



## **Policy Brief No.6**

Response to the discussion paper on an Education  
Accessibility Standard for the AODA

February 2017



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## The Inclusive Early Childhood Service System Project (IECSS)

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The Inclusive Early Childhood Service System project is a partnership between the County of Wellington and Ryerson University, working in conjunction with a number of academic, municipal and community partners who have expertise in social policy, disability studies, nursing, social work, and early childhood studies. (a full list is available online [www.InclusiveEarlychildhood.ca](http://www.InclusiveEarlychildhood.ca)).

The purpose of the project is to better understand experiences of disability in early childhood and to understand how services are delivered in varied geographic and cultural contexts. Our aim is to build theoretical understanding that may inform social policy for the purpose of having more respectful and responsive supports that recognize the value of disability identities, and the need for universally designed services.

The findings presented in this brief are based on interviews in the first year of the study. The study includes the perspectives of N = 67 parents or guardians of children accessing early intervention services from five geographic communities.

Work presented in this brief is informed by the consultation, partnerships, and findings from years 1 and 2 of data collection. This policy brief is one outcome of the partnership.

The partnership includes representatives from childcare, early intervention, social service planning, and research, as well as organizations that practice in these domains using Indigenous values. This brief does not represent the viewpoint of any partner organizations but an analysis from the project perspective.

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*This is the sixth in a series of policy briefs that are prepared as part of the IECSS Project. To view the other briefs in this series please visit our website.*

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## An Education Accessibility Standard

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On June 13, 2015, the Accessibility for Ontarians with Disabilities Act came into law. The AODA has 5 standards: customer service; information and communication; employment; transportation; and design of public spaces. These standards have deadlines and requirements for the removal of barriers by individuals, governments and businesses (including nonprofit).

Following an advocacy campaign led by the Accessibility for Ontarians with Disabilities Act Alliance, in December 2016 the Ontario Government announced that they would develop a fifth standard: The Educational Accessibility Standard. The Education Standard is intended to eliminate educational barriers for all students with disabilities in Ontario. Despite trends toward more students being educated outside segregated classes, many students still face substantial barriers in the classroom. The introduction of an Education Standard is being widely celebrated by disability advocates, students and their families because unlike provincial education policy, an Educational Accessibility Standard will be an enforceable regulation enacted under the AODA that could measure the removal and prevention of educational barriers for all students in any educational setting. The discussion paper put forth by the AODA Alliance is a strong start to reinventing how educational organizations consider accessibility in education and how children and families access information and services. This brief is a response to the discussion paper, and makes recommendations informed by research evidence from the Inclusive Early Childhood Service System project (IECSS). The IECSS project is a longitudinal study of family experiences accessing disability services in early childhood.

### **Defining disability:**

The Ontario Human Rights Code defines disability in broad terms:

*“Disability” covers a broad range and degree of conditions, some visible and some not visible. A disability may have been present from birth, caused by an accident, or developed over time. There are physical, mental and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, and other conditions. The Code protects people from discrimination because of past, present and perceived disabilities. (OHRC, 2016).*

In the context of education, the number of people experiencing disability can be quite large. Many of these students would not consider themselves disabled, nor would the society consider them disabled outside of that educational context. However, educational institutions have created a language related to the perception that some people cannot be taught in the core system, and therefore they are “special” and should access “special services”.

In the IECSS project, many of the families we have interviewed have children who are not yet diagnosed. It can take years to get a diagnosis, and often requires substantial resources for families including time, money, and effort. The language-surrounding special education is used to define and label children and has real implications for both quality and access to education.

### **Recommendations:**

The Standard should include a statement about the need to accommodate regardless of diagnosis.

The Standard should also point out the deficiencies in the categories of exceptionality.

The Standard should recognize that the time and effort it takes to get a diagnosis means that many children are “undiagnosed”, but this institutional practice should not preclude accommodation.

### **Defining Education:**

The last 30 years of implementation of inclusive education has taught us that inclusion is not placement alone. Educators need support, and classrooms must acknowledge individualized needs of all children.

