provisions in contrast to the provision of special educational services, which remain undefined by regulation.

The addition of an exemption for the siblings of an exceptional child (French Charter, s. 81) is presumably intended for the benefit of the latter - i.e. to provide support by the presence of brothers and sisters in the same school. It is difficult, therefore, to understand the rationale for stipulating that the former must not already be attending school in Québec. This qualifier leads to the ironic situation where preschool age siblings of an exceptional pupil will later be admitted to an English school without question but siblings already attending school - who constitute immediate support - will be excluded.

4.7. Integration

4.7.1. Findings

4.7.1.1 Policy Goals

A. Emergent Theme

The definition of the theme "integration" which emerged from the analysis of the goal statements is contained in the following table; no components of this theme emerged from this analysis.

Table 4.16

Definition of the Theme Integration

Integration:

The placement of the child in the most normal school setting possible.

In the English version of the Policy, the expression "school setting" is used to translate "cadre scolaire", while "setting" is used interchangeably with "environment" and "context" for "cadre".

B. Policy Objectives

The Schools of Québec (MEQ, 1979b) does not define the concept of a "normal setting"; however in the Special Education Plan (MEQ, 1979c), it is defined in terms of the neighbourhood school.

The normal setting for the development of all children is first and foremost the family circle....The normal setting for school-age children is also the school that his brothers, sisters and playmates attend....School integration, defined as the maintenance of the child in his natural setting for his schooling, thus appears to be a preferred means of social integration for the child with difficulties (p. 22).

Both policy papers make it evident, however, that the "most normal setting possible" is based on the "cascade" model, which the COPEX Report (1976) adapted from Gearheart (1974), as illustrated below.

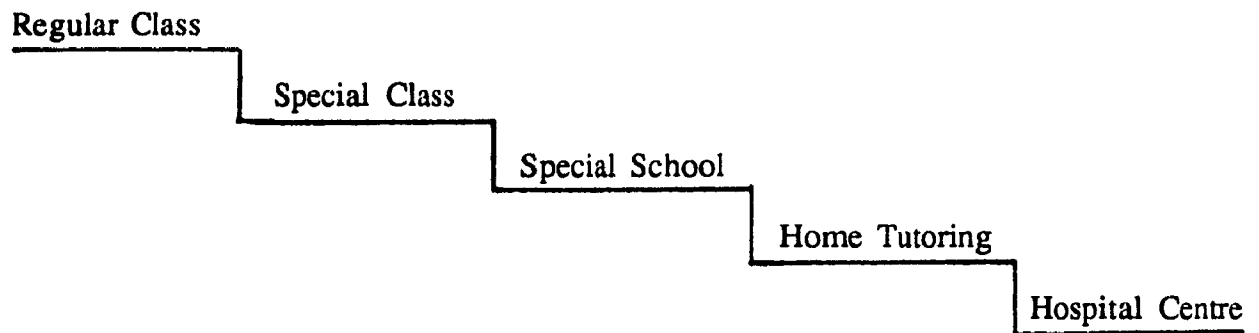


Figure 4.3 Cascade Model

There is a promise "to modify administrative regulations in order to permit the gradual organization of special [integration] measures" (MEQ, 1979c, p. 31). Similarly, there is a commitment to review legislation to remove pejorative terminology and a repetition of an earlier promise to eliminate the need for boards to identify children, in order to qualify for grants - all in the name of fostering integration. Information is to be supplied to parents and teachers and professional development is also foreseen for the latter. The remaining goal statements dealing with integration promise experimentation with different models for integration and the publication of guides to implement the "cascade" model.

The distribution of the "essential" integration goal statements by focus is shown in section 4.7.1.3.

4.7.1.2 Standing Decisions

A. Emergent Theme

No new component to the theme of integration emerged from the analysis of the standing decisions.

B. Legislative Action

The only statutory reference to integration is the inclusion of this matter as a possible subject for consultation for parents at the board level concerning integration policy and at the school levels concerning the methods employed (Education Act, ss 51.1 & 52). The regulatory provisions governing integration have always been permissive. Prior to the publication of the policy papers, the Regulations stipulated that "integration ... should be encouraged, in accordance with board policy on the matter, wherever such a measure is possible, of benefit to the pupil and apt to facilitate his social integration and his progress at school" (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13, emphasis added). The regulations were subsequently amended to oblige a board to identify in its policy on special education "the integration process, the assistance services for such integration and the weighting of integrated pupils, where applicable" (O.C. 2629-84, ss 3 & 7, 1984).

The only reference to integration in the administrative directives indicates that while fostering such a policy, the board may make use of agreements with other boards or private schools in certain cases (MEQ, 1986). The remaining standing decisions concerning integration are found in the ententes governing teachers and school boards for various years.

The definitions included in the current entente are based solely on the distinction between enclosed special classes and regular classes (1986 Entente, 1-1.29 & 30). Successive ententes have provided for consultation on board policy; however, the wording of the text has undergone many changes. The initial text (1975 Entente) which simply required consultation on policy (8-11.02) was replaced by one which stipulated that the policy must foster integration (1979 Entente, 8-7.03). In the most recent version (1986 Entente), this requirement was eliminated and replaced by an emphasis on the terms and conditions under which integration may take place (8-11.01).

The consultative process has been further developed in the current entente via the ad hoc committee, presented above and it is stipulated that integration shall only take place if the board has adopted a policy on special education services and the integration respects such a policy (1986 Entente, 8-11.07).

The distribution of the current integration standing decisions by the type of data source is shown below. The distribution of these decisions by focus is shown in section 4.7.1.3. As can be seen in Table 4.17, the majority of standing decisions are found in the entente.

Table 4.17

Current Integration Decisions by Data Source

Statute	Regulation	Entente	Admin Doc	Total
2	2	6	1	11

4.7.1.3 Relation Between Goals and Decisions

A. Relation According to Emergent Theme

The thematic relation between "essential" policy goals and standing decisions still in force has been determined by comparing the distribution of goals and decisions relating to the theme of integration. Table 4.18, which illustrates this comparison by focus, shows that the two distributions are different. The distribution of decisions shows a more pronounced concentration under the focus of direct services to pupils and no decisions reflect the focus of support services.

Table 4.18

Relation of Integration Goals and Decisions by Focus

Data Type/ Focus	Pupils	Stands	Parents	Staff	Supp	Total
Goals	4	2	2	4	2	14
Decisions	5	3	2	1		11

B. Relation According to Policy Objectives

The relation between "essential" policy goals and standing decisions still in force, according to the objectives of stated goals, has been determined by the decision rules contained in Appendix C. Table 4.19 indicates that almost half of the decisions are supportive and a relatively small number, in comparison to the other themes, are unrelated to policy goals.

Table 4.19

Supportiveness of Integration Decisions

Supportive Decisions	Neutral Decisions	Unsupportive Decisions	Unrelated Decisions	Total Decisions
5	4		2	11

Table 4.20 reveals that the attainment of goal objectives follows the pattern observed for the other themes. Only two goals are deemed to have been completely met and the vast majority remain unaddressed.

Table 4.20

Attainment of Integration Goal Objectives

Objective Totally Met	Objective Partially Met	Objective Not Met at All	Unaddressed Goals	Total Goals
2	1	2	9	14

4.7.2. Discussion

4.7.2.1 Emergent Theme

The theme of integration completes the triangle of government policy by ensuring the placement of an exceptional child in the most normal setting possible. It is noteworthy, however, that no specific components have emerged from the analysis of either the policy goals or the standing decisions. Furthermore, there is no clear focus in either the goals or the decisions. The percentage distribution of goal statements might suggest an emphasis on pupils and staff, while that of the decision statements might suggest an emphasis on pupils alone. However, the number of statements (14 and 11, respectively) is so small, in comparison to the other themes, that this tendency has not been deemed to be significant.

4.7.2.2 Policy Objectives and Legislative Action

Two policy objectives have been deemed to have been met. The first is the amendment of sections 51.1 and 52 the Education Act (S.Q., 1979, c. 80, ss 11 & 12) to provide for integration as a possible subject for consultation of parents at both the board and school levels. The second concerns the administrative directives.

The instructions do provide for the possibility of integration, as foreseen in the policy objectives (MEQ, 1986). However, no specific parameters are stipulated. The objective of having boards develop services and provide support for integration has been deemed to have been partially met by the subsequent amendment of the Régimes (O.C. 2629-84, ss 3 & 7, 1984) which requires the board to spell out its policy on the integration process and the support and weighting of integrated pupils.

However, no particular services or support are stipulated.

The key objectives of defining integration as the neighbourhood school and ensuring that it will take place have been deemed not to have been met at all. The analysis has revealed that the goal of Government policy concerning the definition of integration begins with a clear statement and then becomes ambiguous. The statement in the Special Education Plan (MEQ, 1979c) is not repeated, even in summary form, in the Schools of Québec (MEQ, 1979b), leaving the endorsement of the "Cascade" model as the essence of Government policy on integration. Such a model, with school placement according to a continuum from total integration to total segregation bears little resemblance to the "neighbourhood school" concept defined above.

The teacher entente provides the only definition of integration, describing it in relation to regular classes (1986 Entente, 1-1.29 & 30), but is silent as to the setting of such classes - local school, segregated special school, etc. Moreover, the definition of total integration, by referring to a pupil who no longer spends all of his time in an enclosed class, seems to presume that integration only takes place following placement in an enclosed class.

As we have seen, there is no statutory requirement for integration and according to the provisions introduced in the Régimes, integration is only to be encouraged not mandated (Elementary Régime, ss 12 & 28; Secondary Régime, s. 13). Even this latter provision is hedged by the conditions cited above. There is no evidence that the Government intended a more extensive requirement for integration as this

wording was left untouched when the Régimes were amended in 1984 (O.C. 2629-84, 1984).

The current entente, in eliminating the provision which fostered integration (1979 Entente, 8-7.03) changed its focus to the conditions necessary for integration and the support services to be offered - if integration is to take place at all (1986 Entente, 8-11.01). These changes suggest the focus of policy decisions is now the prevention of integration being a euphemism for "dumping", rather than the fostering of integration per se. This evolution can be characterized as a reorientation from an advocacy to a defensive posture.

It can thus be seen that the lack of precision in the policy goals has not been clarified by either statutory or regulatory enactment. In fact the concurrent changes in the regulations, coupled with those occurring in the ententes have only served to exacerbate the situation.

4.8. Conclusion

In this chapter, the findings of the study have been reported, beginning with an overview of the policy and its scope. The policy has been seen to cover all types of exceptionality, except the gifted. It has been noted that a distinction has recently been drawn between pupils with "learning difficulties" and those considered to be "handicapped". It appears that this difference in terminology may have future impact on the types of exceptional pupils who could rely on the Québec Charter to combat alleged discrimination.

Three emergent themes were identified by the analysis: access, quality education and integration, each of which encompasses five principal focuses: pupils, standards, parents, staff and support services. Three components of the theme of access - right to education, availability and accessibility - emerged; five components also emerged for the theme of quality education - prevention, screening/evaluation, learning activities, PTR's/class size and English instruction. No component emerged with respect to the third theme of integration. Each of these themes and focuses have been defined in operational terms, as contained in Appendix C.

The findings for each theme have been presented and then discussed in terms of policy goals, legislative action and the relation between the two. The summary of these findings is presented in section 5.2. of the following chapter.

Chapter 5.

Summary and Conclusions

5.1. Introduction

This study began from a perceived need to understand the basic elements of the special education policy of the Government of Québec. Accordingly, this policy has been examined with a view to discovering, describing and analyzing its goals and the legislative action taken to carry out the objectives subsumed by these goals.

The study was conducted by first collecting all primary source data which comprised the special education policy of the Government. The primary sources of data for policy goals were the Schools of Québec (MEQ, 1979b) and the Special Education Plan (MEQ, 1979c). The sources of data for standing decisions were statutes, regulations, teacher ententes and administrative documents. In order to permit systematic analysis of these data, the policy goals and standing decisions were reduced to a series of discrete summary statements, using a micro-computer database programme to record the results. All subsequent analysis was conducted using these summary statements.

The data were then analyzed by applying the techniques of qualitative analysis, according to a predetermined methodology, as described in detail in chapter 3. The use of the computerized database facilitated the "trial and error" approach which was used initially to sort the statements according to theme and other descriptors. It also permitted the regrouping of various clusters of data for comparison and analysis.

The study used both semantic and inferential content analysis to discover emergent themes and to infer the relation between policy goals and the legislative action of the Government. A distinction was made between "essential" and "non-essential" goals and between current and past standing decisions in order to sharpen the focus of the analysis. The decision rules used in the study are contained in Appendix C. The data analysis report, which summarizes the raw data and contains the systematic coding of each unit of analysis, is included in Appendix E.

Many of the findings of the study have been presented in the form of distribution tables which are intended to illustrate patterns in the data and not statistically precise relations. This study has not examined any government action which does not constitute a standing decision, as defined herein and has also been circumscribed by various other constraints and limitations (cf. section 1.5).

This study has made use of the inquiry audit. The auditor's report, included in Appendix B, has validated the general research design of the study but has found that the auditor could be more effective if he or she had a greater familiarity with the raw data of the study. It has also been found that the findings of the study are supported by the data and that the conclusions reached flow from these findings.

The remaining sections of this chapter present a summary of the findings, the conclusions and the relation of Québec policy to the literature, with implications for future policy research.

5.2. Summary of Findings

5.2.1. Policy Goals

Two research questions were asked with respect to policy goals:

What are the themes which emerge from the stated goals of the Special Education Policy of the Government of Québec?

What are the objectives which the Government intends to pursue by virtue of the stated goals of the Policy?

A. Emergent Themes

The analysis revealed that the goals could best be described by a two dimensional paradigm: the subject matter, or theme, of the statement and the focus, or characteristic, of the statement. The three themes of access, quality education and integration emerged from the analysis. Three components were discovered for the theme of access - right to education, availability and accessibility - and for the theme of quality education - prevention, screening/evaluation and learning activities. No component emerged with respect to the third theme of integration. The five focuses of pupils, standards, parents, staff and support services also emerged from the analysis of the goal statements. The definitions of the themes and focuses are included in Appendix C.

B. Policy Objectives

Eighty one "essential" policy objectives have been identified as the detailed expression of the intent of government policy. They range from broad objectives, such as the guarantee of the right of exceptional children to attend school to very specific points, such as the need for appropriate instruments for the assessment of

young children. The level of expectation of these objectives also shows a considerable range. It has also been found that there is a lack of clarity in some of the objectives, especially when the texts of the two major policy papers are compared.

The summary distribution and description of all "essential" goal statements by theme and by focus is shown in Table 5.1; the detailed distribution is included in Appendix D.

Table 5.1

Distribution of All Goal Statements by Theme

Theme	Access	Quality Ed.	Integration	Total
	16	51	14	81
	20%	63%	17%	100%

5.2.2. Standing Decisions

Two research questions were asked with respect to standing decisions:

Are there any additional themes which emerge from the standing decisions of the Policy?

What legislative action has the Government taken by virtue of these standing decisions?

A. Emergent Themes

The analysis of the standing decisions revealed no additional themes but two

additional components of the quality education theme did emerge - PTR's/class size and English language instruction.

B. Legislative Action

Ninety six current standing decisions have been identified as the detailed expression of the Government's legislative action concerning special education. They include the adoption of some basic statutory rights and enabling sections that provide for various regulations to delineate these rights or to actually give effect to the intent of the statute. These regulations, when they exist, often lack specificity and are typically more permissive than mandatory.

The distribution of all current standing decisions by type of data source is shown in the following table.

Table 5.2

All Current Decisions by Data Source

Statute	Regulation	Entente	Admin Doc	Total
39	20	21	16	96
40%	21%	22%	17%	100%

Table 5.2 shows that slightly more than 40% of the standing decisions are found in statutes, approximately double the number found in regulations and the entente. It is noteworthy that the latter source contains such a high percentage of all decisions. Collective agreements, even when negotiated centrally, are not normally thought of as a major source of government policy.

The summary distribution and description of these decisions by theme and focus is shown in Table 5.3; the detailed distribution is included in Appendix D.

Table 5.3

Distribution of All Standing Decisions by Theme

Theme	Cross-Theme	Access	Quality Ed.	Integration	Total
	16	29	40	11	96
	17%	30%	42%	11%	100%

5.2.3. Relation Between Goals and Decisions

Two research questions were asked with respect to standing decisions:

What is the relation between the standing decisions and the policy goals, according to the themes of the Policy?

What is the relation between the standing decisions and the policy goals, according to the objectives of the Policy?

A. Relation According to Emergent Themes

The thematic relation between "essential" policy goals and standing decisions still in force has been determined by comparing the distribution of goals and decisions relating to each theme. The comparison by theme is shown in the following table.

