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## Use of Section 20 of the Education Act 1928: The study of a contemporary issue using the narrative form

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USE OF SECTION 20 OF THE EDUCATION ACT 1928 :  
THE STUDY OF A CONTEMPORARY ISSUE USING THE  
NARRATIVE FORM

A Thesis Submitted in Partial Fulfilment of the  
Requirements for the Award of

Master of Education

at the Faculty of Education, Edith Cowan University

Janette R. Gray B. Ed.

Date of submission: 29th July, 1996

## USE OF THESIS

The Use of Thesis statement is not included in this version of the thesis.

## ABSTRACT

There is a growing acceptance in the social sciences that in the telling and reading of a story a form of truth can be developed. This 'truth' will be dependent on the reader actively constructing knowledge from constant reflection and modification using cultural (bounded) knowledge as a basis for comparison.

Typically the narrative form employs the use of evocative, contextualised language to create implicit meaning, a plot based on some form of conflict within a temporal framework, and the use of multiple voices and genres. Generalisation from the sequence of events subsumed in the plot is assisted by the effective depiction of a 'real' culture.

The aim of this study was twofold: to explore the use of narrative form as a methodology, and to apply this methodology by writing a research 'story' to study the impact of policy implementation. The proposed story is about the conflict generated by the use of Section 20 of the Education Act (1928) of Western Australia. Section 20 enables the Minister, on the recommendation of an independent panel, to direct that a school aged child with an intellectual disability be educated at a specified Education Support setting, thus effectively negating any parental choice in schooling.

The narrative form was considered the most appropriate methodology for a study of the impact of this policy for several reasons. The story addressed an important contemporary issue reflecting the changing attitudes within the community and offered the opportunity to study from various perspectives the impact of the implementation of a policy perceived by parents as negotiable. The open nature of the methodology was expected to generate the freedom for participants to express their perspectives of the situation in a collaborative way. More specifically, the nature of the situation offered the opportunity to explore the use of a polyvocal and multi-genre approach to developing new knowledge, with the story written from within an unfolding situation.

The participants became characters within the framework of an over-all story. Five individual stories were collected during extensive interviews and were blended by the narrator (the researcher) into a story of the Section 20 process. These narratives aided the development of cultural knowledge in the dual landscape of the plot, raising consciousness which allowed for generalisation of specific events.

The open-ended and public nature of the study required a series of ethical decisions not informed by current codes of ethics. Problems of confidentiality and use of Freedom of Information were inherent in a study of the very public legal battles invoked by the inclusion conflict. Quite significant policy

implications emerged from the story, with issues such as twisted policy intent and an increasing awareness of the vulnerability of the Education Department's perceived power highlighted in the personal narratives. The story format also allowed development of a perception of parenting a child with an intellectual disability, as well as a comprehensive knowledge of the frustration engendered by the confrontation implicit in the implementation of Section 20. It quite clearly showed that inclusion was seen as a child's right, and that parents are prepared and have the necessary expert support to push the system for this right.

## DECLARATION

I certify that this thesis does not incorporate without acknowledgment any material previously submitted for a degree or diploma in any institution of higher education; and that to the best of my knowledge and belief it does not contain any material previously published or written by another person except where due reference is made in the text.

Signature.....

Date .....29/7/96.....



## ACKNOWLEDGMENTS

My thesis would have been difficult to complete without the tolerance of my husband Peter and my daughter Stephanie, who encouraged and organised me throughout the past six months, occasionally performing mystical rites to retrieve my thesis from the corrupt jaws of technology, and who, I'm sure, are secretly hoping I won't find Section 21 equally fascinating. At least not for a little while.

I am grateful to Janet Wallwork for her patience in helping me overcome the jargon and for introducing me to the Parent Advocate.

For critical reading and other forms of advice and encouragement, I thank Pauline Webb, Cathy Reynolds, Olga Heathcote, Anne McDermott and Rod Crothers.

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My supervisor, Professor Max Angus, is sure to rue the day I became interested in telling stories. I thank him for tolerating my endless intrusions on his time (and his mind) with grace and good humour and for showing and sharing with me the innovative path. Forward, ho!

I thank my participants for trusting me to bare their souls so publicly. I was definitely the privileged one. For reasons of confidentiality these characters will remain anonymous, but never insignificant.

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## **1.0 SIGNIFICANT OTHERS**

The prospect of writing a thesis was not at all daunting to me. After all, I loved reading and had thoroughly enjoyed the compulsory postgraduate units, particularly the research unit. Study was not a chore for me. All I needed, I thought, was an interesting question. It did not occur to me that having found (stumbled upon) a fascinating question, I would be forced by seemingly insurmountable problems of ethics, confidentiality, methodology, to abandon what is still an interesting issue, and start again.

As a classroom teacher at a large high school, I was often involved in supervision of student teachers. A particular student was in a tragic situation. He was determined to succeed despite his obvious and repeated inability to display any teaching skills. It seemed that no-one would fail him... not the University, the school, nor the system. And yet it was obvious to every classroom teacher who observed him that he would not survive in a school.

My moral and ethical problem? How could I tell his story without totally destroying him. How could I portray the evolution of his tragedy and still maintain some semblance of confidentiality for him, and integrity for me. I still don't have an answer, and I still want to tell his story.

The nature of these questions helped me to clarify problems with methodology that had emerged in my attempted thesis preparation. I couldn't see that any of the more conventional, 'objective' methods of inquiry used in the Social Sciences would allow me to adequately portray this student teacher's tragedy. As in most research in the field of Education there were complex issues involved, in this case issues involving personal anguish, Teacher Education, supervision of student teachers and subjective assessments by supervisory teachers. Such an inquiry needed to show a range of perspectives of the same problem. Donmoyer's (1995, p.162) point that educational contexts and issues are far too subtle to assume one group has a corner on truth and goodness illustrated my dilemma in choosing a methodology. I couldn't see that more conventional methods would provide other than a fragmented study of the 'reality' of the situation and as such surely couldn't provide an avenue of understanding of the problem as a 'whole'.

Clarifying my concerns did not solve them, however. I was looking for a method of presenting a 'case study' that would more clearly present the participant's perspective, possibly several participants' perspectives, so that readers of the account would not solely be reliant on my interpretation of events as researcher. I wanted to be able to sufficiently disguise participants so that they would feel confident in baring their soul.

My problem here again was of boundaries. At what stage did a disguise imply a crossing of the boundary to become fiction? Was it sufficient to follow John Berendt's (1995) example in the Author's Note of his non-fiction book 'Midnight in the Garden of Good and Evil' and simply state that where my "narrative strays from strict non-fiction, my intention has been to remain faithful to the characters and the essential drift of events as they really happened"? Could I use a composite character? Can I create new versions of a participant, as did Helen Garner (1995) in her controversial best seller 'The First Stone'? To what extent could I embellish the 'truth' and still be within the canons of traditional inquiry? Where are the boundaries of fiction and non-fiction? When is it no longer research?

Should I, as Barone (1995) congratulates himself for doing, resist the temptation to use the tools of fiction to distort secured information in order to make a larger point? Even though he allows distortion of his participant's physical appearance and location. Zeller (1995) also warns that this boundary must not be crossed, that researchers must be wary of playing with the tools of fiction. Why? If a research report, in whatever format you choose, can become accessible to a wider audience, can provide a clearer insight into a character's (participant's) actions, thoughts, reactions, by using rhetorical devices thought only to pertain to fiction, then surely the justification of utilising these devices is self evident.



Martin Hammersley (1990) recognised the rise in interest in literary theory and the vain attempts to draw a sharp line between ethnography and journalism, as well as fiction. This 'genre-blurring' noted by Geertz (1988) had led to research that was more narrative in format in the last decade. I could see that many features of the narrative form were widely accepted as a means of enhancing presentation of qualitative data...in case studies, autobiographical accounts, historical studies, or any 'storied' reports. These merging boundaries fascinated me. Where now is the exclusive use of fact? Was it ever really there?

### **1.1 Which narrative?**

I was interested in writing a narrative, of somehow using narrative as a way of overcoming my perceptions of restrictions inherent in other methods of reporting research. It was consistent with my acceptance that research in the field of human sciences lends itself to a qualitative format. Again, identifying the use of narrative as a solution to my methodology problem, deciding to tell it as a story, created another series of theoretical issues and a further literature search.

I didn't want to use narrative in the same sense as Ginsberg (1989, as cited in Riessman, 1993 p. 29) who studied both the content and the language used in collaborative story telling, nor of Bell (1988, as cited in Riessman, 1993 p. 36), analysing an unfolding plot through examination of excerpts of participants' stories. Riessman's (1993) detailed analysis of the 'talk' of participants

combined with a comparison of the voicing of emotional reactions of one hundred participants was also a form of narrative study that did not offer me a solution to my problem. I didn't want to write my own overview, only including excerpts of my participants' narratives. It gave me a sense of distortion, denigration of the participants' openness and ability to 'tell their own story'. Even Bruner (1990) eventually succumbed to the analysis of discourse in his study of the Goodhertze family, claiming the need to dissect the mode of telling, despite his assertions that the narrative was enough as a sense of knowing.

I was looking for a way to make the research document more accessible to non-academic readers, to remove the text from the jargon-filled, remote language which Bourdieu (1994) describes as being deliberately used as a means of control; a gatekeeper, so to speak, to the research document. The sense of story telling being inter-disciplinary, as Catherine Riessman (1993) suggests, or "simply there like life itself ... international, transhistorical, transcultural", as Roland Barthes (1977, cited by Hayden White, 1981, p. 1) appealed to me, especially as White (1981) gave a possible answer to my methodological quandary with his suggestion that narrative could well be considered the solution to the problem of translating knowing into telling.

I was interested in finding a methodology which, in Fenstermacher's (1994) terms, allowed the knower to know as well as the reader to know. I did not want

to carry out a narrative analysis as did Martin Cortazzi (1993) in his study of 123 teachers' narratives, although I did want to build a picture of the participants' world as portrayed by their own voices.

I could see that the broader, multi-faceted understanding generated by building a world portrayed by a series of participants' voices, by their telling of stories, could only enhance a study. The nature of personal and professional knowledge that accumulates in the storied lives of people within an educational institution can be explored with the story format. Elbaz (1983, 1991) describes narrative research as looking at teaching 'from the inside', concentrating on teacher thinking. Clandinin and Connelly's (1994) work on educational storytelling (or experience) with field texts and research texts used to tell stories of inquiry has developed a way of understanding the changing nature of the 'stories' of both educators and education. Hence, "the narrative form of research texts is crucial to the text finding a place in public discourse" (Clandinin and Connelly, 1994, p. 421) thus enabling change to be at least possible based on new perspectives gained. But this still did not provide the feel I wanted for my research.

I preferred Polkinghorne's (1988, p. 18) definition of narrative as "a meaning structure that organises events and human actions into a whole, thereby attributing significance to individual actions and events according to their effect on the whole." I liked his explanation of the sense making of a human event -

that when an event is said not to make sense, the difficulty lies with the person's inability to integrate the event into a plot. His concept of narrative characters being experienced as Selves, as having a depth that extends beyond the bounds of the story itself seemed appropriate for the characterisation and story telling I wanted to use as a methodology. I was aware, as Martin Cortazzi (1993) points out, that within literary theory there is no universally accepted model of narrative, though certain features are considered necessary criteria.

## **1.2 Features of the narrative form**

Polkinghorne's (1988) suggestion that narrative was a way of translating knowing into telling led me to Jerome Bruner's (1985) theory of cultural knowledge, giving me at least (at last?) a theoretical basis for what I wanted to do, giving credence to my wish to use a story format as a means of developing knowledge.

The narrative mode of knowing is the essence of the narrative form and without acceptance that the story can stand alone as a means of generating understanding, that it needs no explanation, no interpretation, no justification by the researcher, then true application of the narrative form is impossible. Bruner (1985, p. 113) reminds us that "... narrative is a form and the narrative thinking that brings it into being a process that, in the end, preclude verification as the basis for their 'reality' or 'meaning'."

Bruner clearly defined the narrative mode of cognitive functioning as distinct from the paradigmatic mode of thought, emphasising the radically different procedures for establishing not truth, but truth-likeness or verisimilitude. The ability to produce this truth-likeness is based on the assumption that the narrative form can exploit existing symbolic systems of a culture, allowing meaning to be constructed from a narrative by making the happening comprehensible against a background of ordinariness. This emphasises the cultural nature of knowledge, and the cultural nature of knowledge acquisition, so that meaning is constructed from bounded experience. Thus “believability is the hallmark of well-formed narrative” (Bruner, 1985, p. 99)

‘Good’ stories require the reader to submerge themselves in the experience, to be open to reality and as such are, as Bruner (1990) describes, especially viable instruments for social negotiation. The status of these stories, even when they are hawked as ‘true’, “remains forever in the domain midway between the real and the imaginary.” (p. 55)

### Dual interpretations

Bruner (1990) proposes that it is culture, not biology, that gives meaning to action by situating its underlying intentional states in an interpretive system. This is achieved by imposing the patterns inherent in the culture’s symbolic systems;

its language, its forms of logical and narrative explications. Hence his iterative use of folk psychology for sense making.

Bruner (1990) also defines the principal property of narrative as its inherent sequentiality. A narrative comprises a unique sequence of events whose meaning is dependent on their place in the overall configuration of the sequence as a whole. This whole is its plot, or fabula. Hence the act of understanding a narrative is a dual one, requiring the reader to grasp the narrative's configuring plot in order to make sense of the events, which in turn must be related to the plot. This is consistent with Bruner's explanation of a well-formed narrative having a 'dual landscape, with interpretation at the level of plot ( the specific) and of a consciousness which allows for generalisation of the specific event. A continual transition between these two states produces the schematic development considered knowledge.

Consistent with already quoted views of White (1981) and Polkinghorne (1988), Bruner asserts that narrative can be 'real' or 'imaginary' without the loss of its power as a story. The underlying structure to the story ( the sequence of the sentences) rather than the truth of those sentences, is what determines its overall plot.

The ability to forge links between the exceptional and the ordinary is seen by Bruner to be another essential feature of narrative. In this way, meaning can be

negotiated to conform with current cultural expectations. People will tell a story to explain how an encountered exception can make sense, have meaning, in relation to their current schema. Hence, (Bruner, 1990, p. 49) “The function of a story is to find an intentional state that mitigates or at least makes comprehensible a deviation from a canonical cultural pattern.” Again, the transition between the dual states to accommodate and assimilate information, dependent on the evocative use of language.

The use of language and especially the use of the metaphor triggers the imagination and enables a creative sense to be made of an experience. As Maxine Greene (1994, p. 456) suggests, “ it is important to include imagination as one of the cognitive capacities situated inquirers can use in their efforts to make sense.”

### The use of language

Narrative, as Bruner (1990) so succinctly expresses, is not just plot structure or dramatism, it is also a way of using language. If our construction of knowledge is to maintain the requisite dynamic quality requiring active reflection, and if our knowledge is to have a temporal quality with potentially multiple realities, then we need a vehicle to transport us between the specific and the general. The use of contextualised, vernacular language to provide a ‘thick’ description allows us to ground the writing in a particular context. Adequate rendering of the

complexities of the event being studied, the character(s), the setting, is dependent on use of language to give a clear sense of Being There (Geertz, 1988).

The evocative and expressive language, the rhetorical skills needed to successfully create an implicit rather than an explicit world are essential to achieving the dual landscape of the story. The extensive use of metaphor and the subjunctive mode to denote possibilities enables the subjectivity of the reader's interpretation to increase, encouraging multiple interpretations.

Bruner (1985) describes the need for two forms of linguistic organisation, to allow for the two modes of thinking. Hence a vertical mode (word selection) for the narrative mode, with a view to maximising sense by increasing connotation, and a horizontal mode (sentence combination) to allow for plot development. Thus the importance of the metaphoric richness of a story.

The narrative mode concentrates on the construction of both factive (effective) and functional sentences to produce the cultural basis from which the reader, as recipient and creator of information, can function effectively. If that culture has been successfully created, then knowledge can be constructed regardless of whether that culture is real or fictive.



Maxine Greene (1994) describes the power of the metaphor as an ability to open the way to unexpected connections, making unexpected resemblances visible, drawing attention to alternative modes of thinking. Thus the development of new understanding is promoted by transition within the dual state of the plot through the use of the metaphor.

