

30 April 2008

Wade Brummet
Chair,
Equal Education Association of Nova Scotia
3 Lindy Lane,
Dartmouth, Nova Scotia B2X 3V8

To the Honourable Karen Casey, Minister of Education

Dear Ms. Casey:

Parents of learning disabled children remain frustrated with the current situation regarding a lack of programming support in the public school system, and very limited financial support for specialized education in the private system. As the 07/08 school year draws to a close, parents are now making very tough decisions on how to best care for their child's needs next year. As parents, they are experts in understanding these needs. They do not see them as a list of names who can not receive SLD programming despite a acute need, they do not see them as numbers of resource class hours, or as tuition support denials. They see them as their children, suffering each and every day from a disability that saps their will to learn, to continue to fight for what is owed them by the Education Act, the Charter of Rights, and simply what is the right thing to do.

EEANS believes the right thing to do is to ensure no harm comes to the education of these students by applying a "grandfather" clause to all students previously or currently enrolled in the program. This will ensure that those who have a need can continue to receive support until such time as the finding of the report can be reviewed and recommendations can be implemented.

The reasons to accept this recommendation are numerous:

- Each student in the program saves the home school board money. HRSB has joined EEANS in stating this fact in their response to the Ministers review of special needs education. *In addition to the 70 students who receive tuition support, HRSB has many students with similar profiles. To provide the level of service that is being provided through this tuition program would require substantial additional resources. Issues of space, qualified staff, transportation, and supplies and resources would need to be addressed through the budget process. Report No. 07-09-1070 Page 7*
- As you have publicly stated on numerous dates over the last year, this program provides a level of support to LD students for which there is no comparable program in the public system. Based on student success, it is reasonable to assume the proposed study will make recommendations on how to deliver this type of programming to a broader base, not to eliminate it. Therefore we can't, in good faith, even temporarily withdraw these services while we complete the study. To do so could cause irreparable harm to these student's educational careers.

- We have a legal and humanitarian obligation to provide the best education possible without causing undue hardship to the public system. Section 15(1) of the Canadian Charter of Rights and Freedoms spells out four basic equality rights that every individual, therefore every child, in Canada is entitled to, namely:
 - the right to equality before the law; that is the law is to be impartially administered and applied;
 - the right to equality under the law; that is the right to equality in respect to the substance of the law;
 - the right to equal protection of the law; that is the right to equality of opportunity and equality of results;
 - the right to equal benefit of the law; that is the right to unequal distribution of resources in the case of unequal need.

To abandon these children for a 3 year period while conducting a study is in direct conflict with their rights, namely equality of results.

- Given the previous 3 points the largest remaining consideration is erosion of student population to designated private schooling. In 1991 Sweden adopted a coupon education system predominately serving religious and special needs education. Even after opening the gates wide, public to private delivery settled at 93.2%-6.8%. What their experience proved is that the public system was challenged to improve the level of service so that the bulk of students needs were met.
- The last consideration is the policy of inclusion. The courts have made several rulings on this issue and EEANS request is aligned with those rulings. Namely, inclusion must be applied from the perspective of the student. To state inclusion can only be age related (as we apply it in Nova Scotia public schools) is short sighted. Furthermore inclusion is a secondary goal to learning. To apply inclusion in a manner that limits or prevents attaining educational goals is not what the legislation intended and would suggest we are putting institutional needs ahead of student needs.

Having met you, I am confident you have the best interests of all Nova Scotia students at heart, and are willing to make tough decisions to protect those interests. Lets not put institutional bureaucrats and unions ahead of education. Lets work together to find a way to provide the highest level of special needs education in the country to Nova Scotians. Lets make it the "Nova Scotia Advantage" Please extend the TSP for children who so badly need it until your report is finished because it is simply the right thing to do.

I look forward to hearing your response.

Best regards,
Wade Brummet
Chair, Equal Education Association of Nova Scotia

cc.
Honourable Rodney J. MacDonald
Honourable Darrell Dexter
Honourable Stephen McNeil
Mr. Percy Paris
Mr. Leo Glavine