Table 5.4

Thematic Relation of All Goals and Decisions by Theme

Data Type/ Theme	Cross-Theme	Access	Quality Ed.	Integration	Total
Goals		16	51	14	81
		20%	63%	17%	100%
Decisions	16	29	40	11	96
	17%	30%	42%	11%	100%

Table 5.4 shows that there is reasonable coherence between the distribution patterns of goal statements and standing decisions by theme, given that the latter contain a number of cross-theme statements, a phenomenon completely absent from the goal statements. It should be remembered, however, that there is far less coherence when the distributions of individual theme components are compared (cf. chapter 4). Table 5.5 shows the relation by focus.

Table 5.5

Thematic Relation of All Goals and Decisions by Focus

Data Type/ Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Goals	3	28	7	5	12	26	81
	4%	35%	9%	6%	15%	32%	100%
Decisions	1	34	42	7	9	3	96
	1%	35%	44%	7%	9%	3%	100%

* No single focus discernible

Table 5.5 indicates that there is less coherence in the distributions when compared by focus. On the one hand, 35% of each consists of statements concerned with direct services to pupils and each contains approximately the same percentage of statements concerning the focus of parents. It is also striking that this percentage (6-7%) is so low, in comparison to every other specific focus. On the other hand, the percentage of statements concerned with standards and support services is reversed in the two distributions.

B. Relation According to Policy Objectives

The relation between "essential" policy goals and standing decisions still in force, according to the objectives of stated goals, has been determined by the decision rules contained in Appendix C. This comparison is shown in the following tables;

the detailed comparison is included in Appendix D.

Table 5.6

Supportiveness of All Decisions

Supportive Decisions	Neutral Decisions	Unsupportive Decisions	Unrelated Decisions	Total Decisions
24	9	4	59	96
25%	9%	4%	62%	100%

Table 5.6 indicates that 62% of all decisions do not relate to any stated goals. Of the 38% which do relate, only 25% are deemed to be supportive of particular goals. These findings were complemented by an analysis based on goal attainment, summarized in Table 5.7

Table 5.7

Attainment of All Goal Objectives

Objective Totally Met	Objective Partially Met	Objective Not Met at All	Unaddressed Goals	Total Goals
5	4	5	67	81
6%	5%	6%	83%	100%

When the data are analyzed from this perspective, we see that only 6% of stated objectives are deemed to have been completely met and almost 83% of stated objectives have not been addressed at all. The findings of the study suggest various conclusions which will be presented in the following section.

5.3. Conclusions of the Study

The purpose of the study was to analyze the policy goals and legislative action of the Government of Québec concerning special education and the relation between these two policy dimensions. Several conclusions have been reached on the basis of the findings of the study which will be presented according to the themes and focuses which emerged from the analysis.

Themes

The policy goals concerning access are all encompassing, beginning with the premise that "the right to education is one of the fundamental rights on which the school system is based" (MEQ, 1979a, p. 61). Many standing decisions have led to an improvement in the provision of publicly supported education for exceptional children but not to the extent promised in the goal statements. The right to education for these children is now mandatory but it is still subject to the board's right to expel students for improper conduct and the board's apparent right to discharge its responsibility by means of inter-board agreements. Extended schooling for handicapped students up to 21 years of age has been provided for but no guarantees for four-year old kindergarten have been introduced. There are no decisions concerning availability of special education services throughout the province and none to ensure that school facilities built before 1976 are accessible to

the handicapped.

In terms of quality education, the policy goals are based on the postulate that "every child is entitled to the advantage of a system of education conducive to the full development of his personality" (CSE Act, preamble). This objective - appropriate individualized instruction for exceptional children, although elaborated upon at great length in the policy goals, is not guaranteed by the sum of all standing decisions dealing with this theme. There are no decisions concerning prevention, despite the fact that the goals of this theme are emphasized in the policy papers.

The decisions dealing with screening/evaluation and learning activities provide minimal direction. There is not one step in the screening/evaluation process which is mandated by law. Similarly, there is no delineation in any statute, regulation or other legally sanctioned document of the special educational services to which an exceptional pupil is entitled. Decisions concerning class size norms and the exemption from compulsory instruction in French add components to this theme but do not alter the foregoing conclusion. The problem of the definition of disability categories has not been dealt with and has even been exacerbated by the discrepancies which exist among different sets of definitions.

The goal of integration is posited as an essential objective and as the "best method of social integration" (MEQ, 1979a, p. 64). However, this theme has received less detailed attention in the goal statements than might have been expected. This lack of clarity, exemplified by ambiguity surrounding the very definition of the goal of integration, has not been resolved in the ensuing legislative action. There is little

tangible support from the standing decisions to promote integration. It is not mandatory and no specific rights for children to be integrated into the mainstream of regular instruction are provided for.

A similar picture emerges when the Policy is considered by focus.

Focuses

Direct services to pupils focus on what they are entitled to in terms of each of the themes - that is, the rights of pupils or the obligation of the system towards them. Accordingly, the preceding comments apply equally to this focus

The enactment of standards, typically by regulation, is the means by which a government delineates these rights and obligations and resolves possible ambiguities inherent therein. Many of the standards foreseen in the goal statements have never been forthcoming. First, the level of "special educational services" referred to in the Education Act (s. 480) is left to the discretion of each board because no provincial regulations have been adopted, as contemplated in the Act (s. 481). Furthermore, the problems described above concerning inter-board agreements and the right of boards to expel certain students could have been addressed by establishing certain standards or conditions. Similarly, in the case of barrier-free access, the regulations contemplated in the Handicapped Act (s. 69) have never been adopted, leaving any progress in this area to the discretion of the system.

The only standards provided for concerning the screening and evaluation of pupils are those which apply in cases where entitlement to English language instruction is

in question. Such a case, however, has more to do with ensuring compliance with the French Charter than with providing appropriate education to exceptional children. Likewise, no standards have been set with respect to learning activities or integration, except those governing class size norms, found in the teacher ententes.

Parents figure no more prominently in the standing decisions than they do in the policy goals. The standing decisions provide for minimal parental involvement in the setting of policy and only the right to be consulted in individual cases. This right is vague and does not guarantee continued participation in the educational process. Parents are entitled to monthly information about their child's progress but the nature of the information is not specified. They cannot veto the placement of a child in a given setting and have no rights concerning the educational services which are being provided, or not provided, to their child. Last, no particular means of recourse are provided to them when they feel aggrieved with respect to any of these issues.

Neither the policy goals nor the standing decisions deal extensively with the involvement of staff. However, the collective bargaining process has permitted teachers to deal with various policy issues and individual cases, even though this was not foreseen in the policy goals. Teachers have the right to be consulted on board policy, a right which is not granted to parents. A mechanism is provided for dealing with individual cases and the monitoring of individual progress; however, the continual changes in the provisions dealing with mainstreaming and support services suggest that these issues remain problematic.

The virtual non-existence of decisions concerning support services is antithetical to the focus placed on these measures in the goal statements. The type of services foreseen in the goal statements have simply not been addressed by legislative action.

5.4. Relation of Québec Policy to the Literature

The review of the literature has suggested one fundamental and three general themes for special education policy, although various typonomies are used by different authors. The fundamental theme identified is equal educational opportunity; the three general themes are assessment and placement, appropriate programmes, and due process and parents. There is a mixture of convergence and divergence between these themes and those which emerged from the study.

The first Québec theme of access includes the right to education as its central component and is therefore coherent with the fundamental theme of EEO observed in the literature. This theme figures prominently in the Québec policy goals but receives less legislative attention than might be expected for such a critical issue as basic access to schooling, the first step in ensuring EEO (Cruickshank, 1986). It has already been suggested that this may be due to an assumption in Québec that access is not a problem.

The screening/evaluation component of the theme of quality education and the theme integration coincide with the theme of assessment and placement which was identified in the literature but without the same emphasis. Assessment is largely discussed in the American literature in terms of bias - against minority and racial groups (Elliott, 1987). The Québec policy does not address this issue and focuses

on the basic need for accurate assessment procedures.

The Québec theme of integration is equivalent to the notion of "mainstreaming" discussed in the literature (A.P. Turnbull, 1982) and is thereby related to the LRE placement policy which exists in the United States. The latter policy theme is given a great deal of attention in the literature, being described by Bateman and Herr (1981) as the "soul" of U.S. special education policy. The Québec policy theme lacks the legislative specificity to qualify it as a major dimension of government policy.

The essential element of the theme of appropriate programmes, as discussed in the literature, is individualized educational planning (Abeson & Ballard, 1976), translated in U.S. policy through the IEP, which Bateman and Herr (1981) describe as the "heart" of U.S. special education policy. Once again, the Québec policy theme of quality education is concerned with similar issues but does not accord the theme the same level of attention in the policy.

The third general theme found in the literature, due process and parents, receives the least attention of all in the Québec policy. As discussed in chapter 2, due process (including the concept of equal protection) is regarded as the essential means for ensuring that the substantive rights of exceptional children are respected (H.R. Turnbull, 1986). The Québec policy does not include procedural safeguards nor any specific procedures for ensuring compliance with the substantive aspects of the policy. There is some mention of parental involvement but not to the extent suggested by the discussion of this theme in the literature.

Based on the foregoing, it would appear that although Québec policy deals with all of the themes discussed in the literature, except due process, the emphasis accorded these themes is not the same. More specifically, the literature would suggest that many policy issues be accorded greater attention than they are in the Québec policy.

5.5. Future Research

As stated in the introductory chapter, this study began with a recognition that there was a lack of basic policy research concerning special education policy in Québec. As a result, it was decided to carry out an analysis of the fundamental aspects of government policy, using only primary source material. A particular research design was developed, using qualitative content analysis, together with an inquiry audit to validate the methodology, findings and conclusions of the study.

On the basis of the findings and conclusions reached, both by the study and the inquiry audit, several areas of future research are suggested. Recommendations for future research deal with both content and methodological issues.

First, there is a need for further study on the remaining aspects of government policy, as conceived both "horizontally" and "vertically". The "horizontal" dimension of government policy is defined as the subject matter of the policy - either present or absent. Accordingly, some themes dealt with in this study, such as accessibility of school facilities, could be examined more extensively. In addition, those aspects of government policy which were excluded by the limitations of the study could be dealt with. The most obvious examples of this latter subject matter

are the funding of special education and the case-law which interprets government legislative action.

The funding of special education is an example of an allocation policy (Yeakey, 1983) and has been identified in the literature as a key element of government policy governing exceptional children. As Thomas (1973) puts it, without money there is no special education. This issue has been dealt with extensively in the U.S. literature (Ballard & Zettel, 1978; Chambers & Hartman, 1983; Crowner, 1985; Hartman, 1980; Kakalik, 1979; Marinelli, 1976). It has also received some attention in the Canadian literature, both conceptually (Rawlyk, 1977; Ray, 1986) and in terms of national surveys (Council of Ministers of Education, Canada, 1986; Kelly, 1985; Poirier, Goguen & Leslie, 1988). The latter sources deal only briefly with the situation in Québec, which has been studied more extensively by Donahue and Smith (1986).

These last authors conclude that there is a discrepancy between the rights of exceptional children to "a free and appropriate education and the present system of funding" (p. 87). It is suggested that there is a need for a systematic study of the Government's funding policy to determine the relation of this policy to the intentions of the Government's special education policy, as described herein.

The importance of case-law in the development of American special education policy has already been noted (Bateman & Herr, 1981; Kirp, 1977; Prasse, 1988; H.R. Turnbull, 1986). It has also been suggested that litigation may play a greater role in developing Canadian policy due to the entrenchment of the Canadian Charter

in the Constitution (Cruickshank, 1986; MacKay, 1984; Manley-Casimir, 1982). The case-law dealing with Québec policies has been briefly dealt with by various authors (Anderson, 1986; Poirier, Goguen & Leslie, 1988; Wilson, 1985). This case-law has also been studied by Côté (1984) in the context of the general right to elementary education in Québec.

No studies have been identified which focus on Québec special education case-law nor on any arbitral awards which might be related to dispute resolution of the provisions of the teacher ententes relating to special education. There is therefore a need to undertake such a study in order to determine how the courts have interpreted government policy. It should be remembered that such judicial decisions become a source of law and therefore have the effect of adding to government policy by interpreting it.

The "vertical" dimension of government policy is defined as the continuum of policies in intention, in action and in effect (Guba, 1984). This study has focused on the first phase of this continuum - "policies in intention". These latter two phases are concerned with the implementation of policy intentions by central and local education authorities. They also address the impact of policy on the provision of educational services to exceptional children and upon various stakeholders, such as parents and teachers. In addition to advancing policy research on these matters, further study of these phases will provide research data for policymakers, policy advocates and educators.

It is felt that the research design, and in particular, the analytical frameworks used,

have permitted a more systematic analysis of both the policy goals and legislative action of the Government than would have been achieved by a less structured approach. The use of the inquiry audit has also been very helpful both in verifying the trustworthiness of the study and in identifying the limitations of the methodology.

It is suggested that further investigation needs to be carried out with respect to the types of decision rules to be used in conducting qualitative inferential content analysis of government policy and the use of the inquiry audit. More specifically, there is a need to determine if the difficulties encountered in replicating the inferences is due to: the nature of the subject matter, the decision-rules used, the familiarity of the auditor with the material, or a combination of these factors.

Notwithstanding these methodological considerations, it is contended that the research design could be successfully used to carry out the types of policy research suggested above. In particular, it is felt that the analysis of the funding policy of the Government would benefit from such an approach. Last, the description of government policy by themes could facilitate the systematic comparison of policies of different jurisdictions, something that is lacking in the Canadian literature.

5.6. Conclusion

This study has provided a structured analysis of the policy goals and legislative action which make up the special education policy of the Government of Québec. This policy has been viewed as the government response to the educational community's desire for a clear statement and plan of action on behalf of exceptional

children.

The findings of the study have revealed three major policy themes: access, quality education and integration, each of which encompasses five principal focuses: pupils, standards, parents, staff and support services. These themes are expressed in an eclectic variety of goals and standing decisions which have been compared according to both policy themes and the specific objectives subtended by these themes.

On the basis of these findings, several conclusions were drawn about the policy, and in particular, about the congruency between goals and legislative action. These conclusions have also been discussed in relation to the literature on special education policy which was reviewed in chapter 2. In general, it was found that there are several incongruencies between policy goals and legislative action. Furthermore, the latter often lack the specificity and force to provide exceptional children with the level of rights suggested by the policy and in the professional literature.

Finally, various suggestions for future research have been made, especially with respect to special education funding and case-law.

References

1. Periodicals

- Abeson, A. & Zettel, J. (1977). The end of the quiet revolution: The Education for All Handicapped Children Act of 1975. Exceptional Children, 44, 114-128.
- Ballard, J. & Zettel, J. J. (1978). Fiscal arrangements of Public Law 94-142. Exceptional Children, 44, 333-337.
- Commission des droits de la personne du Québec. (1987). Les notions de déficience et de désavantage dans la définition du motif handicap. Droits et Libertés au Québec, 3, 499-503.
- Crowner, T. T. (1985). A taxonomy of special education finance. Exceptional Children, 51, 503-508.
- Davis, A. & Smith, M. L. (1984). The history and politics of an evaluation: The Colorado Learning Disability Study. Educational Evaluation and Policy Analysis, 6, 27-37.
- Edmister, P. & Ekstrand, R. E. (1987). Preschool programming: Legal and educational issues. Exceptional Children, 54, 130-136.
- Fafard, M-B., Hanlon, R. E. & Bryson, E. A. (1986). Jose P. v. Ambach: Progress toward compliance. Exceptional Children, 52, 313-322.
- Foster, W. F. & Pinheiro, G. (1988). Constitutional protection of the right to an education. Dalhousie Law Journal, 11, 759-832.
- Friedman, L. S. & Wiseman, M. (1978). Understanding the equity consequences of school finance reform. Harvard Educational Review, 48, 193-225.
- Gartner, A. & Lipsky, D. K. (1987). Beyond special education: Toward a quality system for all students. Harvard Educational Review, 57, 367-395.
- Goguen, L. & Leslie, P. (1980). Special education administrative policy development: Toward comprehensive education for all children. Special Education in Canada, 54, 22-24.
- Guba, E. G. (1984). The effect of definitions of "policy" on the nature and outcomes of policy analysis. Educational Leadership, 42 (2), 63-70.
- Guthrie, J. W. (1983). United States school finance policy, 1955-1980. Educational Evaluation and Policy Analysis, 5, 207-230.
- Guthrie, J. W. & Koppich, J. (1987). Exploring the political economy of national education reform: The politics of excellence and choice in education (1987 Yearbook of the Politics of Education Association). [Special issue]. Journal of Education Policy, 2, 225-47.