#### The temporal nature of events... the plot

The principal property of the narrative form is its plot. To 'understand' a narrative is to simultaneously follow a sequence of actions and experiences of a certain number of characters in changing situations. The dramatic quality of narrative, the telling of a 'good' story, implies stories based on resolution of conflict. The underlying structure for these 'good' stories could be, as Bruner (1990) prefers, based on the Burkean Pentad, so that any complete statement about motives will offer some kind of answer to the five questions : what was done (act), when and where it was done (scene), who did it (agent), how she or he did it (agency) and why it was done (purpose).

Labov's (1972, as cited in Riessman, 1993) similar sense of formal structure is based on the view that particular properties, each with a function, create a fully formed narrative. He sees these properties as an abstract (a summary of the substance of the narrative), orientation (time, place, participants, situation), complicating action (sequence of events), evaluation (significance and meaning

of the action, attitude of the narrator), resolution (what finally happened) and a coda (return to the present).

Martin Cortazzi (1993) defines plot as having three necessary criteria... temporality, causation and human interest. A narrative must have a clear sense of a beginning state ( the equilibrium, or pre-figuration of change), a middle state (the figuration of change - the disequilibrium of characters) and a final state (the resolution, re-figuration, return to equilibrium). All three states are linked by time, although the order of telling does not have to be consistent with the order of events. In fact, some of the conflict needed to make a 'good' story can be emphasised by the sequencing of telling. Goodman (1981) warns us, though, that while narrative will survive all sorts of contortion, still sometimes when you start with a tale, enough twisting may leave you with something else, as John Berendt (1995) discovered in playing with the temporality of events in his non-fiction book. It became fiction.

Causation and human interest are, of course, subjective criteria. What interests me may not interest you, despite manipulation of the Burkean pentad. In the same sense, what I consider 'caused' the final state is dependent on my own cultural interpretation of the events, not necessarily consistent with yours. However, the mere linking of sequenced events is not enough to make a story,

and certainly not enough to allow the transition from the specific to the general which is the hallmark of the narrative form.

Hayden White (1978) prefers to explain comprehension of a story by recognition of the plot as an archetypal form: romantic, tragic, comic or ironic. He sees the reader as initially searching for the appropriate genre into which interpretation of described events can become meaningful. Once having established this comfort zone, the story can be subjectively interpreted.

Todorov (1977) similarly views truth-making with his reminder that there are as many verisimilitudes as there are genres, such that comedy has a verisimilitude different from tragedy. He again reminds us that apart from the most naive sense of being consistent with reality, verisimilitude can also be seen as relating a specific text (meaning) to a generalised text (common opinion/cultural knowledge). Hence we are led to see verisimilitude as “a mask assumed by the laws of the text and which we, as readers, are meant to take for a relation with reality”(p.83).

### **1.3 Fact or fiction?**

Barone and Eisner (1995) consider the creation of a 'virtual reality' by literary authors the key to evoking reality. When authors locate subtle and significant human activities within a recognisable socio-historical context, this bestows on

the virtual world verisimilitude, or reality, leading the reader to recognise similar qualities in their own world.

What is truth, then, in terms of narrative? Unless the concept of truth being based on a one-to-one correspondence between perceptions of reality and reality is taken in a cultural context, then truth cannot be absolute. Beliefs change. Meaning changes. Thus truth changes, is fallible and tentative. There is a temporal nature to truth as it is based on bounded, cultural knowledge. What we understand now as the 'truth' about Australia's involvement in the Vietnam war is vastly different to our 1968 sense of the reality of the situation. Boundaries change and hence knowledge changes. Barone and Eisner (1995) describe truth as having a dynamic quality, requiring active reflection of an interested party and modified by every knower. Acceptance of the narrative mode of cognitive functioning is then dependent on taking a more lateral view of the definition of both 'knowing' and 'reality'.

The concept of narrative depicting 'truth-likeness' lies in the 'believability' of the world portrayed, which could only be achieved by the author's extensive observation and interaction within this perceived world (the virtual world). As the focus is on gaining a prismatic perception of the whole, this credible virtual world, created by the author and recreated by the reader, will be 'true' whether fact or fiction. Simon Schama's narrative use of fiction to embellish history

created in 'Dead Certainties' (1991) a world that was believable, approachable, intrinsically interesting. Hayden White (1978) describes historical narratives as 'verbal fictions' whose forms have more in common with counterparts in literature than of those in science. Like Bruner (1990), White asserts that it doesn't matter whether the world is conceived to be real or only imagined, as the manner of making sense of it is the same.

The use of language to provide cues for filling gaps in the text leads to active personal interpretation, contextual relationships equally valid whether fact or fiction. After all, any effective fiction will be based on extensive observation of reality. Hence the question of fact or fiction is not so much irrelevant, but negotiable.

The emergence of the hybrid non-fiction genre currently pervasive in literature forces confrontation with these questions of boundaries. How do we recognise non-fiction? Simply because we are told? Is journalism really any different to narrative research? Is the extensive research necessary to write a book such as Helen Garner's (1995) 'The First Stone' sufficiently 'Scientific' to warrant acceptance of her book as a research document and not 'just' a non-fiction novel?

The issues raised by Helen Garner's critics concerning her use of multiple characters to overcome confidentiality problems also questions boundaries of fact and fiction. Janet Malcolm (1990), in the Afterword of her non-fiction novel 'The Journalist and the Murderer', defines this fact or fiction boundary from the viewpoint of one who was seen to cross the boundary illegally. Her view that "The writer of non-fiction is under contract to the reader to limit himself to events that actually occurred and to characters who have counterparts in real life, and he may not embellish the truth about these events or these characters" (p.153) surely confers with the boundaries presumed for any academic study.

Could I then categorise books such as Cassandra Pybus's (1993) 'Gross Moral Turpitude', Truman Capote's (1966) 'In Cold Blood', or John Berendt's (1995) 'Midnight in the Garden of Good and Evil' as examples of a research genre acceptable in academic terms? They would certainly be accepted as narratives, and true in the sense of being based on real people in real situations, but could the definition extend to acceptance as case studies?

Take for example Kazuo Ishiguro's (1989) novel 'The Remains of the Day'. How much more Geertz-like could you get than Ishiguro's exquisite portrait of an English butler? After all, Ishiguro was Japanese, writing with consummate insight into the 'culture' of an English aristocratic household. Is this a case study? Ethnography? We know it is fiction. We are told so. Would it have been

more believable if prefaced as in the Acknowledgements of Truman Capote's (1966) Non-Fiction novel 'In Cold Blood'

All the material in this book not derived from my own observation is either taken from official records or is the result of interviews with the persons directly concerned, more often than not numerous interviews conducted over a considerable period of time

Without this acknowledgement, would Capote's novel have been less believable?

Would you have learned more about the happenings depicted in these stories if footnotes or appendices had been used to provide a literature review, a conceptual framework, a theoretical basis? Or would it have felt better because of the more traditional representation of research.

What of Dickens? Any of his novels are an excellent example of the Narrative Form, meeting all four of Bruner's (1990) narrative requirements. They provide a means for emphasising human agency, a sequential order is always established. Dickens is sensitive to what is canonical, always providing a narrator's perspective. Dickens' works are never voiceless. The thick descriptions have provided social comment and though his stories are fiction, they are indeed 'real', even to people whose only sense of the history of the mid-nineteenth century are the stories themselves. The cultural nature of knowledge and its acquisition is thus dependent on the thick description given in the story. This knowledge, having withstood the test of time, makes a history a truth. Dickens has certainly

used verisimilitude in Todorov's (1977) sense as a mask assumed by the laws of the text which we as readers take for a relation with reality.

If then, the inherent validity of alternate forms of depicting 'truth-likeness' lies in the 'believability' of the world portrayed (which is again dependent on the rhetorical skills of the author), it could be said that fiction is a valid form of truth.

#### **1.4 Multiple voices**

I agreed with Edward Bruner's (1993, as cited in Lincoln & Denzin, 1994) suggestion that as a qualitative researcher I am not an objective, authoritative, politically neutral observer standing outside and above the text, that I am an all-too-human observer of the human condition. This concept was consistent with my idea of approaching my narrative from a selection of perspectives, that as Bruner suggests, meaning is "radically plural, always open." (p. 576).

If there is, as Bruner (1990) emphasises, a need for a narrator's perspective in any effective narrative, then it follows that a story can never be voiceless. But how many voices, and whose voice? His (1990) concept of viewing the world simultaneously through a set of prisms, developing a multiple perspective, implies the use of multiple voices to develop this prismatic knowledge. Geertz (1995) reminds us that depiction is power, that representation of others is not



easily separable from the manipulation of them and that it is increasingly difficult to separate input from the investigator from input by the investigated.

Authors can engage in dialogue with those studied, and write through narrators 'directly as a character... or through multiple characters, or one character may speak in many voices, or the writer may come in and then go out of the [text]', as suggested by Bruner (1993, as cited in Lincoln & Denzin, 1994, p.578). So where now are my boundaries? My proposed methodology is taking on a distinctly polyvocal, multigenre appearance.

Rose (1990) describes inquiry as requiring a narrative quality, with authors needing to place themselves in unfolding situations, to live through ongoing events. Helen Garner (1995) used a blend of reportage and personal experience, a research of the issues of sex and power. We hear many voices in her book, especially the narrator's voice. We are made aware of the reasons why significant voices cannot be heard. We are enveloped in a weave of genres as she endeavours to explain to herself the reactions to her discoveries. The story is open-ended allowing the reader to interpret, judge and predict. It does not dictate.

Geertz (1988) refers to Levi-Strauss's 'Triste Tropiques' as consisting of several books at once, quite different sorts of texts (a travel book, an ethnographic report,

a philosophical discourse, a reformist tract and a literary work) co-occurring, competing, blending to create a whole. Certainly a multi-genre ethnography.

Suppose Ishiguro's (1989) novel 'The Remains of the Day' had contained photographic evidence ... not in the sense of being illustrated, but to provide another facet of understanding. What if video clips were included to show a typical scene. Suppose characters had their own 'story', so that the novel re-storied itself as it unfolded. What if the author included poetry, by himself as author or as butler, or any other of the characters. The permutations of possible genres are vast with each combination giving a different prismatic knowing.

Maxine Greene (1994) suggests that given the difficulty of defining social reality in any objective sense, we as researchers are bound as seldom before to a great variety of voices, interpreting what is lived and encountered from a plurality of viewpoints.

### **1.5 How is this research?**

The power of narrative as a way of knowing was exemplified for me when I read Richard Kahlenberg's (1992) 'Broken Contracts', a fascinating account of his three undergraduate years at Harvard Law School. It is a very personal and revealing narrative that allows the reader to absorb, relate and translate the experience to a wider context. No, I'm not an undergraduate lawyer, nor have I been to Harvard University, but Richard Kahlenberg's frustration and gradual

disillusionment as a student are very real to me, and sit comfortably with my 'culturally' similar experiences of coping within the bureaucracy of a university. Fact or fiction? It wouldn't have made any difference to my 'knowing' about his personal struggle to maintain his ideals. It also exemplified the 'genre-blurring' increasingly common in recent research. Is it an ethnography of an institution? A history of Harvard Law School between 1986 and 1989 ? A philosophical discussion of the role of a university in shaping a student's ideals? Or is it simply a narrative? And how could it not be considered research.

It generated knowledge inaccessible by any other method, allowing the characters to become Selves, and allowing these Selves to justify their actions within the culture specific to this story - the undergraduate world of Harvard Law School, as well as the political culture of the late 1980's. It is a story.

If the story has been written in such a way that its verisimilitude creates a reality, as Kahlenberg did, then the story gains power, validating its voices, giving an empathic experience of the Other. Lincoln and Denzin (1994, p. 579) describe validity gained in such a way as representing the "always just out of reach, but answerable, claim a text makes for its own authority".

Acceptance of the narrative mode of thought makes the question of validity inappropriate. However, if a concept of validity based on ways of noticing,

understanding and appraising is used, then the story is valid if it furthers understanding, if it makes clear what was not clear before. Cronbach (1977) claimed validity to be subjective rather than objective, that the plausibility of the conclusion is what counts. Bruner (1986) reminds us that validity is an interpretive concept, not an exercise in research logic.

Generalisation of stories relies on schematic development. This assimilation and accommodation of concepts (or images) provides a cognitive and perceptual structure upon which a sense of order and understanding can be made of a complex 'world'. Bruner (1986) describes a story as working on two levels, that of the plot (specific incidents) and the higher level of consciousness (generalisation). This implies that the more effectively the story is told (the more accessible to schematic development) the easier the transition from plot to consciousness. In Barone and Eisner's (1995) terms the narrative format provides canonical images which provide frames to give a clear focus.

Helen Garner (1995) experienced this in the early stages of her research, as she explains in her Author's Note :

I soon encountered obstacles to my research which forced me, ultimately, to write a broader, less 'objective', more personal book. They also obliged me to raise the story to a level where, instead of its being just an incident specific to one institution at one historical moment, its archetypal features have become visible. This is why I have felt free to invent names for all the characters.

So I could tell my story and consider it research. My obstacles would be ethics and inadequate literary skills, not the lack of a conceptual framework.

#### Narrative as a research method

My narrative methodology will be influenced by Bruner's (1985,1990) theory of cultural knowledge developed through multiple perspectives. Structuring of meaning within this methodology will be influenced by Polkinghorne's (1988) use of narrative to organise individual events and human actions into a whole, allowing narrative characters to be experienced as Selves. This is consistent with my stated preference for a narrative form which reflects both Catherine Riessman's (1993) sense of story telling being inter-disciplinary and Hayden White's (1981) suggestion that narrative could translate knowing into telling. In this way I hope to effectively create Barone and Eisner's (1995) sense of 'virtual reality', allowing generalisation from the sequence of events subsumed in the plot, and in Fenstermacher's (1994) terms, allowing the knower to know as well as the reader to know.

Hence my method of research is to employ a story format (a narrative) to depict a culture in which participants will be given the opportunity to become Selves whose actions can be justified (believed) within this culture. A verisimilitude will develop through the stories told by each participant as they become characters (Selves). As the researcher I will become the narrator, incorporating the 'character's stories' into my over-all story, developing an over-all culture.

The participants' stories will be collected through extensive unstructured interviews, allowing collaborative 'conversations'.

It is hoped that the story format will allow the reader to identify with the characters and their culture, enabling a growth of knowledge through a generalisation of events. The use of several voices (characters, Selves) is expected to provide the broad perspective Maxine Greene (1994) suggested was needed to interpret social reality in an objective sense.

## **2.0 'SCIENTIFIC' STORYTELLING**

Finding (stumbling upon) a second interesting question was remarkably like my first attempt. It was more a matter of recognising the potential of a situation I had been following with interest in the local papers. Reading about polyvocal, multi-genre research coincidentally with my reading Helen Garner's (1995) best seller 'The First Stone' provided the necessary link. I would write a story based on the approach taken by Helen Garner: from within an unfolding situation. My story would involve a collaborative telling of differing perspectives of the policy issue I had been following in the papers. The perfect vehicle for my desire to trial narrative as a methodology as the potential was there for a multi-genre, polyvocal story. With the confidence of the uninitiated, I started preparing for my thesis, hoping that the ubiquitous ethical problems could be minimised.

### **2.1 The Plot**

The proposed story was of the reactions to the use of Section 20 of the Education Act (Appendices 1 and 2) by all parties immediately involved. Section 20 enables the Minister, on the recommendation of an independent panel, to direct that a school aged child with an intellectual disability be educated at a specified educational support setting, thus effectively negating any parental choice in schooling.

In practical terms, a student with an intellectual disability considered initially by the Principal, then by a series of assessors, to be unable to cope with the programme offered in that particular educational setting can thus be excluded from the current school and directed to an Education Support unit, centre or school considered by the Minister to be best suited to the student's special needs.

This removal of choice of schooling from parents has understandably generated strong emotional reactions, not only from the parents, but from an ever-widening circle of concerned parties. The influence and support of bodies such as the Parent Advocacy in Education, the Disabilities Services Commission and specific disability groups had ensured that the story remained a public issue, with frequent newspaper and TV coverage.

To balance this viewpoint, it was claimed that the Education Department felt that the parent advisory groups had encouraged parents to be confrontational - not conciliatory as in the past. Hence the new need to invoke Section 20, unused since 1983.

