

EDUCATION APPEAL MECHANISMS

In some jurisdictions, parents can use special statutory appeal mechanisms to question decisions to place their children in segregated settings. These mechanisms have been established specifically for children labelled as having "special needs". However, this appeal process has been rejected by many parents and advocates because they claim it is biased. If the statutory appeal mechanism allows the decision maker to discuss the question of whether a child should be included or not, it is inherently discriminatory. If parents were convinced that the appeal process would deal with education content and not with the actual validity of integration, people might not perceive the appeal process as biased.

In some jurisdictions, the appeal mechanism under education legislation provides for a final appeal to the minister of education. A recent decision by the minister under the *equivalent section* in Alberta came out after a lengthy, organized appeal by the family and supporters of the child, Margaret Eggert. The decision came out strongly in favour of the child entering Grade 1 in her neighbourhood school.

PARENTS CARRY THE STRUGGLE

The element that permeates all of the legal challenges by parents on behalf of their children is one of struggle. There is no universal acceptance of children labelled disabled within the education system. At every turn, parents must spend time, effort, money and emotion on justifying their child's right to be included. Resources are continually being poured into "special" education while there is little effort to find ways of making inclusion happen. There is little exploration of the social and academic benefits to all children and the economic benefits to the whole of society.

Strategies developed by parents have been creative and intense, and strengthened by the involvement of family mem-