- Hartman, W. T. (1980). Policy effects of special education funding formulas. Journal of Education Finance, 6, 135-159.
- Higgins, S. & Barresi, J. (1979). The changing focus of public policy. Exceptional Children, 45, 270-277.
- Kakalik, J. S. (1979). Issues in the cost and finance of special education. Review of Research in Education, 7, 195-222.
- Karagianis, L. D. & Nesbit, W. C. (1980). Special education: Public policy in Canada. Education Canada, 20 (2), 5-10.
- Kirp, D. L. (1977). Law, politics and equal educational opportunity: The limits of judicial involvement. Harvard Educational Review, 47, 117-137.
- Lazarsfeld, P. E. (1975). The policy science movement (An outsider's view). Policy Sciences, 6, 211-222.
- Luckasson, R. A. (1986). Attorneys' fees reimbursement in special education cases: Smith v. Robinson. Exceptional Children, 52, 384-389.
- MacKay, A. W. (1986). The equality provisions of the Charter and education: A structural analysis. Canadian Journal of Education, 11, 293-312.
- Manley-Casimir, M. (1982). Canadian and U.S. legal traditions: Implications for administrative practice. The Canadian School Executive, 2 (5), 18-21.
- McCarthy, M. M. (1986). Research in educational administration: Promising signs for the future. Educational Administration Quarterly, 22, 3-20.
- McKinney, J. D. & Hocutt, A. M. (1988). The need for policy analysis in evaluating the regular education initiative. Journal of Learning Disabilities, 21, 12-18.
- Meisels, S. J. (1985). A functional analysis of the evolution of public policy for handicapped young children. Educational Evaluation and Policy Analysis, 7, 115-126.
- Mitchell, D. E. (1984). Educational policy analysis: The state of the art. Educational Administration Quarterly, 20, 129-160.
- Murray-Register, B. (1981). Public policy on special education in Canada. Education and training of the mentally retarded, 16 (1), 87-90.
- Nevo, D. (1983). The conceptualization of educational evaluation: An analytical review of the literature. Review of Educational Research, 53, 117-128.
- Nwabuogu, M. N. (1984). On the meaning and application of equal educational opportunity: A review article. Journal of Education Finance, 10, 64-82.

- Perkins, S. A. (1979). Problems and issues in special education. Education Canada, 19 (3), 32-43.
- Prasse, D. P. (1988). Legal influence and educational policy in special education. Exceptional Children, 54, 302-309.
- Prasse, D. P. & Reschly, D. J. (1986). Larry P.: A case of segregation, testing, or program efficacy? Exceptional Children, 52, 333-346.
- Rawlyk, S. A. (1977). Some fundamental issues in funding special education. Education Canada, 17 (1), 46-47.
- Ray, D. (1986). Resources for education: Human rights and the Canadian system for redistribution of public funds. Canadian Journal of Education, 11, 353-363.
- Shapiro, J. Z. & Berkeley, T. R. (1986). Alternative perspectives on policy analysis: A response to Douglas E. Mitchell's "Educational policy analysis: The state of the art". Educational Administration Quarterly, 22, 80-91.
- Singer, J. D. & Butler, J. A. (1987). The Education for All Handicapped Children Act: Schools as agents of social reform. Harvard Educational Review, 57, 125-152.
- Smith, J. A. C. (1980). The right to an appropriate education. Ottawa Law Review, 12, 367-391.
- Swan, W. W. (1984). State policy and service achievements in early childhood special education. Educational Evaluation and Policy Analysis, 6, 425-434.
- Taylor, J. M., Tucker, J. A. & Galagan, J. E. (1986). The Luke S. class action suit: A lesson in system change. Exceptional Children, 52, 376-382.
- Thibert, C. (1979). L'éducation spéciale au Québec hier et aujourd'hui. McGill Journal of Education, 14, 275-288.
- Thomas, M. A. (1973). Finance: Without which there is no special education. Exceptional Children, 39, 475-480.
- Tiller, W. L. & Carfioli, J. C. (1986). Frederick L.: A review of the litigation in context. Exceptional Children, 52, 367-375.
- Treherne, D. & Rawlyk, S. (1979). Canadian legislative processes: Special education. McGill Journal of Education, 14, 265-274.
- Turnbull, A. P. (1982). Preschool mainstreaming: A policy and implementation analysis. Educational Evaluation and Policy Analysis, 4, 281-291.

Wood, F. H., Johnson, J. L. & Jenkins, J. R. (1986). The Lora case: Nonbiased referral, assessment, and placement procedures. Exceptional Children, 52, 323-331.

Yeakey, C. C. (1983). Emerging policy research in educational research and decisionmaking. Review of Research in Education, 10, 255-301.

2. Books

Abeson, A. & Ballard, J. (1976). State and federal policy for exceptional children. In F. J. Weintraub, A. Abeson, J. Ballard & M. L. LaVor (Eds.), Public policy and the education of exceptional children (pp. 83-95). Reston, VA: The Council for Exceptional Children.

Anderson, J. (1986). Effect of the Charter of Rights and Freedoms on provincial school legislation. In M. E. Manley-Casimir & T. A. Sussel (Eds.), Courts in the classroom: Education and the Charter of Rights and Freedoms (pp. 183-201). Calgary: Detselig Enterprises.

Arons, S. (1986). Constitutional litigation and education reform: Canada's opportunity. In M. E. Manley-Casimir & T. A. Sussel (Eds.), Courts in the classroom: Education and the Charter of Rights and Freedoms (pp. 133-183). Calgary: Detselig Enterprises.

Ballance, E. & Kendall, D. C. (1969). Report on legislation and services for exceptional children in Canada (rev. ed.). Canada: Canadian Committee of the Council for Exceptional Children.

Bardes, B. A. & Dubnick, M. J. (1980). Motives and methods in policy analysis. In S. S. Nagel (Ed.), Improving policy analysis (pp. 101-127). Beverly Hills, CA: Sage Publications.

Bateman, B. D. & Herr, C. M. (1981). Law and special education. In J. M. Kauffman & D. P. Hallahan (Eds.), Handbook of special education (pp. 330-360). Englewood Cliffs, NJ: Prentice-Hall.

Bayefsky, A. F. (1985). Defining equality rights. In A. F. Bayefsky & M. Eberts (Eds.), Equality rights and the Canadian Charter of Rights and Freedoms (pp. 1-79). Toronto: Carswell.

Bayefsky, A. F. & Eberts, M. (Eds.). (1985). Equality rights and the Canadian Charter of Rights and Freedoms. Toronto: Carswell.

Berelson, B. (1954). Content Analysis. In G. Lindzey (Ed.), Handbook of social psychology: Vol 1. Theory and method (pp. 488-522). Reading, MA: Addison-Wesley.

Best, J. W. (1977). Research in education (3rd ed.). Englewood Cliffs, NJ: Prentice-Hall.

- Black, H. C. (1979). Black's law dictionary (5th Ed.). St. Paul, MN: West Publishing.
- Borg, W. R. & Gall, M. D. (1983). Educational research: An introduction (4th ed.). New York: Longman.
- Brun, H. (1988). Chartes des droits de la personne: Legislation, jurisprudence et doctrine. Montreal: Wilson & Lafleur.
- Canadian Committee, The Council for Exceptional Children. (1974). A matter of principle. Canada: Author.
- Chambers J. G. & Hartman, W. T. (1983). A resource-cost-based approach to the funding of educational programs: An application to special education. In J. G. Chambers & W. T. Hartman (Eds.), Special education policies: Their history, implementation and finance. Philadelphia: Temple University Press.
- Coleman, J. S. (1972). Policy research in the social sciences. Morristown, NJ: General Learning Press.
- Côté, H. (1984). Le droit à l'éducation élémentaire publique au Québec. Cowansville, Qc: Yvon Blais.
- Cruikshank, D. (1986). Charter equality rights: The challenge to education law and policy. In M. E. Manley-Casimir & T. A. Sussel (Eds.), Courts in the classroom: Education and the Charter of Rights and Freedoms (pp. 51-76). Calgary: Detselig Enterprises.
- Csapo, M. (1980). Collect call to Ottawa. In M. Csapo & L. Goguen (Eds.), Special education across Canada (pp. 215-229). Vancouver: Centre for Human Development and Research.
- Dickinson, G. M. & MacKay, A. W. (Eds.). (1989). Rights, freedoms and the education system in Canada. Toronto: Emond Montgomery.
- Downey, L. W. (1988). Policy analysis in education. Calgary: Detselig Enterprises.
- Elliott, R. (1987). Litigating intelligence. Dover, MA: Auburn House.
- Fischer, L. (1982). The courts and educational policy. In A. Lieberman & M. W. McLaughlin (Eds.), Policy making in education (Eighty-first yearbook of the National Society for the Study of Education, pp. 56-79). Chicago: The University of Chicago Press.
- Fox, D. J. (1969). The research process in education. New York: Holt, Rinehart & Winston.
- Garant, P. (1985). Droit administratif (2nd ed.). Cowansville: Yvon Blais.

- Gearheart, B. R. (1974). Organisation and administration of educational programs for exceptional children. Springfield, IL: Thomas.
- Gearheart, B. R. (1980). Special education for the eighties. Saint Louis: C. V. Mosby.
- George, A. L. (1959). Quantitative and qualitative approaches to content analysis. In I. de Sola Pool (Ed.), Trends in content analysis (Papers of the Work Conference on Content Analysis of the Committee on Linguistics and Psychology, Social Science Research Council) . Urbana, IL: University of Illinois Press.
- Giles, W. H. (1988). Schools and students. Toronto: Carswell.
- Goguen, L. J. (1980). Right to education. In M. Csapo & L. Goguen (Eds.), Special education across Canada (pp. 175-183). Vancouver: The Centre for Human Development and Research.
- Guba, E. G. & Lincoln, Y. S. (1981). Effective evaluation: Improving the usefulness of evaluation results through responsive and naturalistic approaches. San Francisco: Jossey-Bass.
- Hallahan, D. P. & Kauffman, J. M. (1982). Exceptional children (2nd ed.). Englewood Cliffs, NJ: Prentice-Hall.
- Henchey, N. & Burgess, D. (1987). Between past and future: Québec education in transition. Calgary: Detselig Enterprises.
- Hogg, P. W. (1985). Constitutional law of Canada (2nd ed.). Toronto: Carswell.
- Holsti, O. R. (1968). Content analysis. In G. Lindzey & E. Aronson (Eds.), The handbook of social psychology: Vol. 2. Research methods (2nd ed., pp. 596-692). Reading, Ma: Addison-Wesley.
- House, P. & Coleman J. (1980). Realities of public policy analysis. In S. S. Nagel (Ed.), Improving policy analysis (pp. 183-199). Beverly Hills, CA: Sage Publications.
- Housego, I. E. (1980). Administration and policy-making in education: The contemporary predicament. In R. H. Farquhar & I. E. Housego (Eds.), Canadian and comparative educational administration (pp. 380-390). Vancouver: University of British Columbia, Education- Extension, Centre for Continuing Education.
- Joint Committee on Standards for Educational Evaluation. (1981). Standards for evaluations of educational programs, projects, and materials. New York: McGraw-Hill.
- Kirk, S. A. (1972). Educating exceptional children (2nd ed.). Boston: Houghton Mifflin.

- Kirk, S. A. & Gallagher, J. J. (1983). Educating exceptional children (4th ed.). Boston: Houghton Mifflin.
- Kirp, D. L. (1983). Professionalism as a policy choice: British special education in comparative perspective. In J. G. Chambers & W. T. Hartman (Eds.), Special education policies: Their history, implementation and finance. Philadelphia: Temple University Press.
- Krippendorff, K. (1980). Content analysis: An introduction to its methodology. Beverly Hill, CA: Sage Publications.
- LaVor, M. L. (1976). Federal legislation for exceptional persons: A history. In F. J. Weintraub, A. Abeson, J. Ballard & M. L. LaVor (Eds.), Public policy and the education of exceptional children (pp. 96-102). Reston, VA: The Council for Exceptional Children.
- Lazerson, M. (1983). The origins of special education. In J. G. Chambers & W. T. Hartman (Eds.), Special education policies: Their history, implementation and finance. Philadelphia: Temple University Press.
- LeMay, D. & Goubau, D. (1988). La recherche documentaire juridique au Québec. Montréal: Wilson & Lafleur.
- Lincoln, Y. S. & Guba, E. G. (1985). Naturalistic inquiry. Beverly Hills, CA: Sage Publications.
- Lippman, L. & Goldberg, I. I. (1973). Right to education: Anatomy of the Pennsylvania case and its implications for exceptional children. New York: Teachers College Press.
- MacKay, A. W. (1984). Education law in Canada. Toronto: Emond-Montgomery.
- MacRae, D. (1980). Policy analysis methods and governmental functions. In S. S. Nagel (Ed.), Improving policy analysis (pp. 129-151). Beverly Hills, CA: Sage Publications.
- Magnuson, R. (1980). A brief history of Québec education: From New France to parti québécois. Montreal: Harvest House.
- Manley-Casimir, M. E. & Sussel, T. A. (Eds.). (1986). Courts in the classroom: Education and the Charter of Rights and Freedoms. Calgary: Detselig Enterprises.
- Marinelli, J. J. (1976). Financing the education of exceptional children. In A. Weintraub, J. Abeson, J. Ballard & M. L. LaVor (Eds.), Public policy and the education of exceptional children (pp. 151-193). Reston, VA: Council for Exceptional Children.

- Nagel, S. S. (Ed.). (1980). Improving policy analysis. Beverly Hills, CA: Sage Publications.
- Patton, C. V. & Sawicki, D. (1986). Basic methods of policy analysis and planning. Englewood Cliffs, NJ: Prentice-Hall.
- Pépin, G. & Ouellette, Y. (1982). Principes du contentieux administratif (2nd ed.). Cowansville, Qc: Yvon Blais.
- Poirier, D., Goguen, L. & Leslie, P. (1988). Education rights of exceptional children in Canada. Toronto: Carswell.
- Reid, R. F. & David, H. (1978). Administrative law and practice (2nd ed.). Toronto: Butterworths.
- Sarason, S. B. & Doris, J. (1982). Public policy and the handicapped: The case of mainstreaming. In A. Lieberman & M. W. Mc Laughlin (Eds.), Policy making in education (Eighty-first yearbook of the National Society for the Study of Education, pp. 23-55). Chicago: The University of Chicago Press.
- Smith, H. W. (1975). Strategies of social research. Englewood Cliffs, NJ: Prentice-Hall.
- Sussel, T. A. & Manley-Casimir, M. E. (1986). The Supreme Court of Canada as "national school board": The Charter and educational reform. In M. E. Manley-Casimir & T. A. Sussel (Eds.), Courts in the classroom: Education and the Charter of Rights and Freedoms (pp. 213-235). Calgary: Detselig Enterprises.
- Tarnopolsky, W. S. & Beaudouin, G. A. (Eds.). (1982). Canadian Charter of Rights and Freedoms. Toronto: Carswell.
- Trow, M. (1984). Researchers, policy analysts and policy intellectuals. In T. Husén & M. Kogan (Eds.), Educational research and policy: How do they relate? (pp. 261-281). Oxford: Pergamon Press.
- Turnbull, H. R., III. (1976). Accountability: An overview of the impact of litigation on professionals. In F. J. Weintraub, A. Abeson, J. Ballard & M. L. LaVor (Eds.), Public policy and the education of exceptional children (pp. 362-368). Reston, VA: The Council for Exceptional Children.
- Turnbull, H. R., III. (1986). Free appropriate public education: The law and children with disabilities. Denver, CO: Love Publishing.
- Tweedie, J. (1983). The politics of legalization in special education. In J. G. Chambers & W. T. Hartman (Eds.), Special education policies: Their history, implementation and finance (pp. 15-48). Philadelphia: Temple University Press.

Wilson, J. (1985). Children and equality rights. In A. F. Bayefsky & M. Eberts (Eds.), Equality rights and the Canadian Charter of Rights and Freedoms (pp. 293-322). Toronto: Carswell.

Winzer, M., (1987). Introduction to exceptional children. In M. Winzer, S. Rogow & C. David (Eds.), Exceptional children in Canada. (pp. 3-38) Scarborough, Ont.: Prentice-Hall Canada.

3. Government Publications, Research Reports and Dissertations

Coleman, J. S., Campbell, E. Q., Hobson, C. J., McPartland, J., Mood, A. M., Weinfeld, F. D. & York, R. L. (1966). Equality of educational opportunity. Washington, D. C.: U. S. Government Printing Office.

Comité provincial de l'enfance inadaptée. (1976). L'éducation de l'enfance en difficulté d'adaptation et d'apprentissage au Québec. Québec: Ministère de l'Education.

Commission on Emotional and Learning Disorders in Children. (1970). One million children. Toronto: Author.

Conseil supérieur de l'éducation. (1977). The education of Quebec children suffering from learning or emotional disorders (Recommendation to the Minister of Education). Québec: Author.