The Social Justice in Education Policy (1993) (Appendix 4) defines a process for resolution of conflict when the placement of a student with an intellectual disability is the subject of dispute. Most placement disputes are settled at the school level. If no resolution can be agreed upon at the school level after consultation with the parents, the teacher(s), the Principal and the school



psychologist, the Principal refers the matter to the District Office. Here the senior school psychologist will initiate a referral to the District Placement Committee, which gathers and examines all relevant information in order to recommend to the parents the most appropriate educational facility for the child. This may involve placement across districts, but will be the closest possible appropriate facility to the child's home.

If the parents refuse to accept this recommended placement, Section 20 of the Education Act (1928) provides an avenue of resolution of the conflict. The Principal, through the District Superintendent, recommends to the Director-General that the procedures of the Act relating to a direction to an Education Support facility be implemented. At this stage the Principal would advise the parents in writing of the decision to invoke Section 20.

If the Director-General approves the recommendation, the Minister is advised. With Minister's approval of the recommendation to invoke Section 20 an Independent Advisory Panel is convened in order to advise the Minister of a recommended placement for the child and of any necessary resources to accommodate this recommendation. The Minister retains the right to accept or reject the Panel's recommendations. If the parent rejects the Minister's placement directive, they can apply to the Children's Court for an order

cancelling the direction. Parents are to be made aware of this option when notified of the Minister's placement directive.

I intended the narrative inquiry to be based on the conflict within a particular primary school, where the parents of two boys had been issued with a Section 20 directive. The two boys, a 7 year old with Down syndrome and a 10 year old with Fragile X syndrome, were accepted into the Education Support unit attached to the school at the beginning of 1995. Both boys had been judged by the Principal as being unsuited to this education environment.

## **2.2 The Narrative Methodology**

My intention was twofold: to explore the use of the narrative form as a methodology and to apply this methodology by writing a research 'story' to study the impact of policy implementation (of Section 20 in particular). I hoped that the narrative methodology would allow readers to develop a better understanding of the human aspect of policy implementation as the archetypal features of the story became apparent.

I wanted to give the participants the opportunity to tell "spontaneous autobiographies" (Bruner, 1990). I hoped that these stories would gain significance by virtue of being part of a larger scale story. Thus, not only would each participant's story consist of smaller stories, but the whole Section 20 story would be constructed from smaller, individual stories. In this way the

participants could construct a Self defined by both individual meaning and meaning in terms of the culture in which she (he) participates. Hence the reader would be given the opportunity to develop an understanding of why the parents saw themselves as empowered to 'fight the system'. The reader would also be given the opportunity to understand how, within the culture of being a parent of a child with an intellectual disability, the parents justified their actions, both to themselves and to a wider, different culture.

I intended there to be four major voices within the story ... that of the parents (really two sub-stories, as each was quite unique with potentially unique resolutions of their problem), that of the Principal and staff of the Education Support unit, and that of the Education Department. The fourth voice, my voice as the narrator, was to encompass all the other forms of input to the overall story, providing a context to the problem. Hence the Parent Advocate and any other participants providing relevant contextual information would share a voice.

The story had the potential to be open-ended as the time frame for my story was the current school year and there would not necessarily be a resolution of the conflict within this time. As the outcomes of the applications of Section 20 could vary from case to case, the possibility of further action on the part of the parents (challenges in the Equal Opportunity Commission and the Children's Court) would provide an impossible time frame to the complete story (in terms of a

research proposal). Hence the story would 'end' with the school year, but in fact be only a segment of a larger story.

I hoped the very openness of the research would provide the incentive for the various parties involved to tell their story in a collaborative, non-threatening manner. In this way each participant (voice) could express a potentially biased viewpoint, while I (as the narrator) incorporated their stories into my own, creating an over-all story. However as the narrator I would inevitably present my own bias as I edited participants' stories, in selecting and rejecting the stories which would become the basis of the plot of my own story. I hoped that my methodology would allow, as Kathleen Casey (1995) suggests, an opportunity as narrator 'to practice the self-reflexivity necessary for revealing my biases as well as the emergent and evolving nature of my understandings.'

In order to allow readers the opportunity to re-assess their initial stance, I planned to continuously bring the reader back to each of the main participants, so that the opportunity would be given to construct an informed viewpoint. Thus the narrative would be recursive in structure.

### 2.3 Ethics

The contemporary method of inquiry posed ethical problems, particularly arising from the need to preserve the anonymity of the various participants. The parents had a vested interest in remaining public, the Principal and staff of the primary school would need the protection of confidentiality, as would the general school body. Participants who were representatives of the Education Department would be difficult to disguise. For this reason I used pseudonyms for all concerned, reconstructing the physical appearance of participants in my story when I considered it necessary to maintain their anonymity.

As the research was to be largely retrospective, I felt that the public nature of this human interest story was likely to diminish over the planned time frame. In this sense the study would be raised to a level where, as in Garner's (1995) work, instead the story relating to an incident specific to one institution at one historical moment, its archetypal features would become visible, and participants would become less recognisable in the public mind. I considered this an incentive for participants to talk comfortably about a current and controversial issue, giving them the opportunity to ensure that their viewpoint had been fairly represented.

I was fully aware that even with informed consent, the participants could change their decision to participate at any stage of the research; another of the problems that was to haunt my research. However, I didn't really entertain the notion of

this being a reality. It was an ethical issue I had read about, but the possibility seemed so remote that I hadn't considered it a potential problem. The parents of both boys and the Parent Advocate were willing participants in the research, welcoming the opportunity to relate their reactions and experiences since the two boys were enrolled at the primary school. I somewhat naively expected the other players in the story would similarly agree to participate.

#### **2.4 Data collection**

I planned to facilitate narrative telling in any interview situation by removing any major time constraints and having as little structure in the interviews as possible, giving greater control to the participant. Interviewing practices, as suggested by Mishler (1986), that empower respondents to tell their own stories, that allow contextualised meaning for both questions and answers seemed to provide an appropriate opportunity to allow a fair representation of each participants 'story'. This, I felt, would enable a thick description to be given, contextualising each participant's story. I wanted the interviews to be "conversations in which both participants - teller and listener/questioner - develop meaning together. Listeners can [then] clarify uncertainties with follow up questions, and answers lead to evolving conversation." (Riessman, 1993, p.5). Hence the interviews would develop through mutual reformation of questions.

I expected I would be given access to the parents and their advocate for three or four relatively extended interviews and if I was lucky, I would have two interviews with each of the relevant teachers from the Education Support units at the primary school. The Principal and representatives from both the District Office and the Education Department would most likely only be available for one interview. Other participants considered necessary for background information, such as a Principal of a special school and of an Education Support centre, representatives from the Fragile X Syndrome Society and the Down Syndrome Society, would again most likely only be available (and needed) for one short interview. For this reason, two quite distinct forms of interviewing were planned.

For the parents, I planned three interviewing sessions, of whatever length became appropriate on the day. The interviews would focus on the beginning (the events leading to the Section 20 directive - term one of the school year ), middle ( the Section 20 process - term two of the school year ), and end ( the implementation of the Panel's recommendations - terms three and four of the school year ). Interviews would be taped, and some open-ended questions would be prepared in case the parents found it difficult to start talking. The same questions would be available for both families (Appendix 5), questions which would, in Mishler's (1986) terms, allow the participants to construct answers in collaboration with me, the listener, in ways they found meaningful. I recognised that, in Kathleen

Casey's (1995, p. 239) terms, participant-structured conversations would be an essential form of data collection in this study.

The teachers would be interviewed in the same way as the parents, however I expected that time constraints would not allow the respondents many collaborative opportunities in the interview situation. I expected the prompt questions to structure these interviews.

The Parent Advocate would similarly be interviewed, using the same questions format. I was not expecting to need any prompting here, as she had been extremely confident and articulate in any contact so far. I expected regular phone calls to be an integral part of my contact with the Advocate, as she would be a vital link to the parents and a readily available source of information.

If possible, my interviews with the principal and Education Department representatives would follow the same open format. However, as I anticipated a restricted time-frame with these participants, a more structured interview guide would be used. A set of questions divided into 'topics' would provide the basis for the potentially short, single interview (Appendix 6). As with the other participants, interviews would be tape-recorded, assuming the participants' consent.



Semi-structured questioning techniques would be used for interviews with any other participants, as the information sought was to provide a background knowledge for the 'narrator'. Questions would differ with each participant according to the required information. Observation, especially within the family situations of the boys in question, would be incorporated within the interviewing experience. Similarly, I would seek observations within the Education Support unit to provide a sense of perspective of the 'normal' interactions of the staff and students - hopefully of the two students with an intellectual disability as well.

I planned to make quite detailed field notes after each interview, hoping my recorded impressions would add to the 'thick' descriptions needed to adequately portray, in a narrative form, the Section 20 'story'. This would also provide the security of having a record of the interviews in the event of equipment failure. I also planned to analyse in terms of relevance to my story any pertinent documentation made available by the participants, little realising this would lead to further ethical questions of quite significant proportions. Freedom of Information was not an anticipated problem.

Data analysis seemed an inappropriate term to use to describe my intent to somehow combine the stories to be collected during the interviews into the classic narrative form ( to tell a story ). My structuring of the interviews to correspond to the requirements of the 'plot' was intended to provide the

necessary structure to the story. Any further structuring was dependent on the stories to be told during the interviews and, as such, any combination or elimination of narrative sections was impossible to anticipate. However, my intention was to look for the elements of the Burkean pentad in events described, to look for repetitions of incidents and stories which would indicate their significance to the participant. I was not concerned with triangulation across participants' stories, as I was anticipating quite different versions (interpretations) of the same events.

## **2.5 Success?**

Judgement of the successful use of this methodology should be on several criteria. Have I as the author gained some self-understanding? Has the narrative form as a methodology allowed both myself (the researcher) and the reader to capture and communicate aspects of human experience that may have been beyond the reach of more conventional research methods? Did the characters (participants) become Selves for the reader, and were the actions of these Selves consistent with their cultural environment? And finally, was the story sufficiently "Believable" to allow archetypal features to become visible, allowing the reader to make the transition from specific to general?

### 3.0 THE STORY

## **SECTION 20**

### **A tale of inclusion**

by Jan GRAY

## **SECTION 20**

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### **AUTHOR'S NOTE**

The characters in this book are real, as are the events. Because of the very public nature of the dispute, pseudonyms have been used to protect their privacy. For the same reason, in a few cases I have offered further protection by altering descriptions of both people and location.

Any names or dates providing a readily recognisable time-frame have been removed, although no alteration has been made to the temporal nature of the events.

As much as possible, I have retained the language of the characters, despite the often incorrect use of terminology. Hence, for example, Education Support units could be referred to as 'Ed Support units', 'ESU's', or just 'units'. A parent's reference to their 'autistic' child was retained to maintain the integrity of the character's language.

## **PREFACE**

Section 20 of the Education Act (1928) involves the setting up of an independent advisory panel to advise the Minister on the appropriate educational placement of students whose current placement is the subject of dispute. To reach the stage of having invoked the Section 20 process the school would have identified significant problems with accommodating the particular child, after making every possible effort to redress the problem. The help of the school psychologist would be sought, and parents consulted.

If no solution could be agreed upon, the matter would be referred on to the District Office. The senior psychologist would then initiate a referral to the District Placement Committee, which gathers and examines all relevant information in order to make a recommendation to the parents for placement of the child, in what they consider to be the most appropriate Education Support setting. This recommendation would be made after consultation with the appropriate Director to seek a possible solution to any problem with resources.

If the parents refuse to accept this recommended placement, the Education Act provides an avenue of resolution in the intervention of an independent advisory panel. A similar process is then followed by the panel, who gather all relevant information in order to advise the Minister of a recommended placement of the child, and any other necessary resourcing to accommodate this recommendation. The Minister retains the right to accept or reject the panel's recommendations.

The last use of the Section 20 process was in 1983, prior to the Equal Opportunity Act (1986) and the Disabilities Discrimination Act (1992).

The Education Department has established a range of facilities to meet the needs of students with intellectual disabilities. The following are facilities relevant to this story.

#### Education Support schools (special schools)

These are separate schools which cater for students with profound, severe or multiple disabilities and some students with a moderate intellectual disability. Most students are non-verbal, working on an individual educational program in an environment where students receive a high level of individual tuition. Class sizes vary according to the child's disability, but rarely exceed six students. Therapy, medical and support services are made available for the students within the school setting. Most students are transported to and from home by bus.

#### Satellite classes

These are classes from an Education Support school located in an adjacent regular school. For students with an intellectual disability, these classes provide opportunities for social integration and individualised educational instruction within a regular school setting, although the students are still segregated from the main body of students. Although class sizes vary, they rarely exceed six students. Social skills are developed through excursions outside the school

compound. Therapy, medical and support services for the students are coordinated through the Educational Support school.

#### Educational Support centres

These are located on regular school campuses and generally cater for students with less severe disabilities than those in separate Education Support schools. Centres have their own principal and as such control their own learning environment, providing intensive instruction for approximately twenty five students with education support needs. Integration is usually restricted to recess and lunchtime, although students considered capable take part in any significant school activities such as specialist music, drama options, or any area of the academic program felt appropriate. Class sizes rarely exceed six students.

#### Education Support units

These are classes within regular schools which provide educational support for students with mild to moderate intellectual disabilities. Students have two classrooms, their 'home room' (the unit) and an age-appropriate classroom (for non-core subjects). Class sizes rarely exceed ten students. Students spend mornings in the unit working on a modified curriculum, and afternoons in their mainstream classroom. Sport, recess and lunchtime are spent with the rest of the school, providing ample opportunity for socialisation. Aide time is restricted by a staffing formula, and most students do not work on an individual program.



## SECTION 20

### CHAPTER 1

#### **‘I won’t concede defeat.’**

I arrived at the Children’s Court early as a precaution against missing the opportunity to observe the legal battle between the Education Department and an eight year old boy with Down syndrome . Sally arrived as I reached the door, saving me the embarrassment of explaining to the officer that I was merely an observer. She was dressed in business-like black, looking very capable and calm, ready to fulfil the dual role of Parent Advocate and Representative for young Anthony Saunders.

I sat and absorbed the formal atmosphere of the waiting room while Sally made last minute phone calls and notes. All cases were listed for 10:00 am, to be called in some pre-ordained order. Whispered conversations were taking place, some primeval sense of being in the presence of power exuding an atmosphere of subservience, of anticipation.

I couldn’t help wondering what crimes had been committed. Truancy? Shoplifting? Car theft? Were there records of disruptive, abusive behaviour? It

seemed an incongruous place for a family to battle for the right of their son with an intellectual disability to attend school, even though their choice of school may have been deemed inappropriate.

Mr Saunders had arrived by now. He impressed me as an intelligent, articulate man, used to giving orders, being in control, dealing with documents such as those being conferred over. I watched as Sally and Mr Saunders worked together, synchronising the timing of events leading up to the court hearing, clarifying interpretations of events surrounding the Minister's recommendations following the implementation of Section 20. Preparing for battle.

The final character in this saga had arrived: the Crown Law representative for the Education Department. He was not the imposing figure I was expecting. Medium height, suit and tie with a faintly lived-in look. Briefcase in hand. Unprepossessing. Sally went to make contact, recognising him as a respected foe from previous battles.

Mr Saunders told me how this was the culmination of a two year battle for he and his wife. He told me how disappointed he was with the Section 20 recommendations, finding them too broad, too open to interpretation. He did not want his son at any Education Support facility, insisting on full integration into mainstream schooling. His lack of trust of the Education Department was transparent, as was his hurt and disillusionment as he told me

"My son has been expelled several times and he is only eight years old".

When I suggested that expelled was a harsh word to describe a series of unsuccessful trials at a range of schools he replied:

"Alright then. Rejected. They have rejected us five times. Both Catholic and State systems."

Sally returned to tell us that the time had arrived. The court officer announced "Anthony Saunders versus the Education Department."

The courtroom was surprisingly intimate. I sat in the back of the two rows of seats, accompanied by Mrs Saunders (arriving just in time) and two young women, possibly family members. Two police women were stationed near the closed door, a bizarre setting to determine a child's school placement. I felt very conspicuous, an intruder in a personal battle. All eyes were on the main characters... the Education Department representative, Sally and Mr Saunders. We rose as the magistrate entered.