The discussion paper makes reference to school boards, colleges, universities and other educational organizations, including pre-school. Education is central to the human experience, and it happens in many contexts. In terms of legislation, the Education Standard should apply to all institutions that educate as part of their activities. This must include workplace training, organizations that offer skills training (e.g. driver training), but from our point of view, there must be a more complex discussion about education in the early years.

The province of Ontario has acknowledged the central importance of the early years in their own documentation. Young children must be understood to have rights, and this period of time has implications for later life stages. Early childhood education includes, but is not limited to, child care, nursery programs, preschool, home child care, play programs, child and family centres, early intervention programs, recreation programs, before and after-school care, and kindergarten and the early grades of school. Understanding early childhood education settings in this broad way is very important if the Education Standard is to be effective for young children.

### **Recommendations:**

- Acknowledge the broad range of early years education programs.
- Ensure that definitions of Education Accessibility are inclusive of the broad range of setting in which people learn.

### **Defining Access:**

Access as it is described in the AODA relates to a number of concepts. Education institutions must already comply with the 5 AODA Standards, which means they must be accessible employers, have accessible customer service, have accessible transportation, have accessible communication, and have accessible spaces. Our research indicates that both early childhood education programs and schools are falling short in these areas. We know that families are not given enough information, that they are not treated as customers, and that there are many ways in which schools and other spaces work to keep children out of their programs. An Education Standard should take up the application of the other standards in Educational settings.

The Education Standard should explicitly make a distinction between placement in “regular” classroom and inclusive education. Many children have access to their community classroom but are not receiving an inclusive education. Education should only be recognized as inclusive when a student has a sense of belonging in the classroom which supports a positive identity and rejects deficit thinking from the student, teacher and peers. Inclusive classrooms are designed universally. A universally designed classroom prioritizes the right to participate and ensures equal access to the curriculum for every child (Parekh & Underwood, 2015).

Childcare is widely regarded as the most effective form of early intervention. The Education Standard should further support the Convention on the Rights of Persons with Disabilities to explicitly state that children with disabilities have the right to early intervention and therefore the right to high quality childcare in Ontario. The

Education Standard must support early childhood education and care programs to provide early intervention that is designed to maximize opportunities for learning and for participation in the community. The most effective early intervention does not care for children based on a specific diagnosis and focuses on the family as a whole, instead of the individual child (Underwood & Killoran, 2009).

### **Recommendations:**

- The existing Accessibility Standards need to be reaffirmed and reinforced in early childhood and school settings.
- The Accessibility Standard should acknowledge that high quality teaching and instruction are part of access.
- The Accessibility Standard should acknowledge early intervention as a right under the CRPD and as part of the education system, and therefore, under the jurisdiction of an Accessibility Standard.
- Finally, early intervention should be part of the general practice of early childhood education and care programs as part of an Accessibility Standard.

### **Education and the community:**

An Education Standard must also acknowledge the place of education in a community. Education has specific functions in a society related to accessibility. Education is linked to access to citizenship rights, employment, and overall well being. The purposes of education should be outlined in the Standard so that the spirit of accessibility is clear for implementation of regulations.

An Education Accessibility Standard should also recognize that access to education is

implicated with other services. For example, in our study, we find that access to health services, and rehabilitation services has significant implications for access to education. Access is also connected to the geographic community where a family lives. Our research shows that families in rural and remote communities do not have the same access to services as families in urban centres.

Finally, accessibility that is connected to disability is also implicated by other identities. Accessibility and inclusion in society as a whole are impacted by discrimination on the bases of race, class, gender identity, and geography. Further, inequality in terms of access to the resources of a society have implications for accessibility. This intersectionality of access should be acknowledged in an Education Standard.

#### **Recommendations:**

- The purposes of education should be explicit in the Standard
- The Standard should explicitly state that geography should not limit access
- Non-educational institutions and services should be required to adhere to the Standard where they impact educational accessibility.
- Intersectional accessibility should be acknowledged in the Standard.

#### **References and further reading:**

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