Conseil supérieur de l'éducation. (1983). La place faite aux élèves en difficulté d'adaptation et d'apprentissage et aux jeunes doués ou talentueux dans une école secondaire en quête d'excellence. (Avis au ministre de l'Education). Québec: Author.

Conseil supérieur de l'éducation. (1985). Réussir l'intégration scolaire des élèves en difficulté (Avis au ministre de l'Education). Québec: Author.

Council of Ministers of Education, Canada. (1986). The financing of elementary and secondary education in Canada. Toronto: Author.

Donahue, H. & Smith, W. J. (1986). Every child's right to a free and appropriate education: A study of the funding of special education in Québec. Montreal: Talleyrand Inc.

Kelly, B. (1985). The funding and cost of special education (Report prepared for the Council of Ministers of Education, Canada). Toronto: Council of Ministers of Education, Canada.

Ministère de la Santé, de la Famille et du Bien-être social. (1969). Orientatiion pour une politique de l'enfance inadapté. Québec: Author.

Ministère de l'Education. (1977). L'enseignement primaire et secondaire au Québec (Livre vert). Québec: Author.

- Ministère de l'Education. (1978a). L'école québécoise: Enoncé de politique et plan d'action: L'enfance en difficulté d'adaptation et d'apprentissage. Québec: Author.
- Ministère de l'Education. (1978b). Primary and secondary education in Québec (Green paper). Québec: Author.
- Ministère de l'Education. (1979a). L'école québécoise: Enoncé de politique et plan d'action. Québec: Author.
- Ministère de l'Education. (1979b). The schools of Québec: Policy statement and plan of action. Québec: Author.
- Ministère de l'Education. (1979c). The schools of Québec: Policy statement and plan of action: Children with difficulties in learning and adaptation. Québec: Author.
- Ministère de l'Education. (1980). L'école s'adapte à son milieu: Enoncé de politique sur l'école en milieu économiquement faible. Québec: Author.
- Ministère de l'Education. (1986). L'organisation des activités éducatives au préscolaire, au primaire et au secondaire: L'instruction 1987-88 (AE-10-87-01). Québec: Author.
- Ministère de l'Education. (1987). L'instruction 1987-88 (AG-55-87-05). Québec: Author.
- Ministère de l'Education, Direction générale de la recherche et développement. (1987). Statistiques de l'éducation: Préscolaire, primaire et secondaire (Edition de septembre, 1987). Québec: Author.
- Ministère de l'Education, Direction générale du financement (1988a). Commissions scolaires: Règles budgétaires pour l'année scolaire 1986-1987. Projet soumis à la consultation en vertu de l'article 15.1 (L.R.Q. c. I-14). Québec: Author.
- Ministère de l'Education, Direction générale du financement (1988b). Projet de règles budgétaires 1986-87: Document complémentaire sur la méthode de calcul des paramètres d'allocation. Québec: Author.
- Ministère des Affaires sociales. (1981). Guide pour assurer la scolarisation des enfants des établissements du Ministère des Affaires sociales (Rev. ed.). Québec: Author.
- National Research Council of Canada. (1985). National Building Code of Canada, 1985 (Including errata and revisions as of December 1988). Ottawa: Author

Office des personnes handicapées du Québec. (1984). On equal terms: The social integration of handicapped persons: A challenge for everyone. Québec: Gouvernement du Québec, Ministère des Communications.

O'Shaughnessy, R. (1986). The integration of students with adjustment and learning difficulties. In Les actes des Etats généraux sur la qualité de l'éducation: Exposés des personnes-ressources (pp. 427-437). Québec: Estates General Committee.

Report of the Québec Committee of the Commission on Emotional and Learning Disorders in Children (Supplementary publication to One million children). (1970). Toronto: Author.

Report of the Royal Commission of Inquiry on Education in the Province of Quebec (Vols. 1-5). (1963-1966). Québec: Gouvernement du Québec.

Stone, A. (1983). Knowledge, attitude, and demographic characteristics of selected local education agencies and their relationship to procedural compliance with exceptional children legislation. Unpublished doctoral dissertation, University of North Carolina, Greensboro.

Zuker, M. A. (1984, June). Equal educational opportunity, special education and the Charter of Rights. Paper presented at the meeting for the Learned Societies Conference, Guelph, Ont.

4. Statutes, Regulations, Ententes and Cases

Act Respecting Municipal Taxation and Providing Amendments to Certain Legislation, S.Q., 1979, c. 72.

Act Respecting the Conseil supérieur de l'Éducation, R.S.Q., c. C-60.

Act Respecting the Ministère de l'Éducation, R.S.Q., c. M-15.

Act Respecting the Process of the Negotiation of the Collective Agreements in the Public and Parapublic Sectors, R.S.Q., c. R-8.2.

Act to Again Amend the Education Act, S.Q., 1979, c. 80.

Act to Amend the Charter of the French Language, S.Q., 1983, C. 56.

Act to Secure the Handicapped in the Exercise of their Rights, R.S.Q., c. E-20.1.

Act to Secure the Handicapped in the Exercise of their Rights, S.Q., 1978, c. 7.

Application of a Building Code, O.C. 912-84, 11 April 1984, G.O.Q. 1984.II.1525.

Application of a Building Code - 1985, O.C. 2448-85, 27 November 1985, G.O.Q. 1985.II.4276.

Application of a Building Code - 1985 - Amendments, O.C. 1008-88, 22 June 1988, G.O.Q. 1988.II.2813.

Board of Education v. Rowley, 458 U.S. 176 (1982).

Brown v. Board of Education, 347 U.S. 483 (1954)

Building Code, R.R.Q., c. S-3, r. 2.

Canadian Charter of Rights and Freedoms, Part I of the Constitution Act, 1982, being Schedule B of the Canada Act 1982 (U.K.), 1982, c.11.

Charter of Human Rights and Freedoms, R.S.Q., c. C-12.

Charter of the French Language, R.S.Q., c. C-11.

Constitution Act, 1867 (U.K.), 30 & 31 Vict., c. 3 (formerly British North America Act, 1867).

Constitution Act, 1982, being Schedule B of the Canada Act 1982 (U.K.), 1982, c.11.

Education Act, R.S.Q., c. I-14.

Education Act, S.Q., 1988, c. 84.

Education of the Handicapped Act, 20 U.S.C., ss 1400 et seq.

Education for All Handicapped Children Act of 1975 (Pub. L. No. 94-142), 20 U.S.C., ss 1401 et seq.

Entente Between The Quebec Association of Protestant School Boards, and the Minister of Education and The Provincial Association of Protestant Teachers, as subsequently amended, 12 November 1976.

Entente Between the Employer Bargaining Committee for Protestant School Boards and the Provincial Association of Protestant Teachers, as subsequently amended, 22 May 1980.

Entente Between the Employer Bargaining Committee for Protestant School Boards and the Provincial Association of Protestant Teachers, as subsequently amended, 28 April 1987.

Labour Code, R.S.Q., c. C-27.

O.C. 3326-76, 29 September 1976, G.O.Q. 1976.II.6505

O.C. 2629-84, 28 November 1984, G.O.Q. 1984.II.4020.

Provisions Constituting Collective Agreements Binding Each of the School Boards for Protestants and Each of the Certified Associations Affiliated with the Provincial Association of Protestant Teachers, S.Q., 1982, c. 45, as am. S.Q., 1983, c. 17 & as subsequently amended, 11 December 1982.

Public Buildings Safety Act, R.S.Q., c. S-3.

Regulation on the Exemption for Children with Serious Learning Difficulties, R.R.Q., 1981, c. C-11, r. 5.

Regulation on the Exemption for Children with Serious Learning Difficulties, R.R.Q., 1981, c. C-11, r. 5.1.

Regulation Respecting the Basis of Elementary and Preschool Organization, R.R.Q., 1981, c. C-60, r. 11.

Regulation Respecting the Basis of Secondary Organization, R.R.Q., 1981, c. C-60, r. 12.

Regulation Respecting Teaching Permits and Teaching Diplomas, R.R.Q., 1981, c. C-60, r. 7.

Rehabilitation Act of 1973 (Pub. L. No. 93-112)

United States Constitution

Youth Protection Act, R.S.Q., c. P-34.1.

Appendix A

List of Abbreviations

CDPQ	Commission des droits de la personne du Québec
CEC	Council for Exceptional Children
CELDIC	Commission on Emotional and Learning Disorders in Children
CEQ	Centrale de l'Enseignement du Québec
COPEX	Comité provincial de l'enfance inadaptée (Provincial Committee for Handicapped Children)
CPNCP	Comité patronal de négociation des commissions scolaires pour protestants (Employer Bargaining Committee for Protestant School Boards)
CSE	Conseil supérieur de l'éducation
EDAA	Elèves en difficulté d'adaptation et d'apprentissage
EEO	Equal Educational Opportunity
EHA	Education for the Handicapped Act
FCSCQ	Fédération des commissions scolaires catholiques du Québec
IEP	Individualized Educational Programme
LRE	Least Restrictive Environment
MAS	Ministère des Affaires sociales
MEQ	Ministère de l'Éducation du Québec
MSSS	Ministère de la Santé et des Services sociaux
OPHQ	Office des personnes handicapées du Québec
PACT	Provincial Association of Catholic Teachers
PAPT	Provincial Association of Protestant Teachers
PTA	Provisional Teaching Authorization
PTR	Pupil/Teacher Ratio
QAPSB	Quebec Association of Protestant School Boards

Appendix B

Inquiry Audit

Introduction

The inquiry audit is a technique suggested by Lincoln and Guba (1985) as a means for establishing the trustworthiness of a naturalist inquiry. Relying on the earlier work of E. S. Halpern, the authors propose this method for verifying the dependability of the inquiry - i.e. the process followed by the investigator - and the confirmability of the inquiry - i.e. the findings, interpretations and recommendations reached by the investigator. Essentially, the method consists, first, of establishing an audit trail - the material assembled for the auditor to examine. Second, the audit process consists of the establishing the terms of reference of the audit, a set of procedures for examining the material and a report of the findings. The method is based on the premise that "disciplined inquiry is inquiry that is open to inspection and verification" (Cronbach & Suppes, cited in Lincoln & Guba, 1985, p. 326). As in the accounting audit, the auditor provides an independent verification of the "bottom line" of the inquiry and attests to his or her findings.

For purposes of this study, the inquiry audit has been used to establish the trustworthiness of the data analysis carried out, in accordance with the specific terms of reference provided for in the following report, submitted by the inquiry auditor.

Inquiry Audit Report

Peter J. H. Krause *

Introduction and Terms of Reference

Both the audit trail and audit process were predetermined by the investigator. Together they constitute the terms of reference of this inquiry audit; they are included as Schedules I and II of this report. During the pre-entry and auditability phases of this process, the auditor became familiar with the content of the study and the research design. More specifically, it was established that the inquiry could be carried out, given these terms of reference and the materials made available to the auditor.

During the formal agreement phase, it was established that the following questions would be answered in the final report.

1. Substance

Does the synthesis of the data - the summary statements used as units of analysis - accurately reflect the substance of the raw data?

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2. Themes and Focuses

- a) Are the themes and focuses, as presented and defined, supported by the data?
- b) Is the classification and coding of the summary statements by theme and focus internally consistent and replicable?

3. Inferences

- a) Is the differentiation between "essential" and "non-essential" summary goal statements internally consistent and replicable?
- b) Are the inferences drawn concerning both decision statements and goal statements internally consistent and replicable?

4. Findings and Conclusions

Are the findings and conclusions of the analysis supported by the data?

In setting these questions, the following limitations were agreed to:

- a) the auditor is not responsible for ensuring that the data used in the study represents the totality of available material;
- b) in reviewing the emergent themes, the auditor is not expected to determine if the data could suggest different themes but only to determine whether those proposed by the investigator are supported by the data.

The samples of goal statements used to test for substance, as well as thematic classification and coding, each represent 10% of their respective data populations. They were chosen by the investigator, using the methodology described in Schedule III of this report.

Findings

Based on this framework, the following findings have been determined.

1. Substance

a) Goal Statements

The sample of goal statements was reviewed and the summary statements were found to accurately reflect the substance of the content of the raw data. However, to verify if the totality of the summary statements reflected the totality of the raw data, a further test was performed. The auditor chose one page at random from one of the policy papers. All summary statements relating to this page were then compared to the entire content of this page. It was found that the sum of the statements accurately reflected this total content.

b) Standing Decisions

The sample of decision statements was reviewed and the summary statements were found to accurately reflect the substance of the content of the raw data. However, to verify if the totality of the summary statements reflected the totality of the raw data, a further test was performed. The auditor chose three sections at random from the Elementary and Secondary Régimes. All summary statements relating to these sections were then compared to the entire content of these sections. It was found

that the sum of the statements accurately reflected this total content.

2. Themes and Focuses

a) Relation of Data to Themes and Focuses

The operational definitions of the themes and focuses were reviewed and all summary goal statements were then scrutinized in relation to these definitions. The themes and focuses, as defined by the study, were supported by the data. The operational definitions of the additional theme components were reviewed and all summary decision statements were then scrutinized in relation to these definitions and to those referred to above. The themes and focuses, as defined by the study, were supported by the data.

b) Classification and Coding

Using the same sample of goal statements referred to above, the auditor coded each statement for theme and focus and compared the results to that which had been arrived at by the investigator. There were several differences between the two sets of results. After a brief discussion with the investigator, the auditor agreed that the original coding of the investigator was more appropriate.

It is the opinion of the auditor that the differences were primarily due to the degree of familiarity with the data which he had in comparison to the investigator. In addition, the investigator and auditor agreed that some statements were subject to more than one possible classification. In some cases, this was due to the ambiguity of the statement itself. In other cases, the definitions used by the study for different focuses were not sufficiently detailed to permit the auditor to decide on the

classification, without additional explanation from the investigator.

Significantly fewer differences were found when the same exercise was performed with respect to decision statements. It is the opinion of the auditor that the decision statements were less ambiguous than the goal statements, making them easier to classify.

3. Inferences

a) Essential and Non-Essential Goals

All goal statements of one theme were coded by the auditor as a pilot test for verifying the differentiation between "essential" and "non-essential" goals. The results of this test were compared with the coding of the investigator and several discrepancies were noted. These were discussed with the investigator and the meaning of the decision-rules governing the choice were clarified.

On the basis of this discussion, the auditor proceeded to verify the goal statements of another sample theme, chosen at random. When the comparison was made, the results obtained by the investigator were consistent with those of the auditor.

b) Inferences About Decisions and Goals

All decision statements and goal statements of one theme were coded by the auditor as a pilot test for verifying the inferences to be drawn about the supportiveness of the decisions and the extent to which the objectives of the goals had been met. The results of this test were compared with the coding of the investigator and several discrepancies were noted. These were discussed with the investigator and

the meaning of the decision rules governing the choice were clarified.

On the basis of this discussion and using the revised rules, the auditor proceeded to verify the goal statements of another sample theme, chosen at random. The results of this coding were compared with that of the investigator and, once again, several discrepancies were noted. These were discussed with the investigator and it was felt that some of the discrepancies arose from the following difficulty.

To establish the relation between the decision statements and the goal statements, it was first necessary to ascertain if the subject matter of a given decision statement was the same as a particular goal statement. This procedure presupposed that it was possible to abstract a discernible and unique subject from each statement. In practice, it was found that more than one subject matter could be abstracted from a given statement; consequently, it was often difficult to establish whether a one-to-one correspondence existed between individual decisions and goal statements.

Virtually all discrepancies could be resolved by discussion between the auditor and the investigator. Once again, it was found that differences were primarily due to the degree of familiarity with the data which the auditor had in comparison to the investigator.

4. Findings and Conclusions

The findings of the study with respect to the three research questions: goal statements, standing decisions and the relation between the two, are supported by the data. The conclusions reached by the investigator flow from these findings and

are not overstated. The investigator has maintained a clear objectivity in both the summary and analysis of the data. The validity of the research design has been confirmed by the use of this inquiry audit.

This audit has permitted the verification of the trustworthiness of the study and has revealed some problems for further consideration. The primary problem that surfaced was the need for greater familiarity with the data on the part of the auditor, in order to replicate certain aspects of this study, especially, the inferences concerning goals and decisions.

Schedule I

Audit Trail

The audit trail used is adapted from the original one designed by Halpern (cited in Lincoln & Guba, 1985, pp. 382-384).

Audit Trail Categories and Evidence

Classification/File Types	Evidence
<hr/>	
1. <u>Intentions and Disposition</u>	
Purpose of inquiry	Chapter 1
Theoretical framework	Chapter 3
Research questions	
Methodology	
Decision-rules	Appendix C
2. <u>Raw Data</u>	
Unobtrusive measures (public documents)	Copies of laws, regulations, ententes, administrative documents
3. <u>Data Analysis</u>	
Operational Definitions	Appendix C: Themes, focuses
Data synthesis: Classification of data by theme and sub-theme and by inferential statement	Appendix E: Summary statements on Grid Coding of data on Grid
4. <u>Findings</u>	
Policy Goals	Chapter 4, Appendix D
Standing Decisions	
Conclusions	Chapter 5

Schedule II

Audit Process

The audit process used is adapted from the original one designed by Halpern (cited in Lincoln & Guba, 1985, pp. 385-392).