There was an air of reasonableness in the courtroom, almost negating the subtle power play taking place. Quiet, carefully chosen words cleverly ensured that the Department's interpretation of Section 20 was succinctly expressed. It was made clear that at any stage the Minister could give new directions.

A court hearing was arranged for November, pending successful access to legal representation for Mr Saunders. I gathered that negotiation was expected to take place within the next two weeks, prior to the confirmation of the hearing. We rose as the magistrate departed. I was left with a feeling of anticlimax.

Anthony's fate was still undecided, although it had been agreed that the current schooling arrangements would remain while negotiations were under way.

As we filed out of the courtroom Mr Saunders expressed a sense of defeat. It was all settled. Negotiate or lose. There could be no success for him in a full court hearing as the Department would call the Placement Panel as witnesses. Immediately outside the courtroom door the party stopped and started organising the negotiation. I tried to make myself as inconspicuous as possible during this pre-negotiating, difficult in the now crowded waiting room.

I felt faintly ridiculous hovering behind a pillar, looking for an empty seat. The subdued atmosphere in the waiting room made it easy to overhear the conversation. In fact most people in the room were listening to distract from the waiting.

There was a shift in the locus of power now with Sally and the lawyer deep in discussions of timing of letters crucial to final appeal dates, each justifying their stance, each willing to instigate negotiations for settlement, each recognising an equal opponent.

The parents were not exactly excluded from these plans but carrying on a parallel conversation, adamant that they would fight, determined to go to the Equal Opportunities Commission to ensure their son's placement in mainstream schooling.

The group moved as one out of the court building and along the paved surrounds towards the car park oblivious to the surrounds, continuing their parallel soliloquies. Occasionally conversations mingled, points were made and taken. Sally counselled the parents to negotiate if possible as any other course of action would be protracted; another case had taken four years to reach court stage.

The lawyer remained impartial, accommodating of the parents' need to purge themselves of the frustration with 'The System' as if he as a representative could act as a messenger. Mrs Saunders, her face worn and stressed, insisted on pursuing her son's rights, with an almost evangelical zeal.

"How can the Panel make a prognosis? What evidence is there to say that Anthony won't improve? Who can say to what extent the socialisation and verbal stimulation will aid improved learning? I know my son is different, but not so different that he can't be accommodated in the local school. My taxes pay teacher's wages and I have a right to expect equal services. I won't concede defeat. Placement in a centre is defeat."

I could see no quick resolution here, no sense in continuing my farcical hovering in the vain hope of talking to these people today. It was time to go.

I rang Sally four weeks later to find out what had happened, fully expecting to be told that the situation had been resolved.

Yes, the negotiations had taken place.

Yes, she as Parent Advocate and the Education Department representatives had been able to successfully negotiate a compromise.

Yes, she felt that the Department had made quite a significant effort to resolve the conflict. They had offered to set up a small unit within a nearby mainstream school (catering for only four students with severe disabilities) enabling socialisation with integration during non-core subject time, ensuring the verbal environment so important to the parents. This was an innovative move within this state.

No, the situation wasn't resolved.

The parents rejected this interpretation of a 'unit', seeing the offer as a version of a special school on wheels. They did not accept that their son needed to be segregated in any way from the normal Year 1 class.

No, they were not proceeding with the appeal to the Children's Court. They could not afford to. Anthony was their sixth child.

Yes, they are still thinking of approaching the Equal Opportunities Commission.

Yes, Anthony is still attending the original primary school.



The story had fascinated me from the start. I had followed the progress of the parents' battle via the press, watching the various television cameos, facets of the saga tantalisingly missing. There were three families involved. Three separate

disputes, three quite individual cases with potentially different solutions. The battle had been fairly public, with intermittent news reports, the occasional rush of letters to the editor, a couple of brief TV news items.

Why would these seemingly normal parents defy what one could surely assume was sensible, informed advice about their son's education? What motivates them to continue to refuse to comply with the Department's wishes? Why has the issue generated such anger? What if they continue to say 'No'? Why does the Education Department need the law of the land to settle disputes about student placement?

I had decided to use this story for my Master of Education thesis. I had intended to trial story-telling as a research method and this seemed to me the perfect opportunity. As a mathematics teacher in a government high school I had personally experienced the frustrations of teaching students with significant disabilities, in fact I was to have a blind girl in my class this year, without an aide. The inclusion issue had not yet impacted on high schools, but I was aware that it was only a matter of time. The approach taken by the primary schools involved intrigued me, as did the attitude of a wide range of people who warned me about becoming too curious.

The story had become irresistible as soon as the warnings began. Be careful who you question. Are you sure you will be allowed to ask? Be aware of the consequences. Why would people feel the need to warn me about my employer?

Was this paranoia at its peak? Surely the worst I could expect was simply to be ignored, or maybe patronised?

The threats to sue me came later.



Those first few meetings were not really interviews. It was time to gauge empathy, a trial. We mouthed the platitudes, danced the dance, testing reactions. Even though we had spoken at length on the phone it was an unspoken agreement that if no rapport happened, nor would any story. I had taken flowers that first time, my metaphorical apology for the planned intrusion into their lives. I little realised at the time that what seemed to me such a small token was, for these families, a rare luxury. It was, however, to assuage my guilt for no matter how carefully I explained my intent I knew instinctively that they had no concept of the extent to which I intended to intrude. I wanted to know how they thought, why they continued their battle. I wanted them to tell their story.

It was as if I had discovered a sub-culture, with its own networks, mores, support systems. I would never be a member. Entry required you to have borne a child with an intellectual disability. I was accepted to a degree, carefully vetted at each stage. As trust and rapport grew I was allowed greater access to an understanding



of their resultant lifestyle and expectations. The hesitancy, the wariness gradually gave way as their need to tell their story took over.

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## CHAPTER 2

### **‘A question of choice.’**

I had always assumed Sally would participate in my quest. Her response to my request had been quite overwhelming, which was just as well as she was clearly the gatekeeper to the parents. A bigger problem was to curb her enthusiasm. Sally's answering machine gives an emergency mobile number and an assurance that if necessary she can be paged. To me this was a real indication of the level of support she was prepared to give to these parents.

I followed her directions carefully, but even so finding her property in the hills was a challenge. Even more of a challenge was maintaining a conversation in any sort of logical sequence in a household bursting with boisterous children, exuberant pets, and noisy toys. Especially when the participant is carrying on three simultaneous conversations with intermittent children, the mobile phone and me. Life in this household is full on, overflowing with books, papers, toys, household trivia. There is a vibrance and a chaos that is quite exhausting. I knew one child had autism, though it was impossible to tell which one in that setting. Eventually the children departed to play outside, leaving me perched on the only vacant stool in the kitchen trying to talk to Sally before some unforeseen interruption.

I couldn't help commenting on the pace of her life and how draining it must be to continually be available to parents.

"But they need help", said Sally, as if no further explanation was necessary. "By the time they get to me, they're out of their depth. They have been to meetings at the school and they can't interpret what is happening. When I get a phone call the parents have been supported by an agency up to the point where the situation has got out of hand. And so the agency tells the parents 'Ring Sally Johnson'."

There had been several phone calls while I was talking to her, parents requiring help. Some had been answered directly, some calls would be returned when I left.

"I find the parents need someone to listen to them. I can sum up situations very quickly now. When they ring I always give them a direction or a hope, perhaps somewhere else for them to access information. I always get them to come back and let me know how they have got on. They never feel they have been put out and left alone. I get them to make the phone calls and write the letters. Rights have responsibilities and with the parents doing the work the responsibility is theirs. We only take the top edge off it."

I assumed she gave directions to the parents regarding the contents of letters and points to make during phone calls. The responsibilities would develop slowly. The 'top edge' in the Section 20s was not an insignificant responsibility to take from a parent!

I watched as she walked over and re-boiled the kettle. Her commitment and the compulsion were reflected in her nervous energy, her uninterrupted flow of words. Any comments I made were as if to myself, as she became engrossed in the telling.

"You see, the situations are usually resolved at the school level. The Principal deals with it himself by calling meetings with the parents and saying 'We can't cope with your child' or 'We don't believe it's the right placement.' The Principal enacts a power of selection. Most times the parents don't realise they have any rights, so they give in to the Principal's wishes. Besides, often the school psych would have been an instigator, in carrying out the wishes of the school. And because of the psych's position, the parents take the placement recommendation as a professional judgement of their child. It is frightening to have somebody like that, a professional, telling you that you are making the wrong decision about your child."

"That's how Denise and Sharon's cases started." These were the parents whose battle to have their sons remain in an Education Support unit was to be the focus of my study. Sally was angry, totally absorbed in relating to me the injustice of the situation. "The school said 'We've given you a little trial, and it didn't work. Your kids need to go back to a special school.' At that stage the parents rang me and I told them they have a right of choice."

She looked at me, her face tight with annoyance. "And because those parents were willing to say 'We don't want our children to move' the District Placement Committee's recommendations were rejected and a Section 20 was invoked."

I couldn't help but wonder at Sally's simplistic statement about the use of Section 20 in these cases. She made it sound as if she had provoked the situation. Was it just a matter of the right set of parents coming along? A test case scenario? How many other advocates had similarly advised, supported these parents? I knew that both families had and still were recipients of advice and services from the Disabilities Services Commission . Were other people with other agendas involved? Did the fact that a Section 20 case had already been set in motion in another district make these cases a forgone conclusion?

Or was the ground swell of potential Section 20 situations such that this case was inevitable. I had already been told of several other cases on hold, waiting for the Minister's response to the Independent Panel's decision. Maybe the parents simply had no further option but to fight.

In order to gain some insight into the significant problems identified by the school as reason for not being able to accommodate the two boys I needed to talk to the Principal and the teachers involved in teaching Sharon and Denise's sons. It was time to approach the school.



As both the case studies emanated from Hadfield Terrace Primary School I phoned the Principal to request permission to conduct my research in his school. I had received an Ethics Clearance from the University, so I was anxious to proceed. The Minister had already accepted the Panel's recommendations for these two boys. My story was to be retrospective, but starting to gather data was crucial.

The Principal was difficult to contact. I rang several times during the week, even leaving my phone number for him to return my call, although I hadn't really expected him to do so. I felt (quite correctly, as I was later to confirm) that he was avoiding me. He thought I was a journalist! By that stage, I was certainly beginning to feel like one. His initial response to my call was distinctly frosty.

He was polite, but backed off very quickly. He wanted a clearance from the Education Department and said I should contact the Director-General. He explained that he had already done all that I want to do. He had written reports, sat on committees, analysed the situation. He was not registering my request at all.

He sounded stressed, almost conspiratorial in the way he told me that he was being hassled after the press release the previous week. That the press wanted him to respond to misquotes by the parents. He made reference to the difficulty

of coping with angry and upset parents. When he started telling me that his school was being used as a precedent because of what happened, I had a sense of being an opportune ear to his frustration with the whole situation. He quoted a third case in the school, telling me that more parents were going to fight the system.

I was fairly despondent by now but determined to at least explain what it was I wanted to do. To give him due credit he had the grace to at least listen to me. I told him about my research, told him I was teacher as well as parent and could empathise with his staff. He countered with the fact that it was a very sensitive situation, with lots of legal issues involved. Did he consider the issues beyond a mere teacher's ability to comprehend? His comments were quite patronising.

One last try, I thought. I told him my aim was not so much a policy study, that I wanted to explore the reactions, the reasons for the impasse. That I had no intention of embarrassing any one. That my research went ahead, regardless of his active participation.

No luck. I thanked him and went off to write my letter to the Director-General. A pointless exercise, I thought. I'd already followed the Education Department's Policy on Research in Government Schools. This was a single school study, so I was sure to be referred back to the Principal. I consoled myself with the fact that at least everyone else was willing to talk to me, trying not to over-react to the great hole that had suddenly appeared in my data collection. I hadn't counted on

the implacable nature of the Department, though. That little surprise was still to come.

I needed to talk to the parents. Both families had been willing participants, the initial contact by phone already triggering many stories. Besides, the parents' enthusiasm was a comfort after the Principal's rejection. I was interested in determining impressions of their initial contact with the school and the conflict leading to the need for a placement recommendation by the District Placement Committee.



Acacia Park is a new, outer metropolitan suburb, with young families, trees barely at roof height and a smatter of For Sale notices. Sharon's clean, sparsely furnished three bedroom home was typical of homes in the area. She is a sole parent and although she had a supportive family network, there was no-one to provide constant support for her inclusion plans for David.

David is a child with Down syndrome.<sup>1</sup> This is a congenital defect, resulting in a wide range of intellectual and physical delays. The children usually have some reduction in body and head size, stubby hands, and thick-set neck. The

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<sup>1</sup> CaF Directory of Special Conditions & Rare Syndromes. (1991). London: Contact a Family.



distinctive facial features include eyes slanting upwards with small folds of skin at the inside corners (giving the oriental look that prompted the 'mongoloid' label), small flat nose and ears. These physical characteristics bring with them related vision and hearing problems. Many children with Down syndrome suffer respiratory problems and heart defects.

The children have a wide range of abilities, determined by heredity and influenced by early stimulation. The degree of intellectual disability varies from mild to severe, but most have difficulty with abstract thinking. Learning tasks need breaking down into simple, small and sequenced steps, frequently repeated, using as many concrete means of input as possible. Poor muscle tone, combined with a tongue set forward in their mouths, makes speech difficult. Speech therapy is essential to assist in development of clear communication. The poor muscle tone also impacts on physical development, so fine and gross motor skills can be delayed.

Other cognitive and behavioural problems depend on the degree of intellectual impairment and are impossible to generalise. There is steady development, though at a slower pace than usual and no evidence of regression of intelligence in childhood or adolescence. David's development should slowly progress until his fourth decade. At this age he may be susceptible to the pathologic features of Alzheimer's disease, a condition common for adults with Down Syndrome.

“Within two days of David starting school I was summoned to a meeting with the Principal to be told that my son was on a six week trial. I was so incensed about that. I tell you what, when you're told your son is on trial, your back really goes up.”

I could see that even the memory of this trial made Sharon angry. I sat at her kitchen table while she reminisced. Sharon's two daughters were engrossed in a video next to us, and David wandered in and out of the room, concentration lagging during the slow moments of the video. David is a short, solid 7 year old with a cheeky grin and knowing eyes, his obvious language problems a reminder that his development was not normal. He was inclined to be the instigator of mischief that day. Perhaps, as with most young children, he was resentful of a visitor dominating his mother's attention.

“David had been at a special school for two years, but I was getting very frustrated with his progress because he was losing his verbal skills and learning the wrong behaviour from other kids. It was time to move on”.

Sharon had enrolled David at the local school last December in an attempt to mainstream him, perhaps naively expecting no resistance to her inclusion plans.

“The Principal was O.K. about enrolling David and applied for an aide. The Year one teacher even contacted me to say she was looking forward to the challenge of teaching him! I had a phone call from the new Senior Area Psych suggesting I consider the Ed Support unit at Hadfield Terrace Primary School. I didn't know

anything about units but the school was only 15 minutes away so I was interested.

Two days before school started we enrolled him at Hadfield Terrace.”

Sharon’s reluctance for her son to remain at a special school came from her belief that he needed a more challenging environment. Both the families involved in my study wanted to move their sons away from the concept of being excluded from the normal school environment, wanting at least partial integration into a mainstream classroom. As most students in the special school setting are non-verbal, the parents saw no opportunities for their sons to learn to communicate with their peers, no chance to model chronologically appropriate behaviour. They did not see an education to be a matter of social skills, but of reading and writing, the essential 3-R’s.

They could see that the need to teach the children to follow instructions, take turns, interact with peers, communicate and behave in a socially acceptable manner was an essential pre-requisite to integration into any unrestrictive environment, be it a school room or some other work place, but they saw the teaching of these ‘social skills’ as their own role. The school was to provide the reading and writing, the real education.

They assumed that staff in the unit would have the expertise of those at the special school and the aide time needed to cope with their child, to give the individual attention to child and parent that had been their only experience of the Education system. An assumed right. An unrealistic expectation? Perhaps not even a conscious expectation for a parent.

"This is why I'm just blown away by this Section 20. I'd listened to some quite common sense advice about why David should go into an Ed Support unit to continue to get specialist help and gradually be integrated into mainstream school. I actually changed my mind. I thought I was being quite a reasonable person about it."