A Process for Auditing Natural Inquiries

Phase/Steps to be Followed

A. Pre-Entry Phase

1. Select auditor.
2. Prepare audit trail for review.
3. Auditor becomes familiar with content.

B. Auditability Phase

1. Auditor and investigator review purpose of study, research questions, sources of data, theoretical framework and methodology, including definitions and decision rules used.
2. Auditor becomes familiar with audit trail.
3. Auditor establishes auditability of inquiry by verifying completeness of available material and existence of appropriate linkages between the data and the methodology.

A Process for Auditing Natural Inquiries (Cont'd)

Phase/Steps to be Followed

C. Formal Agreement Phase

1. Establish purpose of the audit and questions to be answered.
2. Establish procedures to be followed by the auditor, interaction with investigator and critical path.
3. Decide upon the content and format of the report to be submitted.

D. Trustworthiness Phase

N.B. The procedures which follow are iterative; if circumstances require, Step B.1 will be reexamined.

1. Auditor samples special education policy goals raw data.
2. Auditor compares data sample with corresponding data synthesis, testing for substance.
3. Any problems encountered in Step 2 are reviewed with the investigator and resolved.
4. Auditor samples special education standing decisions raw data.

A Process for Auditing Natural Inquiries (Cont'd)

Phase/Steps to be Followed

5. Auditor compares data sample with corresponding data synthesis, testing for substance.
6. Any problems encountered in Step 5 are reviewed with the investigator and resolved.
7. Auditor reviews entire data synthesis of special education policy goals to determine if the themes and sub-themes are supported.
8. Any problems encountered in Step 7 are reviewed with the investigator and resolved.
9. Auditor reviews entire data synthesis of standing decisions to determine if the themes and sub-themes are supported.
10. Any problems encountered in Step 9 are reviewed with the investigator and resolved.
11. Auditor codes a sample of the goal statements data synthesis, according to theme and focus.

A Process for Auditing Natural Inquiries (Cont'd)

Phase/Steps to be Followed

12. Auditor compares his coding with that established by investigator.
13. Any problems encountered in Step 12 are reviewed with the investigator and resolved.
14. Auditor codes a sample of the decision statements data synthesis, according to theme and focus.
15. Auditor compares his coding with that established by investigator.
16. Any problems encountered in Step 15 are reviewed with the investigator and resolved.
17. Auditor chooses one theme at random codes all goal statements of that theme as either "essential" or "non-essential".
18. Auditor compares his coding with that established by investigator.
19. Any problems encountered in Step 18 are reviewed with the investigator and resolved.

A Process for Auditing Natural Inquiries (Cont'd)

Phase/Steps to be Followed

20. Auditor chooses one theme at random and, using separate listings of all goal statements and all standing decisions for the theme:
 - a) codes decision statements, according to inference about their supportiveness of policy goals;
 - b) codes goal statements, according to inference about the meeting of the objectives subtended by these goals.
21. Auditor compares his coding with that established by investigator.
22. Any problems encountered in Step 21 are reviewed with the investigator and resolved.
23. Auditor reviews findings of study with respect to policy goals and standing decisions.
24. Any problems encountered in Step 23 are reviewed with the investigator and resolved.

A Process for Auditing Natural Inquiries (Cont'd)

Phase/Steps to be Followed

E. Closure Phase

1. Review of audit process between auditor and investigator.
 2. Presentation of final report.
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Schedule III

Random Sample Methodology

The computerized database containing the summary statements is an indexed file, storing and displaying the data according to a programmed sequence (cf. data analysis report included in Appendix E). To select a random sample of statements, this index was first disabled, leaving the data arranged strictly by order of entry (i.e. first record entered to last record entered).

One programme was created to recognize only goal statements, and then to select every eleventh record and print the results. Using this method, twelve records of a total of 125 were selected. A second programme was created to recognize only decision statements, and then to select every eleventh record and print the results. Using this method, thirteen records of a total of 142 were selected. Each programme also permitted changing the starting point of the selection, if more than one random sample were required.

Two lists were printed for both goals and decision statements. The first, used by the auditor for coding purposes, contained the statement, the date of publication and the source of the statement. The second, used for comparison of the auditor's results with those obtained by the investigator, contained the same information as the data analysis report included in Appendix E.

Appendix C

Definitions and Decision Rules

Definitions

Table C.1

Special Education Policy Themes

Theme:	Definition
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Access:

The provision of free publicly supported education for all exceptional pupils, including the following components:

right-to-education the right to attend school for exceptional pupils, including additional preschool and extended education beyond normal school-leaving age;

availability the availability within the region, or by other means, of regular and, if need be, special educational services for exceptional pupils;

accessibility the physical accessibility of school buildings and their facilities to exceptional pupils.

Quality Education:

Education adapted to the specific needs of the child, which maximizes his or her personal development and which is enriched by measures designed to remedy the child's disability, including the following components:

prevention the elimination of the causes of learning problems, both in general and in individual cases, including improvements in regular classroom instruction, early intervention and special measures for children in underprivileged areas;

screening/evaluation the ways and means used to detect, diagnose and prescribe learning activities and placement, including the definition of disability categories and the use of an individual educational plan;

learning activities the educational, remedial and rehabilitation services provided to the child, including curriculum guides, teaching materials and the technique of diversified staffing;

Table C.1 (Cont'd)

Special Education Policy Themes

Theme:	Definition
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Quality Education: (Cont'd)

PTR's / class size * the special education pupil/teacher ratios or class size norms;

English instruction * exemption for French language instruction (Bill 101).

Integration:

The placement of the child in the most normal setting possible.

* Components which emerged from the analysis of standing decisions.

Table C.2

Focus of Policy Themes

Focus:	Definition
N/A	No discernible single focus or cross-focus theme; statement of need, with no clear goal.
Pupil	Statement relates directly to the application of the theme to the pupil.
Standards	Statement stipulates the standards, terms or conditions concerning the application of the theme, including definitions.
Parents	Statement concerns the involvement of parents in the application of the theme, with respect to: consultation in setting policy, participation re individual pupils or dissemination of information
Staff	Statement concerns the involvement of teachers, or other staff, in the application of the theme, with respect to: consultation in setting policy, participation re individual pupils or staff development, upgrading and training.
Support	Statement concerns other means to support the application of the theme, with respect to: research, development and related activities, coordination and cooperation of administrative units and personnel or financial and human resources.

Decision Rules

Policy Goals

1. "Essential" and "non-essential" policy goals are distinguished on the basis of the latter; a "non-essential" goal is one which meets one of the following conditions:
 - a) it repeats that which is contained in another essential policy goal, without adding any new elements;
 - b) it summarizes that which is contained in more detailed essential policy goals;
 - c) it deals with funding (cf. limitation in section 3.5).

Relation Between Standing Decisions and Policy Goals

The attempt to discover the possible relations between the standing decisions and the policy goals has suggested that there is little relation between the two sets of data because of the large number of policy goals not addressed by standing decisions. However, the language of some goal statements is ambiguous, making it difficult to discern whether a standing decision is anticipated by the goal statement. Furthermore, some goal statements foreshadow an administrative action and not a standing decision, as defined by this study. To infer a lack of congruency between goals and decisions when the latter was not intended would be erroneous.

The attempt to resolve this problem by adopting a decision rule to identify only those goal statements which anticipated a standing decision was judged to be unsatisfactory. First, the testing of different possible rules did not yield consistent and replicable results. Second, it is recognized that some goals can be realized by

different means and that any such decision rule would have the effect of imposing the bias of the investigator by deciding which goals ought to anticipate a standing decision. Such an approach would be antithetical to the naturalist inquiry method adopted by this study.

Consequently, systematic inferences concerning the relation between standing decisions and policy goals will be limited to the two sets of data circumscribed by the rules which follow. Any conclusions drawn with respect to data not covered therein will be limited to general comments in the section dealing with implications for further research.

It has also been decided that the relation between the goals and decisions cannot be fully explained by the extent to which standing decisions support certain stated goals. A perspective relating to the extent to which policy goals are met by standing decisions is also required because of the combined effect of various standing decisions on one particular goal.

Accordingly, the following decision rules have been decided upon to determine the relation between standing decisions and policy goals.

1. Each decision statement for a given theme is scrutinized to determine the **subject matter** of each statement; all goal statements for this theme are then scrutinized to determine if any policy goal addresses the same subject matter as the decision statement under consideration.

Although it is possible that a decision could relate to more than one goal statement, it was decided to limit the relation to only one goal statement, the one deemed to be most appropriate.

Example

One standing decision from the National Building Code, 1985, defines design standards for barrier-free access. This statement is deemed to relate to the policy goal which states that the MEQ will modify the standards applicable to new schools, to ensure physical access for the handicapped. In each case, the subject matter is barrier-free access of new buildings.

Every standing decision which is deemed **not** to relate to any goal statement is noted and this inference is so recorded in the data record of the decision statement.

The sequential number of a goal statement which **does** relate to a given decision statement is noted in the data record of the latter as a cross-reference. All such decision statements are then subject to the inferential analysis provided for in step 2.

2. Each standing decision which does relate to a particular goal statement is evaluated in order to infer the extent to which the standing decision **supports the objective of the goal statement**, according to the following criteria:
 - a) If the decision is deemed to contribute to the achievement of the objective of the goal, then a supportive relation is inferred;

- b) If the decision is deemed to contribute to the non-achievement of the objective of the goal, then an unsupportive relation is inferred;
- c) If the decision is deemed not to contribute to either the achievement or the non-achievement of the goal, then a neutral relation is inferred;

The appropriate inference is recorded in the data record of each decision statement. When all decision statements for a given theme have been dealt with, the goal statements are then evaluated according to the provisions of step 3 and following.

Example

Three decision statements (D-1, D-2 and D-3) deal with the definition of disability categories. Each one is therefore deemed to relate to the following goal statement:

The MEQ will revise the definitions of disability categories so as to retain only broad descriptors.

Decision D-1 contains a new set of definitions which replaces the existing detailed categorical definitions by more general ones; a supportive relation would be inferred in this case.

Decision D-2 maintains the existing detailed categorical definitions and adds another similar definition for profound intellectual deficiency; an unsupportive relation would be inferred in this case.

Decision D-3 states that the Minister may make definitions with respect to the definition of disability categories; a neutral relation would be inferred in this case.

3. The goals statements of a given theme are scrutinized to determine which ones meet one of the following conditions:
 - a) the policy goal has been dealt with by one of the foregoing standing decisions, as indicated by the sequential number recorded in the data record of a standing decision;
 - b) the policy goal explicitly anticipates legislative action, i.e. the goal statement includes reference to the adoption or amendment of a standing decision, as defined by this study.

Every goal statement which does **not meet** one of these two conditions is noted and this inference is so recorded in the data record of the goal statement.

All goal statements which **do meet** one of these two conditions are then subject to the inferential analysis provided for in step 4.

4. Each goal statement which has been selected in step 2 is evaluated in order to infer the extent to which the objective of the goal statement has been met by the standing decisions which relate to it, according to the following criteria:
- a) If that which was intended by the goal has been accomplished by the standing decisions, then it is inferred that the objective set by the goal is met;
 - b) If that which was intended by the goal has not been accomplished by the standing decisions but if the latter have contributed to its achievement, then it is inferred that the objective set by the policy goal is partially met;
 - c) If that which was intended by the goal has not been accomplished by the standing decisions and if the latter have not contributed to the achievement of that which was intended by the goal or have contributed to its non-achievement, then it is inferred that the objective set by the policy goal is not met at all.

Example

Using the examples cited above in step 2, the following inferences would be drawn with respect to the goal that:

The MEQ will revise the definitions of disability categories so as to retain only broad descriptors.

If decision D-1 had been adopted, it would be inferred that the objective of the goal was totally met. If either decision D-2 or D-3 had been adopted, it would be inferred that the objective of the goal was not met at all.

The appropriate inference is recorded in the data record of each decision statement.

5. The results of the foregoing are used to infer the relation between the standing decisions and the policy goals with respect to the objectives of the Policy.

Appendix D
Data Analysis Tables

Table D.1

Policy Goals by Theme and Focus

Theme/ Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Access	1	7	1		1	6	16
Quality Ed	2	17	4	3	7	18	51
Integration		4	2	2	4	2	14
Total	3	28	7	5	12	26	81

* No single focus discernible

Table D.2

Standing Decisions by Theme and Focus

Theme/ Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
X-Theme		8	3	1	4		16
Access		13	15			1	29
Quality Ed	1	8	21	4	4	2	40
Integration		5	3	2	1		11
Total	1	34	42	7	9	3	96

* No single focus discernible

Table D.3

Supportiveness of All Decisions by Component

Data Type/Theme	X-Theme	Access	Qual Ed.	Integ	Total
Supportive		14	5	5	24
Neutral		5		4	9
Unsupportive		3	1		4
Unrelated	16	7	34	2	59
Total	16	29	40	11	96

Table D.4

Supportiveness of All Decisions by Focus

Data Type/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Supportive		9	9	6			24
Neutral		2	7				9
Unsupportive		3	1				4
Unrelated	1	20	25	1	9	3	59
Total	1	34	42	7	9	3	96

* No single focus discernible

Table D.5

Attainment of All Goal Objectives by Component

Data Type/Theme	Access	Quality Ed.	Integration	Total
Objective Totally Met	2	1	2	5
Objective Partially Met	1	2	1	4
Objective Not Met at All	2	1	2	5
Unaddressed Goals	11	47	9	67
Total	16	51	14	81

Table D.6

Attainment of All Goal Objectives by Focus

Data Type/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Objective Totally Met		2	1	2			5
Objective Partially Met		3		1			4
Objective Not Met at All		3	2				5
Unaddressed Goals	4	19	4	2	12	26	67
Total	4	27	7	5	12	26	81

* No single focus discernible

Table D.7

Access Goals by Component and Focus

Component/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Right-to-Ed		4				1	5
Availability	1				1	4	6
Accessibility		3	1			1	5
Total	1	7	1	0	1	6	16

* No single focus discernible

Table D.8

Current Access Decisions by Component and Focus

Component/Focus	Pupils	Stands	Parents	Staff	Supp	Total
Cross-Component	2	2			1	5
Right-to-Education	11	2				13
Availability						0
Accessibility		11				11
Total	13	15			1	29

Table D.9

Supportiveness of Access Decisions by Component

Data Type/Compon	X-Comp.	Right-to-Ed	Availib.	Accessib.	Total
Supportive		6		8	14
Neutral		2		3	5
Unsupportive		3			3
Unrelated	5	2			7
Total	5	13	0	11	29

Table D.10

Supportiveness of Access Decisions by Focus

Data Type/Focus	Pupils	Stands	Parents	Staff	Supp	Total
Supportive	6	8				14
Neutral		5				5
Unsupportive	3					3
Unrelated	4	2			1	7
Total	13	15	0	0	1	29

Table D.11

Attainment of Access Goal Objectives by Component

Data Type/Component	Right-to-Ed	Availib.	Accessib.	Total
Objective Totally Met	1		1	2
Objective Partially Met	1			1
Objective Not Met at All	1		1	2
Unaddressed Goals	2	6	3	11
Total	5	6	5	16

Table D.12

Attainment of Access Goal Objectives by Focus

Data Type/Focus NA *	Pupils	Stands	Parents	Staff	Supp	Total
Objective Totally Met	1	1				2
Objective Partially Met	1					1
Objective Not Met at All	2					2
Unaddressed Goals 1	3			1	6	11
Total 1	7	1	0	1	6	16

* No single focus discernible

Table D.13

Quality Education Goals by Component and Focus

Component/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Cross-Component		3		1	1	6	11
Prevention	2	7	1		2	4	16
Screen/Evaluation		4	3	2	2	2	13
Learning Activities		3			2	6	11
Total	2	17	4	3	7	18	51

* No single focus discernible

Table D.14

Current Quality Education Decisions by Component and Focus

Component/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Cross-Component	1	1	1	3	2		8
Prevention							0
Screen/Evaluation		1	2	1	2		6
Learning Activities		2	5				7
PTR/Class Size		2	5			2	9
English Instruction		2	8				10
Total	1	8	21	4	4	2	40

* No single focus discernible

Table D.15

Supportiveness of Quality Education Decisions by Component

Data Type/Comp	X-Comp	Preven	Eval	Learn	PTR	Eng	Total
Supportive	3		2				5
Neutral							0
Unsupportive			1				1
Unrelated	5		3	7	9	10	34
Total	8	0	6	7	9	10	40

Table D.16

Supportiveness of Quality Education Decisions by Focus

Data Type/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Supportive			1	4			5
Neutral							0
Unsupportive			1				1
Unrelated	1	8	19		4	2	34
Total	1	8	21	4	4	2	40

* No single focus discernible

Table D.17

Attainment of Quality Education Goal Objectives by Component

Data Type/Comp	X-Comp	Preven	Eval	Learn	Total
Objective Totally Met	1				1
Objective Partially Met			2		2
Objective Not Met at All			1		1
Unaddressed Goal	10	16	10	11	47
Total	11	16	13	11	51

Table D.18

Attainment of Quality Education Goal Objectives by Focus

Data Type/Focus	NA *	Pupils	Stands	Parents	Staff	Supp	Total
Objective Totally Met				1			1
Objective Partially Met		1		1			2
Objective Not Met at All			1				1
Unaddressed Goal	2	16	3	1	7	18	47
Total	2	17	4	3	7	18	51

* No single focus discernible

Appendix E

Data Analysis Report

The Data Analysis Report contains the summary of each goal statement and standing decision and is presented in two parts. The first contains "essential" goal statements and current standing decisions, while other goal statements and standing decisions are found in the second part. In each case, the statements are arranged first by theme and component. Goals are listed first, are rank ordered by focus and then by a sequential number. Standing decisions, which follow, are rank ordered the same way; however, any sequential number appearing refers to a particular goal statement of that theme or component bearing that number. The following is a key to the headings, codes and abbreviations used in the report.