Sharon was quiet for a moment, watching the children, lost in thought. As she started to tell me of those first days of the school year there was almost a wistful tone to her voice. She had wanted, believed that it would work.

"I made an appointment and went to introduce myself to David's teachers on one of the early closing days in the first week. I was quite nervous when I introduced myself, but I wanted to let them know that in all the other schools I had worked on the programs together with the teachers. I'd always had very positive contact with teachers."

She smiled in memory as she stubbed her cigarette and looked up at me.

"I suppose you have to laugh, but at the time it wasn't very funny. The teacher was stressed, flustered and angry. She showed me some toys David had broken and while I was offering to fix them she turned on me and said 'Mrs Oates! Just what exactly do you want us to do with him? I just don't understand!'

"Pretty stupid question, I thought. 'Teach him?' was my answer."

The bitterness in Sharon's voice surprised me. I couldn't help wondering if she had misread the teacher's intent. Or was the classroom situation so frustrating for the teacher that no input from a parent could possibly help.

"It was like a war zone after that. I really felt that they didn't want to try. It was like: 'Put up with the kid while we have to. Fluster the parent as much as we can so that she sends the kid back to special school. Intimidate the parent as much as possible. We want her to give up. We want her to pull out'."

I wondered if Sharon's perception of attitude was a defensive reaction to the teacher's summary of her son's problems, or whether the staff had a closed mind to David's inclusion.

"I know there were a few problems with David's behaviour. He had a couple of accidents because he didn't know where the toilets were. His playground behaviour was a problem, but that's to be expected. It was a big adjustment for him, he wasn't used to the freedom. His verbal skills weren't too good. But that was why I wanted to shift him from the special school! He hadn't had any other kids to talk to!"

She sounded quite defensive giving her summary of David's problems, as if these issues had been raised in other forums. Perhaps in answer to the issue of the trial?

"I have often tried to explain to teachers that he tries to say the words, but he can't get them out properly because he has a physical impediment in his mouth so it's difficult for him to say the words clearly, but he knows." There was no

forgiving here. The system had judged Sharon's son to be less than adequate and she was fighting.

At that stage the situation at the school had deteriorated to the extent that Sharon was not permitted to speak to the staff without a third person present! In all my teaching time I had never been in the situation of needing an independent witness every time I spoke to a particular parent and I had interviewed some very angry parents. Either Sharon or the teacher must have felt very threatened to resort to these measures.

She had chosen as her advocate a representative from the Disabilities Services Commission, a friend from previous battles. The school referred her case on to the District Office and the Placement Committee met several times to determine an alternative school for David. Sharon was invited to one of these meetings to give her perspective of her son's educational needs. She was livid as the memory seeped through her.

"I was refused permission to take someone with me to that meeting. It was extremely intimidating. I was very scared, very nervous because I knew this was my child's education on the line. At the time I thought that was the only place I could go. That this was the Education Department's final answer."

I imagine that at this stage the Education Department thought it was their final answer, too. There would not have been any expectation that the parents would openly defy the Department's 'recommended' placement.

“They gave me a set of questions as I walked through the door. Things like ‘What are your perceptions of your child's needs?’ I basically answered them from the heart. I was in there about 15 minutes then they said ‘Thank you for coming in Mrs Allen. Thank you for your very articulate speech. That will be all. We'll let you know of our decision’. I felt patronised.”

A quiver came into her voice as she reacted to the recollection. David had wormed his way onto her lap, and she held him close as she spoke.

“When I came out I was just shaking. I sat in the car with tears falling from my eyes. Look at me, I'm crying just remembering it. I bawled my eyes out for about half an hour. I couldn't move. I had this overwhelming sense that I had lost.”

“This Placement Committee was new to everyone. No-one had expected it to go this far. I read in the newspaper that the Director-General said it doesn't usually get to this confrontational stage with parents. They always manage to talk things out. But I put it down to they always manage to intimidate the parents by then. I had no idea... they had no idea... how long I would have to wait before I'd get an answer. Then the answer came that David was to go back to a special school. I refused to do that.”

She looked at me, answering the question of why she continued against this advice. Why start a battle she had possibly no chance of winning?

“Look, I had worked bloody hard for my son for years and I'm not about to let any ignorant person take all that away from my son or me. I'm not going to let him lose any opportunity that is out there for him if he has a right to it. And he had a right to that unit. He fitted the criteria perfectly: children with moderate to mild intellectual disability. David fits spot on.”

On what basis had she judged her son as a child with a moderate to mild intellectual disability I wondered. I knew that she (and other parents I had spoken to who had children with an intellectual disability) had consistently refused permission for any ‘testing’ of her son in order to avoid any negative expectations of potential development.

“If I had not seen the tremendous progress he made verbally in that eight weeks I would have pulled him out. But the progress was amazing. He was a changed boy. Even the bus driver noticed. He commented to me that David 's speech was coming along so well!”

David had not yet spoken whilst I was in the house. All his communication had been through pointing and pulling at his mother's arm. I would need to wait until the novelty of my visits had worn off for David before I could make a judgement about his improved speech.

“I was convinced that the unit was the right place for him and I was prepared to do anything. A lot of people said to me ‘If all of this is going on, why have you kept him here?’ and my response to everyone was and still is ‘He is progressing



more rapidly than ever and I'm not taking him out of that situation for anyone. Not even if it was to relieve my own stress'."



The second family involved in my study lived only streets away from Sharon. The two families had become a mutual support network since they were thrust into similar conflict with the school. Sharing an Advocate helped, of course, but the mutual help extended past the formal acknowledgment of involvement in the same public conflict with the Education Department. Problems were discussed, comparisons made, comfort given, anger dissipated over a coffee and a cigarette.

Paul and Denise were keen to talk to me and to accommodate Paul's working hours (and my teaching hours) Sunday afternoon gave us the necessary time for a relaxed 'conversation'. There were many issues I wanted to raise, but this first interview was to gain some insight into their rejection of the Placement Committee's recommendations.

Denise is a petite, feisty blonde with a dry sense of humour. Her husband, Paul, is a gentler, more conciliatory personality. He prefaced any comments with a glance in his wife's direction and often laughed knowingly as she expressed her anger and frustration. We were sitting under the pergola, talking, watching with amusement as Josh clawed his way around the outside of the house, vainly

attempting to control his legs in his new roller blades. Two of the younger children were riding bikes around us and the baby was having his afternoon sleep. I tried to look nonchalant as the large dog under the table licked my feet.

Denise and Paul had been telling me about their growing understanding of ten year old Joshua's problems. He is a shy, attractive child, tall for his age. Joshua was diagnosed as having Fragile X when he was 3 years old. Fragile X syndrome is the most common inherited cause of intellectual disability and after Down syndrome, the most common genetic cause of intellectual disability.<sup>2</sup> The range of effects in males and females varies enormously from mild learning problems to profound mental retardation. Children with Fragile X syndrome are often very shy, avoiding eye contact. They have a short attention span and exhibit many of the symptoms of Attention Deficit Disorder. A busy environment, such as in many classrooms, can cause a 'sensory overload' leading to panic. Research indicates a decline in intellectual development with age. Boys with Fragile X reach an academic plateau at around 14 years of age. Denise told me of the shock, the helplessness they had felt when told their son had an intellectual disability with limited prospects of functioning normally. He had been a healthy, lively baby who seemed to reach all the usual stages at the right time. The only real concerns they had were his lack of any speech by the time he was three years old and his incessant rocking and head-banging. They

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<sup>2</sup> Kerby, D. & Dawson, B. (1994). Autistic features, personality and adaptive behaviour in males with the fragile X syndrome and no autism. *American Journal on Mental Retardation*, 98, 455-462.

had really believed he had a hearing problem and were devastated to find that not only was he diagnosed as having Fragile X syndrome but no-one could give them any real idea of what lay ahead.

I watched Denise become more animated, more articulate as she described for me the relief of finding other parents with similar children, how the discovery of a support network and the information gained at each meeting helped to explain Josh's hand flapping, occasional aggression, reluctance to make eye contact, his solitary nature, his speech problems and his quite distinctive learning problems.

She also told me of the supportive network encouraging parents to actively choose their son's school placement if they felt the need to provide a different learning environment for their child.

Joshua had spent the past two years at a special school, waiting for a vacancy at the Educational Support unit at Hadfield Terrace Primary School. For some reason there was no record of Joshua's name being placed on this waiting list. Denise was very bitter about this, considering the two years as wasted learning time for her son. She looked across at her son, who was quietly fighting his roller blades again.

"His speech was going, his reading skills became non-existent. We asked for a program for him, some homework. They said 'Unfortunately, we mainly deal with life skills.' Didn't impress me. I said 'He doesn't need life skills. The kid needs an education.' That's when we started pushing for a change."

Denise proudly told me how she had successfully instigated a trial integration at the local Primary School last year, gradually building Joshua's integration to two days a week in a Year 4 classroom. This was the same primary school Sharon had approached to enrol David. Denise had felt an overwhelming need to know just how her son would, or would not, cope in a mainstream classroom. At the same time Joshua was attending a satellite class through the special school three days a week. Paul was quick to explain that he personally paid for an aide who worked two half days a week to help the mainstream teacher cope.

This was a single income family in a new suburb, the small home showing distinct signs of housing four young, active children. A new car was in the drive. To pay wages for a teacher aide would have been a major financial commitment for this family. When I commented on the expense involved for them, they both answered:

"These are the limits to which we're prepared to go . We wanted it to work, and it did. He was like King Cocky walking through the door in the afternoon."

There were tears in Denise's eyes as she told me how only yesterday one of the local children had come to the door asking for Josh. "I thought he meant Siobahn, Josh's sister. I thought he'd made a mistake. But he said 'No, I want to play with Josh.' This has never happened before. No-one has ever come looking for Josh. I was so happy for him."

Paul glanced sympathetically at his wife, talking more to her than to me.

“You see, we can’t really make any predictions. We just have to hope it works. We’ve been told that the boys stop learning after they get to about 14 years old. Or learn at a much slower rate. Up until he decides he doesn’t want to learn any more, we have to cram as much into him as possible.”

“That’s been the whole reason we have pushed that he stay where he is.” Denise finished his thought.

They continued talking, expanding on each others comments, sequencing and justifying the series of meetings leading to the Placement Committee interview.

“I was really angry about that interview. I was there to put my own case across and I was greeted with questions to be answered. It’s not fair to start with. I thought, I’m here to put my case forward, not answer questions.”

It struck me that at this stage the parents really had no understanding of the role of a Placement Committee. Nor had the District Office, according to Sharon and Sally. It seemed that everyone was working through a process for the first time. Denise continued to explain how she had prepared herself for the meeting.

“I read through their questions and thought of some comments. I took a little blue file in with me with some notes I had made just in case I needed some help in remembering things. When I was ready I walked in, put my hands on the table and looked at one of the Principals. I looked him dead in the eye and thought: ‘You’ll do, mate’.” Her confrontational way of covering any nervousness would not have escaped notice. Would it have been misinterpreted?

"I was so nervous! My heart felt as if it was outside my body. But I wasn't going to let them know that, so I sat there and answered their questions."

She smiled as she recalled her retaliation.

"The Principal was sitting there fidgeting. I turned to him and said 'If Josh was your child you would be doing exactly what I am doing, fighting for the right of your kid. You wouldn't put your own child through this.' He didn't know where to look."

Another bitter smile. Certainly a barbed comment, knowing the Principal's son had an intellectual disability.

Paul looked across at his wife, expecting, predicting, her angry memory.

"The day I received the letter telling me that Joshua was to be sent to an Ed Support centre I rang the Principal of the centre and said 'Josh is **not** attending your school. I have no intention of making an appointment with you. He is going to Hadfield Terrace, even if I have to camp on the doorstep. And it won't be a trial, either.' I rang the District Office again and said 'He is **not** going to the centre. I've told you until I'm blue in the face.' I said again he was returning to the unit, and left it at that." Again the wordless glance.

"Then the letters came."

Denise and Paul's rejection of the Placement Committee's recommendations resulted in an escalation of the conflict within the school and the recommendation to the Minister that Section 20 of the Education Act be invoked. Sharon had also

rejected the Placement Committee's suggestions and so two 'Section 20s' were concurrently invoked at the same primary school.



I wanted another perspective on the need to use the Placement Committee to potentially resolve the conflict at the school and some information about availability of teacher aides, an issue raised by both parents. Where better to ask than the District Office.

I was fortunate that the District Superintendent had known me professionally over a period of ten years. I'm sure it influenced his decision to talk to me, as I would have to assume my integrity was not in doubt. It certainly made the interviews more relaxed and perhaps more informative.

Despite the sensitive nature of my questions Doug was generous with his time and answers. He had taken a pivotal role in the proceedings and seemed keen to take advantage of my queries to explain and redress some of the issues raised by the parents (and especially the advocate). Doug is a tall, well built man with the quiet, old-fashioned good manners of my father. As a professional of many years accusations of less than honourable behaviour, of insensitivity to the needs of the two boys would have been very hurtful.

As we walked from his office to the small kitchen to make a cup of tea, he showed me the room where the meetings had taken place. The District Office was housed in a former company building, an elegant old home set in beautifully tended gardens. The former board room was used for meetings, a grand venue indeed. I could see why the parents had felt out of place in such a formal setting. Of course, they would not have seen the rabbit warren of tiny offices, the corridors filled with photocopiers and make-shift desks behind the reception rooms.

Doug's office was on the same grand scale as the rest of the building. Plenty of room for the large desk and the ubiquitous round table and four chairs. As we settled into a comfortable conversation, I was very aware of the presence of several office staff in the next room. As in other interviews, I had the sense of people hovering, almost protective, as if they knew I was interested in the Section 20 story.

I asked him about the Placement Committee and the parents' perceptions of intimidation. He conceded that perhaps they could see the situation as uncomfortable in that it was a strange place, with strange faces. He suggested that the parents would not be used to talking to 'authority' figures and despite the very controlled, quiet questioning any preconceived ideas held by the parents would have been pervasive.

From my own experience even the most confident of adults becomes slightly defensive, sometimes brash to cover their nervousness when placed in the



position of defending their child, especially when their child's ability to cope within a learning environment is being questioned. I could see that in such a formal setting, with so much at risk and especially after such confrontation in the school setting, these parents would have responded negatively to the controlled overtures of the Placement Committee.

I wondered if it had been a matter of conciliation. If maybe it could have been resolved at the school level. If it had been a matter of personalities. There was a sense of frustration, of regret in his reply.

"It's more than conciliation. It requires providing the school and the teacher with what is necessary to deliver what is agreed to be an adequate programme. So it's resources. We are hearing that what the parents want now is for teacher aides to be made available to enable integration of their children into less restrictive settings, but as a district we can't provide it. We can't deliver what is really needed."

I thought of the statements in the Education Department's Social Justice Policy (1993) which clearly acknowledged the growing recognition that students with disabilities should be educated alongside their peers and the increasing number of parents of children with disabilities seeking to have their children educated in regular school settings. Denise and Sharon's desire to include their sons in a less restrictive educational setting should not have been any great surprise to either the school or the District Office.

However, the question of resourcing this acknowledged shift in parental expectation was not resolved in the Social Justice Policy. And perhaps only a select few educators were aware of this shift in expectation. Perhaps only the policy makers and maybe only schools where the parents had asked for this perceived right. Perhaps it was one of those cases where policy and practice don't (can't afford to?) match. Hence Doug's dilemma. He shook his head in quiet resignation.

"I can't do it for them. I can't release resources. I don't have resources. I don't have the authority to put a teacher aide into the school, or to increase the teacher's D.O.T.T<sup>3</sup> time to enable them to do the collaborative planning they would need to do with the parent and other professionals. I simply don't have the authority to do that. So we're in bit of a bind."

"Do you have any sense of what motivates these people?"

"The parents who are making this move are, I guess, challenging the Department's policy, wanting the Department to provide the extra resources necessary to accommodate their child's special needs, as happens in country schools." He was quiet for a moment, as if still justifying to himself the Department's position on this matter.

"Back to your question about the Placement Committee." He became brisk and matter-of-fact in his explanation.

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<sup>3</sup> Duties Other Than Teaching

"The Placement Committee met on three occasions, to consider what its recommendations would be. Before making any recommendations, they had input from the Principal, the teachers and the parents, both by reports and also personal presentations to the committee. Information was sought from Principals of the child's previous schools, as well as from possible placement schools. We could only make our recommendations known to the Department and wait for their response. Then it was a matter of whether the parents would take up the Placement Committee's recommendations." He gave a wry smile.

"Which, of course, they didn't."

At the end of first term, the School Review Committee suggested to the parents of both Joshua and David that a staging of placement would be a more appropriate transition to the less restrictive environment of the Education Support unit at Hadfield Terrace. It was suggested that Joshua spend three days a week at an Education Support centre and two days a week in the unit at Hadfield Terrace. The School Review Committee suggested that David return to a special school for four days a week, with one day a week spent in the unit at Hadfield Terrace. For both boys, the suggestion was made that time in the unit could increase, dependent on their demonstrated readiness for formal learning and the availability of an increase in teacher's aide time. The situation was to be reviewed each term. These recommendations were rejected by the parents of both boys.

Subsequent to this, the District Placement Committee recommended that an Educational Support centre was the most appropriate placement for Joshua and a satellite class (a less restrictive setting within a special school) the most appropriate placement for David. Both placements were to be full time, the previous offer of a staged placement no longer available. The District Placement Committee's decision was seen by the parents and the Advocate to be much harsher than the previous offer made by the school. Both placements would involve a longer bus trip for the boys, who were currently transported by the special bus service which collected and returned the boys to their homes.



A search of the relevant documents obtained by the parents and their Advocate through Freedom of Information and made available to me gave some indication of the school's assessment of both the children and the resources deemed necessary to accommodate the boys' particular needs.

The school reported that their inability to cope with either David or Joshua in the current situation was a matter of inadequate resourcing, training, aide time and equipment. Despite repeated attempts to modify and adapt current resources and programmes available in the Units, they felt unable to provide adequate supervision or an appropriate education for the two boys, except to the detriment of the other students.

David was considered to be functioning at about a two year old level and Joshua at a Year 1 level, both nearly five years below their chronological age.

The staff considered both boys had higher support needs, which impacted negatively on the other children in the unit. A need was seen for greater expertise in staff and greater resourcing to accommodate the particular behavioural and cognitive problems faced by the boys.

David needed full time supervision in the playground, as he was liable to try to leave the school grounds. He used avoidance behaviour when confronted with a request he wished to ignore. This could take the form of running away, struggling and crying, placing himself in a position inaccessible to adults. In class his behaviour could be quite disruptive with his constant noises, rolling on the floor, touching other children, hiding under desks.

Joshua needed specialised help to cope with his sequencing difficulties and cognitive problems. These problems directly affected his ability to learn to read, count, write and follow directions. He was seen to be an insular child, who retreated to a fantasy world when unable to cope.

It was felt that both boys needed behaviour modification programmes. Both were easily distracted, could not stay on task without individual help. Both boys needed speech therapy, as two or three word sentences were rare from either boy. Both had limited conceptual development and needed a program set at a significantly different level to the range of programmes already offered in either

the senior unit, where Joshua was placed, or the junior unit, where David was placed.

A social trainer was seen to be necessary to help both boys adapt to the requirements of the more open environment of an Educational Support unit.

There were concerns for toileting assistance needed by both boys.

The staff felt that both boys would benefit from a gradual integration into the unit setting, whilst based at a more appropriate Educational Support facility.

## CHAPTER 3

### **‘It was all rather unpleasant.’**

Without access to the school, I needed help from other participants in the process to develop a sense of the difficulties faced by David and Joshua’s teachers in the Education Support units. Of how they coped. Of stress and frustration.

Not having taught in a similar situation, my only point of reference was my sense of frustration and inadequacy while trying to accommodate the particular needs of a 16 year old student with Attention Deficit Disorder. Not an easy task while accommodating the other 30 other students in my class. The physical confrontations implicit in these ‘encounters’ were a challenge I would prefer not to face too often. I could certainly relate to the time and effort spent adapting programmes, the lunchtimes used for counselling, the many meetings with the parents to work out strategies for all three parties (the student, the parents and myself) to cope in a system seemingly oblivious to our needs.

I could also vividly recall the overwhelming challenges involved in integrating students with physical and intellectual disabilities into my classroom. Seven years ago I had been teaching at a high school which shared its campus with an Education Support centre. As a school community we had initially felt threatened by the ‘imposition’ of such inclusion, but gradually took on ownership of these students and their related problems. It had been a learning experience for all of us, certainly not without significant problems and frustrations. These

memories constantly forced the question of why the staff (or at least the Principal) at Hadfield Terrace Primary School had taken such extreme measures to avoid the inclusion. Was it because they saw a choice? Would we as a staff in the situation just described have opted to fight if the opportunity had arisen? Possibly yes. There were some very angry staff at my school at the time and I had recently been reminded by one of the 'support' staff of the pointed rejection of any friendly overtures by her and her colleagues on the first day of school.

I could empathise with the Hadfield Terrace Primary School teachers, particularly those in the units, so long as they had remained open-minded and had made an effort to accommodate any reasonable change

Once again, Doug was generous with his District Superintendent perspective, this time sharing his observations of the school's predicament. Doug was most protective of the staff involved, but even so I felt he was giving me as much information as was ethically possible.

"We mustn't forget that these two youngsters were in an Ed Support unit, so the teachers were experienced and could assess the child's needs. They acted very professionally and did everything they could to help the youngsters to settle in."

A very formal reply. And a very different view to that of the parents and the Advocate. I watched as he thought for a moment, turning towards me to continue.



“I believe the teachers had a sense of inadequacy in this situation. With their training they could assess the child’s needs, but they couldn’t accommodate those needs without additional teacher-aide time. And I couldn’t provide that.”

I could relate to that, particularly having taught (tried to teach) students who were blind, or had cerebral palsy. Mathematics may be very abstract, but at a lower school level concrete and visual input is essential. I could well remember my own frustration and sense of inadequacy when faced with teaching spatial concepts to a blind student. Again, I had no solution when consoling a student who wept with the frustration of trying to manipulate equipment when his mind was quick but his hands simply could not respond to his desire to complete a task.

Doug had started to relax now, giving a much more telling view.

“I guess there would have been some sort of feelings those teachers would have had, though, of ‘Hey, this is unfair. These youngsters would really be better placed at another setting where a more appropriate programme could be delivered.’ Further stress came when the parents were seen to be demanding and communication was beginning to break down. Many of the approaches that the parents made to the school might be seen as antagonistic, confrontational.”

I thought of the incidents the parents had shared with me and wondered if other incidents had been avoided in conversation. I was certainly aware of their anger

at being rejected. Maybe once again it was a matter of perceptions. Doug looked at me, as if reading my puzzlement and continued to explain.

“The Principal was very supportive of the teachers. I suspect he would have felt somewhat threatened on occasions by the parents, in terms of their demands to meet with the Principal, making their expectations known, stating ‘You can’t do this’ and ‘You can’t do that’. The rapport that had been reached early in the year was breaking down.” Interesting comment. No-one else had indicated to me that any rapport had existed.

“A lot of this pressure was taken from the teachers by the Principal’s decision not to allow parent-teacher contact, insisting that contact be made through him. He was still finding himself in a very difficult situation with the parents. Communication had simply broken down.”

I thought of Sharon and Denise’s frustration at not being able to work with the teachers. Of their wish for homework, home programmes. Again, I remembered their anger. I thought of my colleagues and my own reactions as teachers when faced with angry parents. How remote, detached we become, not allowing our own anger, frustration, hurt, to permeate our professional stance, our attempts to conciliate. Until after the event. I found myself listening to Doug’s comments as if through a filter of my own experience.

“It was a difficult situation for the school. The Principal had to ensure that these matters were not discussed in such forums as P&C meetings. It had to be clearly understood that these were school matters. The sorts of stories that were running

around the community were really getting quite unpleasant. I heard stories of the school being put down in the shopping centres and rumours were running rife. Management of the situation was certainly breaking down.”

At this stage the conflict had become public in the sense that Sally’s media campaign was underway. Frequent newspaper articles and a couple of brief television reports kept the issues public and would certainly have generated heated debate within the local community.

Doug looked across at me, a fleeting smile in his eyes.

“Strangely, one of the outcomes of all the negative comments was that the teachers and some of the parents of the mainstream part of the school started countering all the rumours. They were beginning to say ‘Hey, this is a good school. Stop knocking our school.’ They actually wrote letters to the paper saying this. We had a group of parents saying ‘ We’ve got a good school here, and you’re misrepresenting the real situation’.”

He pursed his lips at the memory. With his customary restraint, he concluded:

“It was all rather unpleasant. We had a situation that was splitting the community.”

I was still looking for access to other facets of the conflict within the school, and its related community. A hunt through past copies of the West Australian<sup>4</sup> provided some interesting insights to the unpleasantness of which Doug had spoken. For a parent to write to the paper, publicly expressing what I would have to assume was a view shared by a 'faction' in the school, was a real indication of the animosity prevalent at the time, and the ignorance. This letter must have triggered much heated discussion, as well as the provocative follow-up on the 7.30 Report. A brave parent indeed!

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<sup>4</sup>To maintain confidentiality, newspaper articles and letters have not been referenced.

## Disabled need special care

I AM a parent of three healthy, normal children who have all attended Hadfield Terrace Primary School. One is now at high school, two still attend Hadfield Terrace Primary. I have been involved with the school for 10 years.

I have worked with both Education Support Units and mainstream. I would like to know why nobody is asking mainstream parents and children their views regarding mainstreaming of disabled students.

These students go into a mainstream class where the teacher is not trained to cope with them. They sit in a chair and have no idea what the teacher is talking about. Consequently they will play up.

If they answer a question and it happens to be wrong the mainstream children laugh at them. Do you call that fair? I call that disastrous.

These disabled children need special care. Most need occupational therapy,

physio, aquatherapy and much more. Our school is not able to cater to their needs. Will all these children have aides and will all these aides be going into the mainstream rooms with them? I don't see why my children should be disrupted from their lessons.

Who will supervise these children in the playground? I would like the parents of these children and some bureaucrat to come and sit in the ESU classes for one week - not one day or one hour - and see what these teachers are already doing and the problems they come up against.

The parents of these children need to accept that their children are disabled and not try and pretend that they are not.

Accept the fact and deal with it for the benefit of the child not the ego of the parents!

JOAN MASON, Hadfield Terrace.



I had waited a long time for a reaction to my letter to the Director General, requesting an opportunity to give the Department's perspective in my Section 20 story. I was curious now to see how much information would be forthcoming, and how freely it would be given.

The chosen representative had been directly involved at all stages of the Section 20 and the initial contact by phone had been most promising.

The labyrinth of tiny offices belies the spaciousness implied by the vast foyer of the Central Office of the Education Department. I had always thought my working conditions at school were cramped and archaic, but for such a building, this was ridiculous. People were crammed into every possible working space. Hardly conducive to privacy or concentration, as became even more obvious during the interview.

Liz arrived within ten minutes, and after the usual pleasantries, talk of work, families, a couple of interruptions, appointments made and changed, we were ready to begin. A confident, petite blonde, she appeared to me to be unusually easy going for such a relatively important woman. Although it was never an issue in our interviews there was always the sense that she would be a force to reckon with, if she chose to be.

We began with a general discussion of the context in which a Section 20 would be used, progressing on to what was, for me, the more interesting aspects of how the implementation of policy directly affected the lives of those involved. Liz was careful at first, but relaxed to give a realistic insight into the problems faced and reactions generated.

She began her explanation, frustration tinging her words.

“After the suggested placements were rejected the school went straight to the Section 20, to resolution. I very rarely got involved except in an advisory capacity in the beginning. And really there had been a lot of fairly significant attempts at reconciliation before that stage. But in my opinion the parent’s view

of conciliation was: 'Unless I get exactly what I want, I don't believe I've conciliated'."

The frustration was still evident. I knew how pointless those meetings must have seemed, as the parents at that stage had no intention of giving up the battle.

"So the Section 20 was implemented and the Panel was set up. Then the parents went to the newspaper to say they were unhappy with the Panel. I really feel that once the Panel was set up, the parents should have let things be. It didn't matter in the end, but the potential was there for the smear to affect the Panel before it could begin to gather information."

"Because of the very public nature of it?"

"Absolutely."

We talked of the bold headlines, the damning allegations made via the media and that the Minister would only investigate allegations made to him in writing by the parents. As this didn't happen the people involved were left without an avenue to correct misrepresentations. It didn't help that there had been a long running teachers' dispute which was concurrently filling the papers.

"The influence of the press and the very public nature of the dispute didn't in fact influence the decision making because the Education Act makes the process very clear. There are a series of steps to follow. At any time, I suppose, the Director-General or the Minister could have stopped the process. The press coverage certainly didn't speed it up...not at all!"

“Just made it very unpleasant. Very stressful.” She nodded in agreeance, adding that the Advocate had certainly been successful in that aspect. With a slightly puzzled frown, she turned to me and mused:

“The thing about it is, though, if you ask people who supposedly read newspapers, who you would expect to have noticed and followed the dispute about the Section 20, they don’t know. It didn’t register with them. People in this building know about it, and people in the Education Support area know about it, but it is really interesting how little people pick up from the paper. It’s only that we’re so involved in it that makes us so aware of the press coverage.”

I agreed. Whose consciousness was raised by the confrontational approach taken in the press? Educationalists, probably. Other parents of children with disabilities, I’m sure. Some members of the local school community, obviously, as evidenced by letters to the paper. But the wider community? Many of my teaching colleagues were unaware of the issue, indeed most people who asked me about my study were supremely unaware of the whole issue. It would take a lot more than this to shift a community focus. And yet the parents and the Advocate were delighted with the campaign.

“I found it just horrendous. I felt that the paper never gave us the chance to adequately give our side so we felt we were the bad guys.” The hurt was evident. Liz shook her head at the perceived injustice.



“And it’s again my feeling that for people who want their kids included in regular schools, they have to make the other side look like”- she paused, searching for a metaphor - “the worst people in the world. So it’s the black hats, and the white hats.”

Changing direction totally, her comments took me by surprise. Back to the impact on the school, away from the introspection. Her concern for the staff involved impressed me. I suppose it was a classic case of ‘once a teacher, always a teacher.’ Liz could empathise with these people. Their problems were real to her.

“The feeling I’m getting is that teachers in these situations have been **extremely** stressed. Part of the stress on the teachers came from their direct contact with parents who were obviously feeling very stressed and angry themselves. We know that teachers are saying ‘When that kid gets to my year I’m taking Long Service Leave, or Leave Without Pay’.”

Again, I could relate to the stress and the reactions provided there had been an open minded approach taken. After all, my colleagues were often placed in extremely stressful situations. The violence and verbal abuse that is becoming the norm amongst students in large city high schools and which is often directed towards the staff produces an extremely stressful working environment. I wondered if the teachers involved at Hadfield Terrace had any concept of stress levels faced by teachers in other institutions. Maybe my comparison was unfair.

Maybe their over-riding concern really was to provide the most appropriate learning environment for the child.. Maybe the parents had been far more aggressive and abusive towards the staff than I had been led to believe. Without a chance to talk to the teachers concerned I could only base my assumptions on other people's assessment of their reactions and problems. A frustrating, elusive facet of the story.

Liz's answer to my query about her own stress prompted a dry comment, barely disguising her bitterness. The Section 20s had hurt indiscriminately, it seemed.

"I was the one in the Department who copped most of it. See, in this devolved situation, it got dumped onto me as the resident so called expert, although I thought 'resident Charlie' was a better description."

We laughed at her self deprecation, so aptly describing delegation of duties in a large, impersonal institution. I couldn't imagine people queuing for the role of coordinator of the Section 20s!

I appreciated Liz's honesty, recognising the personal conflict seen between the ideal and the reality of resolution of such an emotive issue. She continued, introspective in her portrayal of personal stress.

"For me, it was at a time when the one person I had in the Department who could help with the writing and briefing notes had gone on holiday. My staff were under extreme stress. I was working twelve, thirteen hours a day, coming in on weekends as well just to cope with my normal workload, because that didn't

go away! There were still other Ministerial correspondence, briefing notes to write. I still had all the organisation to do that goes with the running of a branch. And because I was so involved in the Section 20s, the other work had to be done in my own time. Now I think that is untenable. I don't believe anyone deserves that sort of a life."