- THM Semantic Content Analysis Code indicating the applicable policy theme or component (cf. Table E.1 for codes)
- D Data type (cf. Table E.2 for codes)
- SQ Sequential number listing all goals of a given theme or component (when such a number appears opposite a decision statement, it signifies that the decision relates to the goal statement bearing that number)
- FO Semantic Content Analysis Code indicating the applicable focus (cf. Table E.3 for codes)
- I Inferential Content Analysis Code indicating the relation of standing decisions to stated goals (cf. Table E.4 for codes)
- YR School year from which provision in force, beginning with the 1977-78 school year (e.g. 77 = 1977-78)
- DOC Source of data (cf. Table E.5 for abbreviations)
- REF Page or section number

SUMMARY OF STATEMENT

Synopsis of the content of the unit of analysis

Table E.1

Codes Indicating the Theme or Component of Each Statement *

Code	Theme:
	Component
100	Cross-Theme
110	Access:
111	Right-to-education
112	Availability
113	Accessibility
120	Quality Education:
121	Prevention
122	Screening and Evaluation
123	Learning Activities
124	PTR's & Class Size
125	English Language Instruction
130	Integration

* The definition of each theme and component is contained in Appendix C.

Table E.2

Codes Indicating the Data Type of Each Statement

Code	Data Type
1	Essential Goal statement *
2	Standing decision presently in force
3	Non-essential Goal statement *
4	Standing decision no longer in force
<hr/> * The decision rule concerning essential and non-essential goal statements is contained in Appendix C.	

Table E.3

Codes Indicating the Focus of Each Statement *

Code	Focus
NA	Not Applicable
10	Pupil
20	Standards
30	Parents
40	Staff
50	Support
<hr/> * The definition of each characteristic and sub-characteristic is contained in Appendix C.	

Table E.4

Codes Indicating the Inference re Goals and Standing Decisions *

Code	Type of Data
	Inference*
Goal Statements:	
0	Not Applicable, i.e no standing decision deals with the subject of the goal statement or no reference in goal statement to adoption of amendment of a standing decision
1	Objective set by the policy goal is <u>met</u>
2	Objective set by policy goal <u>partially met</u>
3	Objective set by policy goal <u>not met at all</u>
Decision Statements:	
0	Not Applicable, i.e. decision statement does not deal with the subject of any of the goal statements
1	<u>Supportive</u> , i.e contributes to goal achievement
2	<u>Neutral</u> , i.e. does not contribute to achievement or non-achievement of goal
3	<u>Unsupportive</u> , i.e contributes to non-achievement of goal
<p>* The decision rules used to determine each inference are contained in Appendix C.</p>	

Table E.5

Documents Used in Analysis

Document	Abbreviation
A. <u>Statutes</u>	
Québec Charter	A-1
French Charter	A-2
CSE Act	A-3
Education Act	A-4
Handicapped Act	A-5
Public Buildings Safety Act	A-6
Youth Protection Act	A-7
B. <u>Regulations</u>	
Elementary or Secondary Régime	B-1
French Charter Regulation (r. 5)	B-2
French Charter Regulation (r. 5.1)	B-3
Provincial Building Code	B-4
Regulation re 1980 Code	B-5
Regulation re 1985 Code	B-6
Regulation re amendments of 1985 Code	B-7
Regulation re Teacher Certification	B-8
C. <u>Ententes</u>	
1975 Entente	C-1
1979 Entente	C-2
1982 Decree	C-3
1986 Entente	C-4
D. <u>Documents</u>	
Special Education Policy	D-1
Schools of Québec	D-2
Disadvantaged Areas	D-3
87 Instruction, Education	D-4
87 Instruction, Administration	D-5
National Building Code, 1985	D-6

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
100	2	0	10	0	77	A-1	10	DECLAP OF BASIC EQUALITY RIGHTS, DISCRIMINATION BASED ON RACE, COLOUR,...HANDICAP FORBIDDEN
100	2	0	10	0	77	A-1	48	RIGHT OF HANDICAPPED AGAINST EXPLOITATION & RIGHT TO SECURITY & PROTECTION
100	2	0	10	0	77	A-1	49	PERSON WHOSE RIGHTS INFRINGED RIGHT TO OBTAIN CESSATION & COMPENSATION
100	2	0	10	0	77	A-1	69	PERSON CLAIMING DISCRIMINATION CAN FILE A COMPLAINT W COMMISSION DES DROITS A LA PERSONNE
100	2	0	10	0	77	A-1	81	CDPQ SHALL ENDEAVOUR TO OBTAIN CONSENSUAL SETTLEMENT
100	2	0	10	0	77	A-1	82	FAILING CONSENSUAL SETTLEMENT, CDPQ MAKES RECOMMENDATIONS
100	2	0	10	0	77	A-1	83	CDPQ MAY SEEK INJUNCTION TO ENFORCE RECOMMENLATIONS (S. 82)
100	2	0	10	0	77	A-1	86.3	COURT MAY ORDER AN AFFIRMATIVE ACTION PROGRAMME AS A REMEDY (DEEMED TO BE NON-DISCRIMINATORY)
100	2	0	20	0	77	A-1	09.1	SCOPE OF RIGHTS & FREEDOMS & LIMITS TO THEIR EXERCISE MAY BE FIXED BY LAW
100	2	0	20	0	77	A-1	52	NO LAW MAY DEROGATE FROM SS 1-38 UNLESS A "NOTWITHSTANDING PROVISION" INCLUDED
100	2	0	20	0	77	A-1	92	THE QBC CHARTER SHALL OPERATE, NOTWITHSTANDING THE CDN CHARTER
100	2	0	30	0	84	B-1	12 28 13	BD SHALL FWD SP ED POLICY TO PARENTS' COMMITTEE, INCLUDING \$ RESOURCES AVAILABLE
100	2	0	40	0	84	B-1	12 28 13	BD SHALL FWD POLICY TO TEACHERS & NON-TEACH PROFES
100	2	0	40	0	87	C-4	8-11.02	BD SHALL CREATE TEACH ADVIS CTEE ON SP ED SRV, POLICY,ITS IMPLEMEN, TYPE OF PUPILS TO INTEG, SUPPORT
100	2	0	40	0	87	C-4	8-11.03	BD SHALL INFORM ADVIS CTEE BY JUNE 15 OF SPECIAL RESOURES FOR SP ED FOR FOLLOW YR
100	2	0	40	0	86	D-4	10-87-01	BD MUST CONSULT TEACHERS RE SP ED POLICY ACCORDING TO COLL. AGREEMENT
110	2	0	10	0	77	A-5	25-26	THE OPHQ SHALL FACILITATE ACCESS OF HAND PERS TO ED SERVICES

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
111	2	3	10	1	77	A-4	34	BD SHALL ADMIT CHILDREN OF SCHOOL AGE PLACED BY COURTS
111	2	3	10	1	79	A-4	480	BD MUST OFFER SP ED SRV CHILDREN UNABLE DUE TO PHYS OR MENTAL DEFIC TO AVAIL. THEMSELVES OF REG INST
111	2	8	10	1	79	A-4	483	BD MUST TAKE NEC MEASURES TO ADMIT HAND (AS DEF IN "HAND") TO RECOG & APPROPRIATE CLASSES, 16-21 YRS
111	2	3	20	2	79	A-4	481	GOV'T MAY MAKE REGS RE NATURE OF SP ED SRV CONTEMPLATED BY S.480
111	2	6	20	2	81	B-1	3	IF BD OFFERS 4-YR KIND FOR SP ED OR DISADVANT PUPILS, PUPILS MUST BE 4 ON OCT 1ST
112	1	2	0	0	80	D-3	61	MEQ WILL MAKE AVAILABLE 4 YR KIND CLASSES FOR ALL CHILDREN IN DISADVANTAGED AREAS
112	1	5	40	0	78	D-1	19	AVAIL OF SERV REQUIRES SP TRAINED EDUCATORS & COLLAB OF HEALTH & REHAB SPECIALISTS
112	1	6	50	0	78	D-1	29	MEQ WILL PROMOTE DEVELOP OF SPECIALIZED SERVICES
112	1	7	50	0	78	D-1	29	MEQ WILL PROVIDE FOR MORE SPECIALIZED REGIONAL (AS OPPOSED TO PROV) CENTRES
112	1	9	50	0	78	D-2	67 01	MEQ WILL FACILITATE ACCESS FOR SEV HAND BY COORD OF DR's OF MEQ: BDS & MAS AGENCIES IN EACH REGION
112	1	10	50	0	78	D-1	19	MEQ WILL ENCOURAGE BDS TO POOL RESOURCES IN EACH REGION TO EXTEND SERV ESP FOR SEV HAND
113	1	2	10	3	78	D-1	19	BDS TO EFFECT GRADUAL ELIM OF ARCHITECTURAL OBSTACLES TO PHYS HAND IN SCHOOLS
113	1	3	10	0	78	D-1	30	MEQ WILL PROVIDE FOR, AS PRIORITY, PHYSICAL ACCESS TO 1 ELEM & 1 SEC SCHOOL IN EACH ADM MEQ DISTRICT
113	1	4	10	0	78	D-1	30	MEQ WILL EVENTUALLY PROVIDE PHYSICAL ACCESS TO 1 ELEM & 1 SEC SCHOOL IN EACH BD
113	1	5	20	1	78	D-1	30	MEQ WILL MODIFY STDS FOR NEW SCHOOLS TO ENSURE PHYSICAL ACCESS FOR HAND
113	1	6	50	0	78	D-2	5.4.03	BDS TO BE INVITED TO PREP PLAN TO ELIM PHYS OBSTACLES TO MOVE OF HAND
113	2	2	20	2	77	A-5	69	GOVT MAY MAKE REGS RE EXISTING BLDGS WHICH MUST BE ACCESS TO HAND. & THE NORMES TO BE RESPECTED

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
120	1	10	50	0	78	D-2	68 11	MEQ & MAS TO COOPERATE & ENSURE COOP OF SUBORDINATE UNITS
120	1	11	50	0	78	D-1	21	PRINCIPAL RESP FOR COORD SP SERV IN SCHOOL
120	1	12	50	0	78	D-1	37	MEQ-MAS LIAISON CTEE WILL BE CREATED FOR PLAN & PROGRAMMING, ALSO TO BE EXTENDED TO REG LEVEL
120	1	14	50	0	78	D-1	35	MEQ WILL ASSIGN VARIOUS PERSONNEL TO SP ED DOSSIER
120	2	0	0	0	86	D-4	10-87-01	TO PROVIDE COMPLEMENTARY SRV, BD SHOULD CONSULT MSSS ESTAB BEFORE ADOPTING SP ED POLICY
120	2	0	10	0	86	D-4	10-87-01	ED MUST IDENTIFY IN SP ED POLICY ASSESS PROCEDURE, TERMS RE INTEG, SUPPORT & GROUPING OF SP PUPILS
120	2	0	20	0	82	A-4	16	GOV'T MAY MAKE REGS re ... PEDAGOGICAL SYSTEM (NATURE, OBJECTIVES & ORG FRAMEWORK OF ED SRV)
120	2	6	30	1	79	A-4	482	ADMISSION OF CHILDREN TO SP ED SRV EFFECTED AFTER CONSULT WITH PARENTS
120	2	6	30	1	81	B-1	12 28 13	SP ED SRV TO BE PROVIDED TO PUPILS REQUIRING REHAB FOLLOWING CONSUL W PARENTS
120	2	6	30	1	86	D-4	10-87-01	BD MUST CONSULT PARENTS RE INDIVIDUAL PUPILS
120	2	0	40	0	79	A-4	482	ADMISSION OF CHILDREN TO SP ED SRV AFTER CONSULTATION W TEACHERS & OTHER STAFF
120	2	0	40	0	86	D-4	10-87-01	BD MUST CONSULT TEACHERS RE INDIVIDUAL SP ED PUPILS
121	1	3	0	0	78	D-1	20	EARLY IDENT OF SPEC PUPILS & INTERVENTION AS SOON AS SYMPTOMS APPEAR REQUIRED
121	1	4	0	0	78	D-2	5.4.07	PREV MEASURES INCLUDE ASSIST TO UNDERPRIV AREAS, SUP'T OF PARENTS, IMPROVE CURRIC & CONT INDIV EVAL
121	1	7	10	0	78	D-1	20	PREVENTION WILL BE AIDED BY IMPROVE REG ED THROUGH MORE INDIVID INSTRUCTION
121	1	8	10	0	78	D-1	20	RESP OF REG TEACHER TO PREVENT DETECT & CORRECT MINOR DIFF RE ACADEM ACHIEVEMENT
121	1	9	10	0	78	D-1	25	PREVENTION TO BE AIDED BY REG ED IMPROVEMENTS (PROGRAMS, TEXTS, INSTRUMENTS, PARENT INFO, REMED)

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
122	1	9	20	0	78	D-1	28	MEQ WILL REVISE DEFINITIONS TO CONCORD BETTER W PLAN
122	1	12	30	2	78	D-1	28	78-79 MEQ WILL MOD REGS RE INFO TO PARENTS & RT TO BE ASSOCIATED W CHILD'S ASSESSMENT
122	1	13	30	0	78	D 1	28	MEQ WILL INFORM PARENTS OF DEFINITONS IN INFO DOCS
122	1	14	40	0	78	D-1	28	78-79 MEQ WILL ASK UNIV TO INCLUDE INDIVID ED PLAN IN TRG PROG FOR STUD SERV PROFESS
122	1	15	40	0	78	D-1	28	78-79 MEQ WILL ASK UNIV INCLUDE IN PIC PROG FOR SP ED TEACH METHODS OF ON-GOING EVALUATION
122	1	16	50	0	78	D-1	27	IN 78-79 MEQ WILL RESTRUCT EVAL PROCESS TO MAKE "FUNCTIONAL PORTRAIT" (INDIVID ED PLAN) OF SP PUPILS
122	1	18	50	0	78	D-1	19	MEQ WILL PREPARE APPROPRIATE TESTS
122	2	0	10	0	84	B-1	12 28 13	BD SHALL IDENT IN ITS POLICY EVAL PROCESS & PROGRESS REVIEW PROCEDURES
122	2	2	20	1	86	D-4	10-87-01	INDIVIDUAL CASE PLANNING MUST TAKE INTO ACT NATURE, INTENSITY OF DIS & ITS CHARACTERISTICS
122	2	8	20	3	86	D-4	10-87-01	DEFN'S OF DIS CATEGORIES
122	2	12	30	1	81	B-1	8 23 8	PER EVAL + INFORMATION TO BE PROVIDED TO PARENTS OF SP ED PUPILS AT LEAST MONTHLY
122	2	0	40	0	87	C-4	8-11.04	TEACH SHALL REFER SP ED PUPIL FOR ASSESSMENT, CASE STUDIED BY AD HOC CTEE
122	2	0	40	0	87	C-4	8-11.05	SCH SHALL ESTAB AD HOC CTEE: ADM, TEACH(S) & PNE SCREEN @ CASE & REFER FOR ASSESS, FOLLOW-UP & REV
123	1	1	10	0	78	D-2	67 07	MEQ ENVISAGES VARIED MEASURES FROM THOSE AIMED AT PUPILS INTEGRATED TO THOSE IN SPEC SCHOOLS
123	1	2	10	0	78	D-1	21	MULTI-DISC TEAM (SP ED'ORS, REHAB SPEC, AIDS, ETC. COMPLETE SPEC REMED & REHAB) REQUIRED
123	1	3	10	0	78	D-1	32	SP ED TEACHERS REQ'D TO SUPPORT REG TEACHERS, WORK W INTEG PUPILS & TEACH ENCLOSED CLASSES
123	1	4	40	0	57	D-1	32	MEQ WILL ASK UNIV TO OFFER INITIAL DEGREE TRG FOR SP ED TEACHERS