I thought of Doug's similar comments regarding the increased work load, the endless reports. The process was new to everyone concerned, as was the concept of the need to publicly defend the Department's policy on placement of children with intellectual disabilities. Liz addressed this issue in her frank description of the stress involved in decision-making.

"And for me the personal thing was that I was advising upwards, working closely with the Crown Solicitor. My dilemma was always that my advice was correct, that maybe in working with the lawyer there were issues, interpretations, that I had overlooked. Had I made some error that would come back to haunt me."

I watched as she spoke, so focussed that I wondered if she had been speaking from bitter experience. She continued, oblivious to my observations.

"The whole issue had blown up into a legal battle, a conflict of lawyers. I'm not a lawyer and despite the constant consultation with the Crown Solicitor's office to determine the legal interpretation of every facet of Section 20 of the Education Act, there was always that doubt to haunt me. It was very stressful. It didn't help that no records had been kept from the 1983 Section 20, so there was no precedent to follow. We were flying by the seat of our pants, in a sense."

Obviously painful memories. My next questions brought a harsh tone to her voice, the only indication of possible bitterness.

“Oh, no. Other people in the Department were not under the same stress. The Director-General had no meetings with the parents that I’m aware of. Yes, the press went to him. But he wasn’t making the decisions about the path we were going to take.”

Liz looked at me and shrugged. Realisation that her advisory capacity had its consequences?

The stress issue haunted me. I needed to talk to the parents again, to find out how they had coped with the stress of preparing for the Independent Panel meetings, how the children had coped during the conflict. Again, the hole in my data collection frustrated me. I really wanted to talk to the teachers. Maybe I would gain some insight into the school situation through Sharon’s or Denise’s story.



In the split second it took to react my mind was a kaleidoscope of images and thoughts. I had rung the door bell, only to have been greeted by a tumble of children. David had darted past me, straight across the road, where he stood taunting us, refusing to come back. One of his sisters stood next to me, screaming at him to return, while the youngest ran calling their mother. My

initial reaction, after assuring myself that he was in no immediate danger, was 'My God, what if this had been in my classroom! How would I get him back, while coping with the rest of the class?' I was suddenly very aware of the teacher's description... 'He's a runner.'

Sharon deftly rescued her son, threats of 'time-out' producing screams of protest. The two girls had gone suddenly quiet, the instinctive reaction of children who sense they have overstepped the boundary of acceptance. Sharon had forgotten our appointment, but begged me to stay. I suspected she needed some adult company. It was the first day of the school holidays. Not a good omen for the next two weeks!

It had been raining breakfast cereal in the lounge room. The chairs now housed a plethora of soft toys, sheets and towels completing the cubby. Sharon looked at me and laughed, but I could see she was close to tears. As she boiled the kettle and I tried to ignore David's screams from the bedroom, she started to talk. She was very stressed and needed to justify today's chaos to me.

"It's the waiting. I can't stand it. I felt so confident after the Panel meetings, but now I'm just a mess. I'm seeing a psychologist, you know. He keeps reassuring me that I'm not going nuts, that this is a normal reaction to extreme stress."

Sharon lit a cigarette, and inhaling deeply, she started to tell me of the personal cost of her battle.

"Ha! Where do you want me to start! Well, there's the extra phone bill, petrol, postage. I can't cope with that on a pension. I live on a very tight budget. I

actually sold the house, you know. I'm renting it now. That was a big decision for me as a single mum. I couldn't have continued the battle without the extra money."

I was shocked at her admission. Selling your house when you are a sole parent is a huge sacrifice to make for an ideal. I could only hope she had made an informed decision. She brushed the tears from her eyes.

"This was a direct result of the Section 20 thing. I needed the money to fight. I've had to pay for private therapists while all this has been going on."

Previously, the necessary therapy had been provided for David through the special school. Now that Sharon had moved David away from this environment she had lost the automatic access to such services. They could still be accessed but it required an application to be made through the primary school. As this was unlikely in the current conflict Sharon had processed her own application.

Sharon explained her family's lack understanding of her determination to have David remain in the unit.

"Even my own Mum said I was doing the wrong thing. My father thought I was nuts. My husband (we're separated ) thought I was going stupid. He was not at all interested in any battle. He wanted David to stay at the special school. Now he can see why I pulled David out, though, because he's doing marvellously. Now he's looking at David in a new light. He took him to the local fair yesterday and couldn't get over the fact that kids called out 'Hi David!' He came home and he said 'My little boy! My son! He's got friends!' It's the first time he'd seen

other kids approach David and say hello. David is opening up to his Dad now, and his Dad sees him as little boy and not just a son with Down syndrome.”

She smiled to herself, more composed now, and went to rescue David from the dreaded ‘time-out’. The girls had wisely selected a video to watch and while I organised it for them, Sharon cleared a path through the Cornflakes storm and organised two chairs so we could talk in peace. Today we had planned to reconstruct her preparations for meeting the Independent Panel.

“I spent a really nerve-racking night in anticipation of that first Panel Meeting. I thought I’d collapse before I got there! I thought: ‘How do I dress? How do I act? How do I talk?’ In the end I got dressed the best that I could, went in there and just spoke from the heart. I thought, the solicitor can cope with the legalities, Sally can do all the advocacy bit, so I’ll just speak from the heart”

I knew that the parents had been working with Sally and the lawyer to compile the required reports and responses to set questions. I knew this had been a mammoth task for all concerned and imagined that Sharon would have found the decision - making daunting. I wondered at her expectations of the Panel, remembering her reactions to the District Placement Committee.

“My expectations of the Panel? I didn’t know what to expect. After all the intimidation I was sure it would be difficult. I expected to be on trial. But it wasn’t like that at all. I couldn’t speak more highly of the Panel, they were very professional.”

I wondered how the Panel members had been more 'professional' than the Placement Committee, whether the over-riding factor in the perception of professionalism was the Panel's independent status.

"I was so busy answering general questions like 'How do you control your son while doing the shopping?' that I didn't notice two hours pass. I didn't feel intimidated at all! I felt that these people were really interested in me and my son. I came out of there with this incredible feeling that we'd been like a really well-oiled machine in there. We all had our parts to play. We could not have presented ourselves any better. It just went so well."

Her animation prompted me to ask again about her motivation to continue after the Section 20 letter arrived, at so obvious a personal cost.

"At that stage I was laughing at them. I had been treated so badly that I'd reached the point where I thought 'Here we go'. Everyone reaches some point where they either back down, or you decide to fight."

She laughed, glancing across at me. "And I'd reached that stage before I got the letter from the Director-General I'd decided to fight it all the way through. I was quite adamant and I'm still adamant to fight it all the way through. There was nothing to lose so I felt I might as well fight. I'm **not** giving up."

I could sense her determination to fight. She would not make conciliation an easy task! I was reminded of Liz's comment that for the parents, conciliation meant getting your way.



“The feeling of intimidation had gone. I was so sick of being scared and frightened and letting people walk all over me that something just went in my brain and I decided ‘That’s enough. What am I, a mother or what?’ I took on the battle and I have to win.”

I murmured to myself that it was like a crusade. Sharon picked up my thought immediately. “Like a crusade? Yeah, I guess you could call it that. I’ll fight for my son, because I believe so thoroughly in what I’m doing.”

She watched me drink my coffee, lost in her thoughts again. The emotional roller coaster she had described had certainly taken its toll today.

“I got lots of support after it became public. It really helped me to focus. I thought - all you’ve got to do, girl, is to focus on that beautiful little boy. Just make sure that he’s the one that everyone is talking about. It has nothing to do with the teachers, the Minister, the Principal, it has to do with him. If other people get hurt in the process they shouldn’t be there. And this is still my attitude.”

There was a wonderment, a hint of the zealot in her voice now.

“It became something beyond David. I started getting letters from other parents of kids with an intellectual disability, parents from the school, from other areas. People started coming out of the woodwork. They gave me so much support. It really helped me out, you know. It cleared my head and took my paranoia away and I could say to myself : ‘Stop worrying’.”

I watched as she explained her new confidence, her new challenge, recognising

her compulsion to proceed at all cost.

"I look on it as a life challenge. If I don't give it 150 per cent of myself and fight it all the way through then to me I've failed again. I can't give up. It's something that I believe in so thoroughly. It's a fight from the heart, you know."



Paul was explaining to me the impact of the stress on the whole family during the period of waiting and preparing for the Independent Panel meetings. It was Sunday afternoon (still the most appropriate and relaxed time for our 'conversations') and while I helped Denise hang her washing, Paul was weeding a garden bed next to us. The children were playing an involved game on their bikes, weaving between the outdoor furniture and the washing line.

"It made it hard on the whole family. We were constantly arguing between ourselves. Every time we had a visitor that's all we talked about. It dominated our lives."

Denise glanced across at baby Dylan, who was making Kamikazi dashes between his brothers' erratic bikes.

"Luckily I was working that time. As soon as I got home from a shift, the phone would ring and didn't stop until midnight. It got to the stage where Dylan would lie on the floor and scream every time the phone rang."

Denise and Paul continued their reverie, alternating memories, glancing at each other between comments.

“The youngest would come with some homework and you didn’t mean to but you’d brush them off.”

“You would push everything else aside while you tried to work out what the next step was, the next letter or phone call. And we were even more stressed when we got the FOI files, reading all those comments and outright lies.”

Having read some of the FOI files myself I could understand their stress. The information contained what Denise and Paul would consider negative reports on their son’s ability to cope in a unit setting, reports on his behaviour problems, minutes of meetings containing supposed misquotes, suggestions of missing psychologist reports, all guaranteed to rile a parent trying to justify maintaining their son’s current educational placement. Paul was almost apologetic for his failure to cope.

“We ended up seeing an independent psychologist to talk it through and give us ideas on how to cope with the tension. Our biggest concern was that the kids were picking up on it. And we didn’t want that.”

Denise looked across at her husband, and explained for both.

“You see, we didn’t really know how it would end. I would tell myself to think positive, but the doubts crept up on you. This went on for a couple of months, getting worse all the time.”

We had moved over to sit under the pergola. Paul disappeared inside to change the baby and make coffee, while Denise and I continued our conversation. When he returned, chores complete, he continued in his disarmingly frank manner.

“Most people told us we didn’t have a hope of winning against a government department. We heard it so many times we began to wonder if we were doing the right thing. You know? We were always doubting ourselves. But then we would be sitting doing something with Joshua and we’d say yes, it has to be done.”

I wondered how Josh had been coping with all the turmoil and the pervasive effects of stress. His parents glanced at each other, syncopating their answers.

“I don’t think he knew any different.”

“I don’t know. Sometimes I think he did because we had to take him out of school to see different people. When the Education Department realised they had to present a case against him they were sending people in to the school to judge him. I suppose in his opinion it would have been good because everybody would have been taking an interest in him.”

What did he mean, when the Education Department realised they had to fight a case? Was this another example of powerful blinkered vision? Surely someone in the Department must have been aware that the Panel would require detailed information regarding placement possibilities. I registered the need to ask about

proving a case against the parents, wondering who would tell me. Paul and Denise continued their tales, oblivious to my pondering.

“We would have known if he was under any real stress. He always reverts back to having accidents. And he wasn’t doing this.”

The toileting problems mentioned by the staff, I thought. Poor kid. We continued talking, the parents trying to pinpoint for me what had triggered their stress.

“I know this sounds silly now, but we didn’t think the school was having any real problems with Josh. There had been meetings, sure. Every fortnight we went to a meeting. The Principal, the school psychologist, the teacher and John, from the Disabilities Services Commission came with us. We looked at a piece of Josh’s work, talked about what he did in class. As far as we were concerned we thought they wanted to know about problems he had, what was the best way of teaching him, the whole bit. Yes they were having some minor problems, which we just put down to Joshua adjusting to the unit.”

This must have been the rapport between the school and the parents that Doug had referred to. Paul and Denise seemed embarrassed, as if caught out in their naivety.

“We were under the impression it was like a review. We were never told about Section 20. They never really said they were having problems.”

I wondered how subtle the hints of trouble had been, whether they had been couched in educational jargon. I was reminded of the jargon used for students’

school reports: rarely does a teacher actually say ‘This child is not coping. This is causing major problems.’ The sentiments will be there, if you know how to find them. Denise and Paul obviously didn’t know how to interpret the school’s message to them regarding Joshua’s progress.

Denise identified the turning point for them as a meeting half way through the term, when ‘things started getting a bit funny’. The Principal had suggested that maybe Joshua should go back to the special school for three days a week, as he felt his school could only cater for Joshua two days a week. Denise was incensed at this proposal, still visibly upset at the memory.

“The Principal said ‘I need a decision here and now.’ I refused to make any decisions without speaking with my husband first. He asked again and said he needed a decision now. He suggested I contact my husband on his car phone, went out of the office and let me phone Paul.”

Paul joined in, keen to tell their tale.

“It’s a bit hard when you are driving around in peak hour traffic. I was annoyed after that phone call. I jumped down Denise’s throat a bit because she said I had to make a decision there and then. There’s no way I can make a decision about Joshua’s schooling while I am driving in peak hour traffic and we haven’t even had a chance to discuss what’s available to him!”

Paul shook his head as if in disbelief at what he recalled.

“The next Monday I had the strangest phone call. I was at home with the baby, while Denise was at work. I didn’t know who I was speaking to. It was the

Principal of Hadfield Terrace Primary School ringing to find out whether we agreed to send Joshua back to the special school for so many days. He just snapped at me ‘What’s your decision?’ So I snapped back, ‘Who’s that?’ ‘It’s Matt Harrison. Principal of Hadfield Terrace.’ So I said ‘Joshua belongs in that school and he is staying there.’ And he slammed the phone down in my ear. No goodbye. That was it!”

I couldn’t help laughing with him. The thought of any instant decision being made in a school, especially concerning a child’s placement, amused me. In my experience of schools, very little hinged on an instant decision. It was hard enough getting anyone to make a decision!

“We received the letter from the Ministry not long after the beginning of the term. Two days after, we were advised by Hadfield Terrace Primary School that they were doing the Section 20. That is when we were advised by John (the Disabilities Services Commission Area Manager) to get into contact with Sally. We needed help. We didn’t really have a clue what this Section 20 was.”

Denise was busy referring to her notes, obsessed with sequencing correctly, cross when Paul erred.

Again their syncopated comments, two tales to be told.

“We found out about the panel through the press. Who was on it. When it was going to be held. They hadn’t even told us.”

“It did occur to me that they stuck us in this Section 20 as a scare tactic.”

“Josh was still at school. I refused to pull him out.”

“When they looked at Section 20 they discovered that nobody could touch the kids until after the panel had met. Nobody in the Ministry seemed to know what was to be done for a Section 20.”

I smiled to myself, remembering both Doug and Liz telling me how new the process was to everyone.

We packed up and moved inside as it was getting quite cold in the late afternoon. I was thankful to leave the large dog behind, having again pretended nonchalance at its presence. The three younger children were engrossed in a video and Josh was struggling to manipulate the mouse to access his computer game, his enthusiasm only slightly hampered by his lack of fine motor skills. Denise and Paul were keen to continue, stories of their preparation for the Independent Panel meeting ready for telling.

Paul told me of his meeting a visiting associate professor of Special Education from Pennsylvania, a member of a permanent panel in that state empowered to make decisions concerning inclusion of children with disabilities. Both Paul and Denise were very impressed by the meeting and the encouragement given them. It seemed to have provided the reassurance needed to justify their battle.

“He couldn’t believe we were going through all this. He said it wouldn’t have happened over there. That it was absolutely ludicrous.”



“He offered to make a submission for us. And for Sharon, of course. We thought it made a big impression on the Panel.”

Denise showed me relevant press clippings and a copy of the submission, as Paul recounted the gathering of other reports.

“We were the ones that had to track down all the information. Tracking down independent psychologists, of a reputable standard. Going to our doctors, getting referrals. A whole pile of that sort of stuff. Not easy when you’re carting four kids around. Once we had got that done we were ready to go to the Panel. Ha! And then we get a phone call saying they have to postpone the meeting because the Education Department claimed it wasn’t their responsibility to prove a case against us! The Panel said they had to, of course. We had to wait another two weeks!”

“That didn’t go down very well.”

Paul grinned at Denise’s dry under statement. “You wouldn’t want to have been round this household when we got that phone call.” He glanced from me to his wife, prompting another dry comment.

“I was not a very pleasant person that day.”