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
124	2	0	20	0	87	C-4	8-2.05	CLASS SIZE FOR SEV MENT RET NON APPLIC IF VISIBLE AID PROVIDED
124	2	0	20	0	87	C-4	X	WEIGHTING FORMULA TO BE APPLIED TO INTEGRATED SP ED PUPILS IF NO SUPPORT PROVIDED
124	2	0	20	0	87	C-4	XI	DEF'NS OF DIS CATEGORIES
124	2	0	20	0	87	C-4	XVI	FROMULA TO ESTAB CLASS SIZE IN SP ED CLASS CONTAINING DIFF DIS CATEGORIES
124	2	0	50	0	87	C-4	XVII A	PROV UNION-MGT CTEE TO STUDY & MAKE REC'S ON DEF'NS OF DIS CATEGORIES
124	2	0	50	0	87	C-4	XVII B	PROV UNION-MGT CTEE TO STUDY & MAKE REC'S ON SP ED CLASSES W DIF DIS CATEGORIES
125	2	0	10	0	77	A-2	61	CHILDREN W SERIOUS LEARNING DISABILITIES EXEMPT FROM RESTRICTION OF ACCESS TO ENGLISH INSTRUCTION
125	2	0	10	0	83	A-2	81	SIBLINGS OF EXEMPT PUPILS MAY ALSO BE EXEMPTED IF NOT ALREADY ENROLLED IN QBC SCHOOL
125	2	0	20	0	77	A-2	81/93	GOV'T MAY BY REG DEFINE SP PUPILS ELIGIBLE FOR EXEMPTION & PROCEDURES TO FOLLOW
125	2	0	20	0	85	B-3	1	DEF'N OF EXEMPT PUPILS (1) -3 YRS, (2) -1 YR LANG OR MATH SP PERSIS TROUBLE, (3) ...SENS-PH-INT-SED
125	2	0	20	0	85	B-3	11	EXEMPTION FOR SIBLING OF EXEMPT PUPIL AUTOMATIC, IF CONDITIONS IN S. 81 OF FR CHARTER ARE MET
125	2	0	20	0	85	B-3	2	DISABILITY DUE TO CHANGE IN CULTURAL OR LINGUISTIC MILIEU EXCLUDED
125	2	0	20	0	85	B-3	4	ASSESSMENT MADE BY BD APPOINTED PSYCHOLOGIST
125	2	0	20	0	85	B-3	5	IF PSYCH ASSESS CHILD AS (1) OR (2), A PSYCHOEDUCATIONAL WORKUP REQUIRED BY BD CONSULTANT
125	2	0	20	0	85	B-3	6	IF PYSCH ASSESS SENS OR PHYS DISABILITY, PHYSICIAN'S CERTIFICATE REQUIRED
125	2	0	20	0	85	B-3	7	IF PSYCH ASSESS INTEL OR SED DISABILITY, NO FURTHER PROOF REG'D
130	1	1	10	0	78	D-2	5.4.13	CASCADE MODEL FROM COPEX ACCEPTED: TOTAL INTEG TO SPEC MEQ-MAS SCHOOLS

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
130	1	2	10	3	78	D-2	5.4.18	ALL MEASURES MUST TAKE PLACE IN THE MOST NORMAL SCHOOL CONTEXT POSSIBLE
130	1	3	10	1	78	D-1	31	MEQ WILL MODIFY ADM REGS TO PERMIT GRADUAL ORG OF SP SERV (FOR INTEGRATION)
130	1	4	10	2	78	D-1	31	MEQ WILL INVITE BDS TO DEVELOP SRV & PROVIDE SUPPORT (FOR INTEGRATION)
130	1	5	20	3	78	D-1	22	SCHOOL INTEGRATION DEFINED AS NEIGHBOURHOOD SCHOOL (SIBLINGS & FRIENDS)
130	1	7	20	0	78	D-1	31	MODIFY LAW TO REMOVE PEJORATIVE TERMINOLOGY TO PROMOTE INTEGRATION
130	1	8	30	1	78	D-2	4-5.14	GOV'T WILL REVISE LAW - COMPULS CONSULT OF SCHOOL/PARENTS' CTEES, INCL INTEGRATION AS POSSIBLE SUBJ
130	1	10	30	0	78	D-1	31	MEQ WILL PRODUCE DOCS FOR PARENTS RE +VE ASPECTS OF INTEG & HOW TO IMPLEMENT IT
130	1	13	40	0	78	D-1	31	MEQ WILL SEE THAT UNIV INCLUDE INFO RE SP ED & INTEG IN PROF IMPROVE ACTIVITIES
130	1	14	40	0	78	D-1	31	MEQ WILL SEE THAT FUTURE TEACHER TRG INCLUDES INFO RE SP ED IDENT & PREVENTION
130	1	15	40	0	78	D-1	31	MEQ WILL INVITE BDS TO FOSTER INTEG BY ASSIST TEACHERS, INCLUDING TRG
130	1	16	40	0	78	D-1	31	MEQ WILL PRODUCE DOCS FOR TEACHERS & ADM RE +VE ASPECTS OF INTEGRATION
130	1	18	50	0	78	D-2	5.4.20	MEQ WILL INVITE BDS TO EXPERIMENT W DIF MODELS OF SCH INTEG
130	1	19	50	0	78	D-1	23	MEQ WILL PROVIDE GUIDES TO FOSTER GRADUAL APPLICATION OF "CASCADE" MODEL (COPEX 'GEARHEART'])
130	2	2	10	2	81	B-1	12 28 13	INTEG IN REG ACTIVITIES TO BE ENCOURAGED, IN ACCORD BD POLICY, WHEN POSSIBLE, IF BENIF TO PUPIL...
130	2	2	10	2	87	C-4	8-11.06	SP ED PUPILS MAY BE INTEG ACCORD TO POLICY, DIS CAT STAYS UNTIL AD HOC CTEE REVIEW
130	2	3	10	1	86	D-4	10-87-01	BD MUST DEVELOP SP ED POLICY PROMOTING INTEG BUT MAY PROVIDE FOR INTER-BD AGREE
130	2	4	10	1	84	B-1	12 28 13	BD SHALL IDENT IN POLICY INTEGRATION PROCESS, SUPPORT SRV &, IF APPLIC, WEIGHTING OF PUPILS

Table E.6
Essential Policy Goals and Current Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
130	2	4	10	1	87	C-4	8-11.01	BD MUST HAVE SP ED POLICY STIPULATING TERMS & CONDITIONS FOR INTEGRATION & SUPPORT SERV PROVIDED
130	2	0	20	0	87	C-4	8-11.07	INTEG OF SP ED PUPILS SUBJECT TO EXISTENCE OF & RESPECT OF SP ED POLICY
130	2	5	20	2	87	C-4	1-1.29	PARTIAL INTEGRATION DEF'N AS PORTION OF PORTION OF TIME SPENT IN SP CLASS, REMAINDER IN REG CLASS
130	2	5	20	2	87	C-4	1-1.30	TOTAL INTEGRATION DEF'N AS NO LONGER IN SP CLASS BUT TOTAL PORTION OF TIME SPENT IN REG CLASS
130	2	8	30	1	79	A-4	51.1	SCHOOL CTEE MAY ELECT TO BE CONSULTED ON ...METHODS OF INTEGRATING SP ED PUPILS
130	2	8	30	1	79	A-4	52	PARENTS' CTEE MAY ELECT TO BE CONSULTED ON ... BOARD'S POLICY CONCERNING INTEGRATION
130	2	0	40	0	87	C-4	XVII C	PROV UNION-MGT CTEE TO STUDY & MAKE REC'S ON RULES RE NO OF SP ED PUPILS TO BE INTEG REG CLASSES

Table E.7
Other Policy Goals and Past Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
100	3	1	10	0	78	D-2	5.4.21	POLICY BASED ON RECOG OF CHILD'S RT TO PUB SCH QUAL ED APPROP TO HIS NEEDS IN MOST NORM CONTEXT POS.
100	4	0	40	0	83	C-3	8-7.03	BD SHALL CREATE TEACHER ADVIS CTEE ON SP ED SRV,POLICY,ITS IMPLEMEN, TYPE OF PUPILS TO INTEG,SUPPORT
111	3	2	10	0	78	D-1	18	BD RESP TO PROVIDE APPROPRIATE ED SERVICES TO SCHOOL AGE PUPILS IN TERRITORY + MAS
111	3	4	10	0	78	D-1	18	PUBLIC SCH WILL BE OPEN TO PHYS & MULT HAND, INCL PUPILS IN HOSP CENTRES FOR TMR & HOME TRG FOR SICK
111	3	5	10	0	78	D-1	18	NEED TO FACILITATE ACCESS FOR CERTAIN HAND TO KIND START W 4 YR VIS AUD & MOTOR IMPAIR
111	3	7	10	0	78	D-2	67 04.2	MEQ WILL REVISE REGS TO GUARANTEE PRE-S ED OF SEV HAND
111	3	9	10	0	78	D-2	5.4.17	REF MADE TO OBLIGATION IN ED ACT TO PROVIDE EXTENDED SCHOOLING FOR HAND STUDENTS UP TO 21 YRS
111	4	0	10	0	77	A-4	189.03	BD MUST OFFER COURSES TO ALL CHILDREN, IF DEEMED APT TO FOLLOW SAME, OR MAKE INTER-BD AGREEMENT
111	4	0	10	0	77	A-4	33	BD SHALL ADMIT CHILDREN FROM 6-16 YRS TO GRADES IN ITS SCHOOLS
111	4	0	10	0	77	A-4	480	BDS MAY OFFER SP CLASSES OR COURSES FOR CHILDREN UNABLE DUE TO PHYS OR MENF DEF TO AVAIL ..REG CLAS
111	4	0	10	0	77	A-7	8	CHILD ENTITLED TO ADEQUATE...EDUCATIONAL SERVICES, TAKING ACT OF ORG OF RESOURCES OF SOC AFF ESTAB
111	4	0	20	0	77	A-4	481	SP CLASSES SHALL BE SUBJECT TO REGS TO BE APPROVED
111	4	0	40	0	77	A-4	482	ADMISSION TO SP CLASSES DECIDED BY PRINCIPAL UPON ADVICE OF TEACHERS
112	3	1	0	0	78	D-2	5.4.01	IMPROVE REQ'D TO MAKE PUB SCH MORE ACCESSIBLE TO SEV HAND, INCL REG AVAIL OF CERTAIN SRV NOW CENTRAL
112	3	3	10	0	78	D-1	29	MEQ WILL GUARANTEE RT TO APPROPRIATE SRV IN LOCAL SCHOOL OR BY AGREEMENT W OTHER BD, OR PRIV SCH
112	3	4	20	0	78	D-1	29	MEQ WILL MAINTAIN SCHOOLING AGREEMENTS TO PROVIDE NEEDED SERVICES
112	3	8	50	0	78	D-2	5.4.02	ACCESS RQUIRES COORD OF SRV IN EACH REG, W BDS RESP FOR INST SRV & MAS FOR COMP SRV

Table E.7
Other Policy Goals and Past Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
112	3	11	50	0	78	D-1	29	MEQ WILL SUBSIDIZE PILOT PROJECTS FOR REGIONAL CENTRES
113	3	1	10	0	78	D-2	67 02	MEQ WILL INVITE BDS TO GRADUALLY ELIMINATE PHYSICAL BARRIERS TO ACCESS OF PHYS HAND
113	3	7	50	0	78	D-1	36	MEQ WILL FUND REMOVAL OF ARCHITECTURAL BARRIERS
113	4	0	20	0	76	B-4	3.1.1.2	AS OF DEC 76, PUBLIC BLDGS MUST PROVIDE WHEELCHAIR ACCESS TO 1ST STOREY & EVERY STOREY < 2' GR LEVEL
113	4	0	20	0	84	B-5		ADOPTION OF NATIONAL BUILDING CODE (1980)
120	3	1	0	0	78	D-1	19	APPROPRIATE ED TO BE ACHIEVED NOT BY NEW FACILITIES BUT BY CHANGING ATTITUDES & TEACH PRACTICES
120	3	5	10	0	78	D-1	19	FOCUS SHALL BE ON SP PUPIL'S POTENTIAL - NOT HIS LIMITS TO STRIVE FOR OPT DEV & SOC INTEG
120	3	13	50	0	78	D-2	68 09	MEQ WILL SUPPLY SUPPL GRANT TO MAINTAIN/HIRE SPEC ED COORDINATOR
120	3	15	50	0	78	D-1	36	MEQ WILL FUND RESEARCH INTO MEASUREMENT & EVALUATION
121	3	1	0	0	78	D-2	5.4.06	1ST REMED MEASURE IS PREVENTION, INCLUDING IDENT OF CAUSES
121	3	2	0	0	78	D-2	5.4.08	PREV MEASURES INCLUDE BETTER USE OF MEAS & EVAL TECH, MORE EFF ENCADREMENT, BETTER PREP OF TEACHERS
121	3	5	0	0	80	D-3	14	MUCH HIGHER INCIDENCE OF ACADEMIC RETARDATION & SPEC ED PLACEMENT NOTED IN DISADVANTAGED MILIEU
121	3	6	0	0	80	D-3	15	COMPENSATORY ED RECOGNIZED AS MEANS OF PREVENTION OF SPEC ED PROBLEMS
121	3	17	40	0	78	D-2	67 03.2	MEQ WILL MAKE POSSIBLE THE UPGRADING OF PRESENT TEACHERS
121	3	18	40	0	78	D-1	20	BD TO PROVIDE PREVEN TRG FOR ITS TEACHERS MEQ ASK UNIV TO INCLUDE IT IN TEACH TRG
121	3	19	40	0	78	D-1	26	MEQ WILL PROVIDE SUPPORT TO BDS TO UPGRADE TEACHERS RE. ASSESSMENT, DIAGNOSIS, ETC.
121	3	23	50	0	78	D-2	67 04.1	MEQ W MAS & BDS WILL DEVELOP SRV FOR PRE-S ED OF 4 & 5 YR HANDICAPPED

Table E.7
Other Policy Goals and Past Decisions

THM	D	SQ	FO	I	YP	DOC	REF	SUMMARY OF STATEMENT
121	3	24	50	0	78	D-2	67 04.3	BDS WILL BE INVITED TO DEVELOP PILOT PROJECTS PRE-S ED OF SEV HAND
121	3	26	50	0	78	D-1	26	MEQ WILL SUBSIDIZE PILOT PROJECTS SPEC EARLY CHILD SRV MOTOR VIS AUD & INTEL IMPAIR
122	3	1	0	0	78	D-2	5.4.12	2ND STEP: SCRE & EVAL: REV DEF'NS, PREP PERS, DEVEL MEAS TCOLS, INCREASED PARTIC OF PARENTS
122	3	6	20	0	78	D-2	5.4.14	ALLOCATION OF RESOURCES WILL NO LONGER REQUIRE IDENT OF STUDENTS FOR ADM PURPOSES
122	3	10	30	0	78	D-1	19	NEED FOR PARENT PARTIC IN ED PLAN
122	3	11	30	0	78	D-2	4.5.5	GO'VT WILL REVISE REGS TO GUARANTEE INFO TO PARENTS INCL CONSULTATION OF PARENTS OF SP ED PUPILS
122	3	17	50	0	78	D-1	28	IN 78-79 MEQ WILL COOP W UNIV/BDS TO DEVELOP MEASURE & EVAL TOOLS FOR INDIVID ED PLAN
122	3	19	50	0	78	D-2	67 05	MEQ TO PREP PLAN & PROCEDURE & COORD DEV OF TESTS TO ASSESS POTENTIAL OF CHILD & PLAN APPROPRIATE ED
122	4	0	10	0	77	C-1	XII III	PRIOR TO ADMISS TO SP CLASS OR REMED GP, PUPIL MUST BE TEST BY COMP SPEC...DELAYS ...PERIODIC REVIEW
122	4	0	20	0	77	C-1	XII III	INFO RE CHILD FROM OUTSIDE AGENCIES & SCHOOL MUST BE AVAILABLE TO BL FOR ASSESSMENT
122	4	0	40	0	80	C-2	8-11.04	TEACHER SHALL REFER PUPIL FOR ASSESSMENT BY QUAL SPEC, HAS RIGHT TO BE KEPT INFORMED
122	4	0	40	0	83	C-3	8-7.01	TEACHER SHALL REFER SP ED PUPIL FOR ASSESSMENT, RIGHT TO BE KEPT INFORMED
123	3	8	50	0	78	D-2	5.4.16	DIVERS MEAS TO IMPROVE SUPPORT SRV & DEVEL PROG & TEACH AIDS TO BE UNDERTAKEN
123	3	11	50	0	78	D-2	5.4.15	DIVERSIFIED STAFFING TO BE ENCOURAGED MEQ-MAS W BDS TO CONDUCT RESEARCH
123	3	14	50	0	78	D-1	36	MEQ WILL FUND VARIOUS PILOT PROJECTS
123	3	15	50	0	78	D-1	36	MEQ WILL FUND SPEC EQUIP FOR AUTHORIZED SCHOOLS FOR SEV MOTOR-SENSORIAL HAND
123	3	16	50	0	78	D-2	68 10	MEQ WILL ALLOCATE SUFFICIENT RESOURCES TO DEVELOP APPROPRIATE CURRICULUM GUIDES, TEACH MATERIALS ETC

Table E.7
Other Policy Goals and Past Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
123	3	17	50	0	78	D-1	36	MEQ WILL FUND PRODUCTION OF SPECIALIZED TEACHING AIDS
123	4	0	20	0	77	B-8	4	TEACHING DIPOLMA ISSUED TO TEACHER WHO HAS COMPLETED PROBATION PERIOD
123	4	0	20	0	77	C-1	1-1.22	TEACHER WHO HAS ANY TEACHING DIPLOMA, PTA OR PERMIT IS LEGALLY QUALIFIED FOR PURPOSE OF AGREEMENT
123	4	0	20	0	77	C-1	XII I	AFTER IN-DEPTH STUDY, MEQ WILL ADOPT PROCEDURE TO ENABLE BDS TO ORG SP SRV
123	4	0	20	0	77	C-1	XII IV	BD MUST HAVE PLAN FOR SRV DELIVERY &, IF NEC, INTER-BD AGREE, FWD TO MINISTER FOR APPROVAL
123	4	0	20	0	80	C-2	5-1.09	TEACHER WHO HAS ANY TEACHING DIPLOMA, PTA OR PERMIT IS LEGALLY QUALIFIED FOR PURPOSE OF AGREEMENT
123	4	0	20	0	80	C-2	XXVI I	AFTER IN-DEPTH STUDY, MEQ WILL ADOPT PROCEDURE TO ENABLE BDS TO ORG SRV
123	4	0	20	0	83	C-3	1-1.31	TEACHER WHO HAS ANY TEACHING DIPLOMA, PTA OR PERMIT IS LEGALLY QUALIFIED FOR PURPOSE OF AGREEMENT
123	4	0	20	0	83	C-3	8-8.00	TEACHER W GEN DIPLOMA NOT AUTOMATICALLY QUAL TO TEACH SP ED CLASS BUT BD ENTITLED TO ASSIGN TO SAME
123	4	0	20	0	83	C-3	V I	AFTER IN-DEPTH STUDY MEQ WILL ADOPT PROCEDURE TO ENABLE BDS TO ORG SP SRV
124	4	0	10	0	77	C-1	8-2.01	PUPIL/TEACHER RATIOS FOR SP ED FOR HIRING & FOR ASSIGN WITHIN SP ED
124	4	0	10	0	77	C-1	8-6.03	SP ED CLASS SIZE NORMS
124	4	0	10	0	80	C-2	8-2.06	SP ED CLASS SIZE NORMS
124	4	0	10	0	80	C-2	8-9.05	PUPIL/TEACHER RATIOS FOR SP ED HIRING
124	4	0	10	0	83	C-3	8-2.02	SP ED CLASS SIZE NORMS
124	4	0	20	0	77	C-1	XII II	DEF OF DISABILITY CATEGORIES
124	4	0	20	0	80	C-2	8-10.02	PTR's NOT A MODE OR ORGANIZATION, NOR RULES FOR DISTRIBUTING TEACHERS

Table E.7
Other Policy Goals and Past Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
124	4	0	20	0	83	C-2	XXVI II	DEF'N OF SP ED DISABILITY CATEGORIES
124	4	0	20	0	83	C-3	8-2.04	INTEGRATED PUPILS COUNT AS REG PUPILS FOR GP NORMS UNLESS NO SUPPORT PROVIDED, IF SO THEN WEIGHTED
124	4	0	20	0	83	C-3	V II	DEF'NS OF DIS CATEGORIES
124	4	0	20	0	83	C-3	XII	WEIGHTING FORMULA TO BE APPLIED TO INTEG SP PUPILS IF NO SUPPORT PROVIDED
125	4	0	20	0	78	B-2	2 S.I	DEF'N OF PUPILS COVERED BY EXEMPTION: EMR, TMR, PHYS, AUD, VIS, SED, LD (-3 YRS OR SP.LD), MH ...
125	4	0	20	0	78	B-2	3 S.II	PUPILS NOT COVERED BY EXEMPTION: EXTENDED OR READINESS CLASS PUPILS & MLD (-2 YRS) OR MOD SP.LD
125	4	0	20	0	78	B-2	4-8	PARENTAL ATTESTATION OF EXAMINATION BY COMPETENT SPECIALIST (NOT DEFINED)
130	3	6	20	0	78	D-1	31	MEQ WILL MODIFY ADM GUIDELINES TO ELIMINATE NEED TO IDENTIFY FOR GRANT PURPOSES TO PROMOTE INTEG
130	3	9	30	0	78	D-2	68 12.1	MEQ WILL SUPPLY DOC FOR PARENTS TO DEMONSTRATE +VE ASPECTS OF INTEGRATION
130	3	11	40	0	78	D-2	5.4.19	MEQ WILL PROMOTE INTEG BY APPROPRIATE INFO & UNIV INVITED TO BASE TRG PROG ON INTEG PRINCIPLE
130	3	12	40	0	78	D-2	68 12.2	MEQ WILL SUPPLY DOC FOR TEACHERS & ADM TO DEMONSTRATE +VE ASPECTS OF INTEGRATION
130	3	17	40	0	78	D-1	33	UP TO BDS TO MAKE PRINCIPALS AWARE OF SP ED & THEREBY FACILITATE INTEG
130	4	0	10	0	80	C-2	8-11.02	SP ED PUPILS MAY BE PARTIALLY/TOTALLY INTEG IN REG CLASSES OR REGROUPED, IF INTEG, RETAIN SP IDENT
130	4	0	10	0	83	C-3	8-7.03	BD MUST, IF NOT DONE ALREADY, ADOPT SP ED POLICY WHICH PROMOTES INTEGRATION
130	4	0	20	0	80	C-2	8-11.03	TOTAL INTEGRATION DEF'N AS NO LONGER IN SP CLASS BUT TOTAL PORTION OF TIME SPENT IN REG CLASS
130	4	0	20	0	80	C-2	8-11.03	PARTIAL INTEGRATION DEF'N AS PORTION OF PORTION OF TIME SPENT IN SP CLASS, REMAINDER IN REG CLASS
130	4	0	20	0	83	C-3	1-1.29	PARTIAL INTEGRATION DEF'N AS PORTION OF PORTION OF TIME SPENT IN SP CLASS, REMAINDER IN REG CLASS

Table E.7
Other Policy Goals and Past Decisions

THM	D	SQ	FO	I	YR	DOC	REF	SUMMARY OF STATEMENT
130	4	0	20	0	83	C-3	1-1.30	TOTAL INTEGRATION DEF'N AS NO LONGER IN SP CLASS BUT TOTAL PORTION OF TIME SPENT IN REG CLASS
130	4	0	40	0	80	C-2	8-11.01	BD SHALL CONSULT UNION RE ESTAB/CONTINUATION OF INTEGRATION POLICY
130	4	0	40	0	80	C-2	8-11.05	TEACHER(S) TO BE CONSULTED PRIOR TO INTEGRATION OF A CHILD
130	4	0	40	0	80	C-2	XXIII	UNION-MGT CTEE CREATED RE MEQ INTEGRATION POLICY, STUDY UNION COMPLAINTS & MAKE REC's TO BDS & MEQ
130	4	0	40	0	83	C-3	8-7.02	CONSULTATION OF TEACHER BEFORE INTEGRATION OF SP ED PUPIL INTO REG CLASS

Appendix F

Fundamental Principles of the Education of Exceptional Children

Excerpt from the Parent Report

The solutions to be considered for the problem of exceptional children must take into account a certain number of fundamental principles which we feel it is important to recall to mind:

- a) since everyone has a right to education, and since the state has a major responsibility in the realm, our educational system must take care of all children capable of profiting from education, not only of normal but also of exceptional children who require a complete special education, or temporary or partial measures in special classes;
- b) the education of exceptional children must, wherever the child's condition permits, come as close as possible to regular education, and include only such special procedures as are truly indispensable, in order to encourage the integration of these children among other children and in society;
- c) the physically handicapped, endowed with normal intelligence, have a right to a complete education at the same level as that offered to other children, but making allowances for their individual handicaps; they have a right to full social integration in everything that relates to their culture, their leisure time and their means of making a livelihood;
- d) the education of exceptional children must take into account the unity of the human person and insure children a complete education (general and vocational training) that is thoroughly well balanced: regular or special instruction, completed by the necessary medical, psychological or pedagogical care, or through physical or intellectual education in special classes; plus preparation for life and for useful work;
- e) the education of exceptional children must be as free of charge - *mutatis mutandis* - as the education offered to normal children. (1966, vol 2, p. 345)

Excerpt from the COPEX Report

L'enfant en difficulté d'adaptation et d'apprentissage a droit à une éducation appropriée⁵⁰ dans le milieu le plus normal possible. Cette normalisation exige que le milieu scolaire se préoccupe en tout temps de prévention et de dépistage à l'égard de tous les enfants.

Il a droit à une éducation précoce lorsque ses difficultés ou ses carences peuvent compromettre ou retarder son développement.

L'enfant en difficulté, qu'il fréquente la classe régulière, la classe spéciale ou l'école spéciale, a droit comme l'enfant normal à toutes les ressources disponibles en vue d'une éducation optimale.

Pour les enseignements spéciaux, l'enfant en difficulté a droit à des mesures spéciales.

L'éducation optimale des enfants en difficulté demande un personnel diversifié et suppose un travail d'équipe.

Dans l'organisation et le développement des services d'éducation, l'intérêt de l'enfant doit primer sur toute considération, qu'elle soit économique, administrative ou autre. (1976, pp. 244-245)

50 Par éducation appropriée, nous entendons une "formule enrichie d'éducation générale, visant à améliorer la vie de ceux qui souffrent de handicaps divers, enrichie en ce sens qu'elle fait appel à des méthodes pédagogiques modernes et à du matériel technique pour remédier à certains types de déficiences. Faute d'interventions de ce genre, beaucoup de déficients risquent de rester dans une certaine mesure inadaptés et handicapés sur le plan social et de ne jamais parvenir au plein développement de leurs capacités." (Unesco, Situation actuelle et tendance de la recherche dans le domaine de l'éducation spéciale. Paris: Unesco, 1973, p. 13.

Appendix G

Excerpts from the Education Act

480 Every school board must offer special educational services for children who are unable, by reason of physical or mental deficiency, to avail themselves of the instruction given in the regular classes or courses.

481 The Government may, by regulation, determine the nature of the special educational services contemplated in section 480.

A regulation under this section comes into force on the date of its publication in the Gazette officielle du Québec or on any later date fixed therein.

482 The admission of children to special educational services is effected after consultation with their parents, the teachers identified with those services and the staff concerned.

483 Every school board must take the necessary measures to admit to the recognized and appropriate classes he needs any handicapped person within the meaning of the Act to secure the handicapped in the exercise of their rights (Chapter E-20.1) who needs further general and vocational education to facilitate his school, vocational and social integration, from the end of the school year in which he reaches 16 years of age until the end of the school year in which he reaches 21 years of age (emphasis added).

Appendix H

Excerpts from the Elementary Régime

1. **Definitions:** In this Regulation, unless the context indicates otherwise, the following terms mean:...

"pupil with learning disabilities": any pupil suffering from a mental, sensory or physical deficiency, social maladjustment, learning problems or several of these handicaps;...

23. **Informing of parents:** ...Information is provided to parents of pupils with learning or general development difficulties at least once at month.
28. **Special education services for pupils with learning disabilities:** Following consultation with the parents, special education services are provided to pupils requiring rehabilitation.

Integration of pupils with learning disabilities into regular instructional activities, pupil personnel services and auxiliary services for pupils should be encouraged, in accordance with board policy on the matter, wherever such a measure is possible, of benefit to the pupil and apt to facilitate his social integration and his progress at school.

The school board must identify in its policy on special education services for pupils with learning disabilities:

- (1) the evaluation process for pupils with learning disabilities and the progress review procedure;
- (2) the integration process for pupils with learning disabilities process, into regular educational and motivational activities relative to pupil personnel services and auxiliary services for pupils, the assistance services for such integration and the weighting of integrated pupils, where applicable;
- (3) the special grouping process for pupils with learning disabilities;
- (4) the financial resources intended for special education services for pupils with learning disabilities.

The school board must forward to the parent's [sic] committees, to the school committees, to teachers [sic] participation organizations provided for in collective agreements governing them and to professionals giving services to pupils with learning disabilities, a copy of the policy on special education services for pupils with learning disabilities. *

* Equivalent provisions apply to preschool (Elementary Régime, ss 1, 8 & 12) and the secondary level (Secondary Régime, ss 1, 8 & 13).

Appendix I

Excerpts from the 1986 Entente

8-11.00 Provisions Concerning Pupils with Learning or Emotional Problems

8-11.01 If not already done, the board must adopt a policy on special education services for pupils with learning or emotional problems. The policy must establish the terms and conditions for the integration of pupils and the support services to be provided to these pupils.

8-11.02 The board and the union shall set up an advisory committee of teachers for pupils with learning or emotional problems. The committee's mandate shall be:

- a) to give its view on the elaboration of a policy on the organization of special education services for pupils with learning or emotional problems;
- b) to make recommendations concerning the implementation of this policy;
- c) to suggest the terms and conditions for integrating pupils and the support services to be given to these pupils.

If the board does not accept recommendations made by the committee, it shall state its reasons to the committee in writing.

8-11.03 No later than June 15, the board shall identify for the following year, within all its categories of personnel, the specialized resources available in the schools and board for services to pupils with learning or emotional problems and shall so inform the committee provided for in clause 8-11.02.

8-11.04 When a teacher detects a pupil in his class who, in his opinion, demonstrates special learning or emotional problems or shows signs of a physical or mental handicap, he shall report it to the school administration so that the case may be studied by the committee provided for in clause 8-11.05. This clause shall apply to both regular and special classes.

8-11.05 a) The school principal shall set up an ad hoc committee made up of a representative of the school administration, a professional and the teacher(s) concerned to ensure that each case is studied and the progress of a child with learning or emotional problems is adequately followed. In particular, the committee's mandate shall be:

- i) to study each case submitted;

- ii) to request the necessary evaluations from qualified personnel;
- iii) to receive, within thirty (30) days of the request, the evaluation report provided for in the preceding subparagraph;
- iv) to give its view to the school principal on a pupil's classification, his integration, if need be, and the support services to be given to the pupil;
- v) to oversee the implementation of the measures adopted concerning the intervention plan and follow-up of the integration, if need be;
- vi) where applicable, give its view on the revision of the classification and identification of a pupil with learning or emotional problems.

- b) The measures adopted under subparagraph iv) of paragraph a) shall apply, where applicable, within fifteen (15) days of the notice given to the school principal.
- c) The ad hoc committee may, at any time, use additional resources and, if it deems necessary, meet with the pupil himself.
- d) If the school's competent authority does not accept recommendations made by the committee provided for in this clause, he shall state his reasons to the members of the said committee.
- e) The board and union may agree that the same committee act on behalf of more than one school.

8-11.06 a) The pupils identified as having learning or emotional problems may be integrated totally or partially into regular groups or regrouped in special classes in accordance with the policy on the organization of special education services for pupils with learning or emotional problems.

- b) For the purposes of applying the rules concerning the formation of pupil groups, when pupils are placed in regular classes they shall be considered as belonging to the pupil category in which they are integrated if the board provides support services to the teacher, if not, they shall be weighted according to a factor determined in Appendix X. However, the policy may provide for support services and weighting.

A pupil identified as having learning or emotional problems shall so remain until such time as the committee provided for in clause

8-11.05 has had the opportunity to give its view on the revision of his classification.

- d) On the date of the coming into force of this entente, the pupils with learning or emotional problems who were totally or partially integrated shall so remain until such time as the committee provided for in clause 8-11.05 has had the opportunity to give its view on the revision of their classification. Moreover, pupils identified in one of the categories provided for in Appendix XI shall so remain until such time as the committee has had the opportunity to give its view on the revision of their classification.

8-11.07 The integration of pupils with learning or emotional problems shall only take place if the board has adopted a policy on special education services and the integration respects such a policy.