There it was again! The Education Department had not realised their responsibility to prove a case against the parents. The autocratic power of ‘The Department’ was being questioned and ‘The Department’ was not registering its predicament.

We talked of their attendance at Panel meetings, of how nervous they had been and how carefully they had prepared for the big day. They had worked with the psychologist to develop relaxation strategies ready to cope with the meeting. Denise explained how the lawyer and the psychologist had helped them prepare and practise answers to the standard questions the day before and again the morning of the meeting.

“We had been preparing for weeks. We knew exactly what to say.”

This prompted some shared memory as they looked at each other and laughed.

Noticing my puzzled frown, Paul explained the joke. The Panel Meeting had been arranged for Saturday morning in St Georges Terrace. Both were going in prepared for a fight, accompanied by Sally and the lawyer. On arrival, they found themselves locked out of the building with the Panel members, wondering where to have the meeting.

“That threw everyone up in the air and it became quite a casual situation. It was quite an ice-breaker! We ended up going to the Premier’s Cabinet office. It was very informal.”

Denise approved with a quick nod and concluded. “We came out on a high.

There was a second meeting two weeks later, and that was even better!”

No wonder they were feeling confident of a resolution in their favour.

## CHAPTER 4

### **‘We’ve won! We’ve won!’**

For both Joshua and David’s cases, the Independent Advisory Panel’s recommendations to the Minister made significant reference to the provisions of the Federal Disability Discrimination Act 1992 (The DDA) and the Convention of Rights of the Child, annexed to the Human Rights and Equal Opportunity Commission Act 1986, implying the State had an obligation to provide a high standard with respect to educational development when parents do not wish to take advantage of specialised settings.

The Recommendations were almost identical for both boys. A school collaborative team was to be established to formulate specific educational, social and behavioural goals, and to advise on the needs of the child. Aide time was to be increased to one full time aide for each of the boys. Integration into regular classes was to be as often as practicable and consistent with the educational objectives.

A behaviour management programme was to be developed and monitored on an ongoing basis. Professional development was to be made available for the whole staff, including the teacher aides. An additional classroom was to be made available to the school, and consideration was to be given to resourcing the boys’ local school, so that Education Support could be provided there.

The Panel suggested that parents at Hadfield Terrace School be informed about the purposes and functions of an Education Support Unit. It was recommended that peer training be available for classes involved in the integration .

The placement was to remain in place for a minimum of six months, and progress was to be reviewed at least once a term.

I was eager to judge reactions to the Panel's Recommendations, now the Minister's directive. The parents were jubilant, especially Sharon, who had rung to let me know the good news only hours after finding The Letter. I wondered whether the District Office would consider the Minister's decision an embarrassment, or pragmatically consider it a convenient solution to a difficult situation. And what of the Department? What would Liz tell me of the resolution? It must have set a precedent for other potential Section 20s. I was too curious to know the reactions of Doug and Liz to wait until I'd seen the parents. After all, I knew Denise and Sharon's reactions.



I asked Doug whether he had any sense of who won, who lost. Did the District Office consider it a loss of face? Certainly the parents saw it as a win, and maybe the school could consider the extra resources a win. A demountable classroom and two extra teacher's aides, plus professional development for the staff, was a

significant gain in resources. Quite an expensive solution, from the Education Department's viewpoint, I would think. It certainly eased the overcrowding problem in the Education Support units at the school.

As ever, Doug's answer was carefully considered.

"We were really pleased about the demountable. I had put in an application for one at the beginning of the year, long before this Section 20. I hadn't expected any progress until next year! So that has been a real win."

He continued reflecting, explaining.

"In terms of the work the Placement Committee had done, I don't think we had a feeling we had lost because at the end of the day the Independent Panel provided what the Placement Committee claimed was needed by the school. A centre for one of the youngsters, and a special school for the other. Essentially the Placement Committee was saying take the youngster to the facility, whereas the Independent Panel said take the facilities to the school. We felt as if we had a win."

The pragmatic approach. A convenient solution to a difficult situation.

He told me of the enormous work load generated by the process, the seemingly endless reports written. Everything needed careful documentation.

"It meant that you had to come up to speed fairly quickly, with nobody able to advise you in terms of the regulations and in terms of the procedure. We were learning, I guess, on a day-by-day basis, making sure we were aware of what the policy was and what the next step had to be.

He explained to me the complexities of receiving advice from both the Crown Solicitor and the Central office, of the circular communication line fraught with possible hitches. Of the constant need for him to establish through the Crown Solicitor's Office the appropriate legal interpretation of the Education Act, of the need to verify every move taken.

I was reminded of similar comments made by Liz and acknowledged the difficult and no doubt quite daunting task faced by them. They had no option other than to take a major part in what had become a legal battle, perhaps unreasonably beyond the expectations and expertise required of their current positions.

After all, their background was Education, not Law.



My appointment to see Liz was before school. Her secretary was very welcoming and apologetic for the delay. Not a problem, a cup of coffee and a quiet sit was a rare luxury at 8.30 in the morning. I had that irrepressible sense of having temporarily escaped from school, usually confined to the first couple of days of holidays. The cramped world of Central Office buzzed around me as I sat, totally relaxed, waiting for a chance to ask Liz about winning and losing.

As before, the interview was more a conversation between colleagues, although there were no official answers to the interesting questions. I suggested that an

expensive precedent had been set for the Department. Could she consider that a loss?

“This case has indeed set a precedent. With cases like this I think the Panel is going to be the deciding factor each time. I think if there is a dispute you need some sort of Independent Panel that you could call in much earlier, at the Placement Committee stage, I suppose. I think parents would be more accepting of recommendations this way and we could perhaps reduce the anguish. Negotiation might be easier at that level.

“Like Professor McAfee’s role in America?” I remembered Paul’s relief at finding a ‘professional’ who could relate to his determination for Joshua’s inclusion.

“It certainly has its merits. The parents thought the panel was very fair, of course, because they had a positive result. The parent viewpoint of ‘winning’ is very subjective.”

We proceeded to consider each of the Panel’s recommendations, Liz diverting and expanding on issues as they occurred to her.

“I believe that one of the biggest problems at Hadfield Terrace was overcrowding in the senior unit. There were two classes in the same unit! I found that simply untenable.”

Whose fault was that, I wondered. More rationalisation of resources with little understanding of the consequences? Was this another little clue? Did the school

have no real understanding of the educational setting needed for effective teaching of students with an intellectual disability? It was, after all, an Education Support facility. With so many students in the one room and with the tandem teaching the parents and Advocate had told me about, I would need a lot of convincing to believe the unit was considered other than a remediation class.

“We’ve solved that situation by getting a demountable for the school. And that was very difficult, as you can imagine!”

I wondered which poor Principal was faced with re-housing a class in a cloakroom, losing a demountable to placate the Minister. Liz grinned, sharing the joke.

“I don’t know where it came from. All I know is that I negotiated to get this demountable, got a phone call to say that I had one and the next day it had gone! So I threw my frock in the air! And said, look I don’t get angry very often, but I’m under the hammer of implementing the Recommendations which the Minister has accepted. That caused a bit of a ruction in the camp and the demountable was there the next day. It’s proved to be one of the biggest gains for that school.” It had certainly eased the overcrowding in the units. I doubted there would be as easy a solution to the other problems faced by the school or the parents. Liz explained the problem of teacher aide time at Hadfield Terrace. The Panel had recommended that a full time aide be available for each boy.



“I think they have been over supplied at Hadfield Terrace. The school, the parents and the teacher need to recognise that an aide is given to support the class, not just the individual child.”

I thought the parents had a clear understanding of this concept. Perhaps this was another little clue about misconceptions within the school. Liz was adamant in her perception that the aide question was a problem.

“I think the impression that parents are getting from the advocates is that if you push for long enough, you’ll get your aide. Well that’s just not true. Aide time is expensive. Besides, you are defeating the purpose of having the children in the less restrictive setting if they become aide-dependent.”

It was obvious that Liz had a genuine concern for these children. She was adamant that the priority was always to structure the environment to maximise learning. Again the irony hit me. Everyone I had spoken to was overwhelmingly concerned that Joshua and David receive the best possible chance to succeed at school. The problem was that they each had their own version of that success, and of the necessary setting.

We moved on to discuss one of the controversial Recommendations.

“The issue of a trial was definitely a problem at the beginning. The parents signed to agree to a six week trial, then refused to stick to it. The six month trial mentioned in the Recommendations is a much more realistic trial period than the generally accepted practise of six weeks.”

The Independent Panel's recommended six month trial placement had generated much heart-ache and ill will at the District and school level. Many heated 'discussions' had taken place, in an attempt to resolve the issue to the parents' satisfaction. Legal opinions had been sought to clarify the Panel's intent. The issue of trial placements had surfaced at each of the Education Support settings I had visited, too. Principals at both the centre and the school refused by the parents had been saddened by the parents' rejection of placement on a trial basis, and the precedent this would set for other like-minded parents.

The flexibility of placement in an appropriate setting was seen to be dependent on using a trial situation. They had explained to me how important it was for the child to have the opportunity to 'try' a new setting when staff considered it appropriate. This had always been in consultation with parents, with consequences and options carefully explained, always considering the advantage to the child. Without acceptance of trial placements, staff may be less inclined to take the risk of recommending a child take a step 'up' the Education Support ladder.

The Panel had recommended that consideration be given to resourcing the children's local primary school so that a unit could be established there. I asked Liz whether this would go ahead, and whether the Principal had any choice about his school being 'given' an Education Support unit.

“The question of the new unit in the local school is still undecided. I don’t know what the staff and the local community think of that. You have to start to wonder how much the taxpayer will be prepared to bear in all of this.”

I was reminded of Mrs Saunder’s claim when talking to me outside the Children’s Court that as a tax payer she was entitled to services to aide the education of her child. She was one tax payer who would be very happy to bear the burden of funding resources to aid inclusion of children with intellectual disabilities.

The resource question fascinated me. It continued to surface in conversations without any prompting on my part. The Advocate, other parents and Principals had told me of the perception that Section 20s produced resources. I had to question Liz about these perceptions, not really expecting a reply.

“Next year there will be Principals lining up looking for aides and facilities, parents ready to push the system for integration of their child; very determined, committed parents who won’t easily be fobbed off. Is the Department ready for this? Will there be money to provide the resources needed?”

Again she had no answer. Perhaps she felt it best not to answer.

I suggested that the reality was that Principals could twist the Section 20 to their advantage. That it had been made quite clear to parents that a Section 20 would be the inevitable consequence of any attempt to enrol their child with an

intellectual disability. That schools could not cope with inclusion without the extra resources, and that a Section 20 could solve the resource question for them. That parents were determined to push the system. That it seemed the Department was in a no-win situation, considering the Panel's extensive reference to the DDA and the Equal Opportunity Act. Perhaps many of these cases would be very difficult for the Department to defend, considering its own Social Justice Policy. Liz smiled at me, not the enigmatic Departmental smile, but the 'I'd love to answer that one, given half a chance' smile.

"I agree with you that the Panel's referral to the Equal Opportunity Act means in many cases the parents' wishes will be adhered to. But I still think those kids are going to be disadvantaged. Primary school kids can be coaxed into looking after other kids. The reality is that very few of our kids are invited to birthday parties, or to play. When they hit adolescence and the gap widens, they will be at a real disadvantage. They won't even understand the language of adolescents."

But isn't that the whole point of the socialisation? Isn't that why the parents are so determined to have their child included? Surely there are benefits, surely an awareness, a gradual acceptance must eventuate, even if no real friendship is involved.

Liz's office has a constant flow of interruptions, phone calls, people needing instant answers, reminders of meetings. As with other participants, it was as if

she really wanted a chance to explain, to voice an opinion that hadn't surfaced in all this turmoil.

I had been trying to establish what motivated the parents to persist in their rejection of any segregated educational setting. Obviously a compelling problem for Liz.

"The philosophy is coming from the Inclusionists. They say that anything that smacks of aggregating kids with a disability means that you have the least able kids all together, modelling from each other. But what teachers in these settings are doing is structuring the environment to maximise learning, providing training so the students will be ready to take part in post school life. That's not always possible for a child in an inappropriate setting. Now to me it's untenable to expect kids to go through school just to be socialised! They have to learn something."

Her comment reminded me of Denise's ('He doesn't need life skills, the kid needs an education.') And of the special school Principal's dose of realism ('You need to think past the immediate. What makes them employable, able to take part in society, is the ability to meet the behaviour criteria set by society. Life skills. The ability to follow instructions, use appropriate behaviour, have a sense of control over their actions. These skills are not easy for them - they need to be taught. Having a dozen sight words does not have the same potential for them.')

The irony hit me again. They all believe totally in their particular version of what

is best for the child, seemingly at opposite ends of a continuum. Does placement then depend on which theory is currently in vogue?



It was time to ask the parents about their 'win'. Even though it was now mid-term, their reactions should still have the immediacy I was after. Sharon was overjoyed at the decision to allow David to remain in the unit at Hadfield Terrace. She needed no prompting to complete the tale.

"I found the letter from the Minister on the front doorstep. I'd been at my sister's place and it was there when I got home. I kept flipping through the 20 recommendations and thinking 'Oh, my God! I don't believe this!'"

Sharon's excitement was contagious. Even in retrospect, her jubilation was evident.

"At first I was in shock. I just kept reading it over and over. Then I started phoning people to tell them. I rang everyone I could think of! Oh, gosh. I even left a message on the psychologist's answering machine... 'Thank you, thank you, thank you!'"

Her particular thanks to the psychologist were for a very positive and persuasive report on both David's ability to cope in the unit environment (with support) and

his need to remain in this environment. His report was consistent with his widely recognised beliefs regarding inclusion of children with intellectual disabilities.

Sharon looked at me mischievously, a grin lighting up her face.

“I ended up taking the recommendations in to the Principal on the first day of Term 3. He had no idea of whether David would stay or go! He hadn't been informed by the Ministry or anyone !”

Sharon was positively gloating now.

“I tell you, showing the Principal and watching his face as he read the Recommendations was the most wonderful feeling of my whole life! It was a real highlight throughout this whole procedure to be able to show the Principal the recommendations myself and to be able to say ‘My son will be staying, thank you’. And no, I'm not going to say it, I did not feel sorry for him.”

I couldn't help joining her laughter, pangs of conscience hitting me as I did so, sympathising with the Principal's unnecessary embarrassment. Surely it would have been possible to notify him before the start of the new term. A phone call would have been sufficient. Communication certainly was a problem if such a situation could be allowed to happen.

“But it was just a wonderful feeling. This sense of beating the Education Department. It was like,” she paused, no longer shaking with mirth, almost in wonderment, “a high, a real high. I felt great. A success in life, a success as a Mum. A real achiever. I felt extremely powerful.”

I watched as she remembered her success, listened as her stories showed the transformation from defendant to protagonist, wondered when the reality of a 'win' against the Education Department would hit her. The implacable nature of a large institution evidently lacking effective communications would not have registered yet. The 'win' could surely only be translated at the school level.

As Sharon looked across at me and tried to explain, her laugh was a little self conscious.

"I suppose the power of it went to my head, you know, because for the first time I felt like I was in control of the situation, not the school. The Principal was very shaken up, but it was his turn to suffer. It really made me feel that I had some kind of power over the Principal because I now had the knowledge. I think knowledge is the power, you know.

I looked at her as she spoke so earnestly, surprised at her choice of words. Knowledge is the power? Who had she been talking to? Was this a message from her advocates?

"It astonished me, you know, that the Principal and the teachers didn't know. All these glitches that I've come across, with no-one knowing what's going on. The communication just isn't there!"

I wondered how long it took for Doug and Liz to be informed of the Minister's decision, whether their circular communications network had been effective. Sally had told me a week prior to the announcement that she knew the outcome



and I'd been waiting to judge the extent of her power base as Parent Advocate. She had been right.

Sharon gave a bitter, short laugh this time.

"I can just imagine the teacher's reaction to the news. They would have been quite disappointed. They did try quite strongly to have David removed from their classroom."

Sharon lit another cigarette, inhaled deeply as she leaned back in the chair, head back in thought. The laughter flooded back into her eyes, a huge grin wickedly lighting her face.

"The secretaries would have been interested, too. Ha! They were always alert and interested when I was around! Especially after the Placement Committee had decided I should take David back to the special school! I refused to do that. The first day of Term 2 I turned up at Hadfield Terrace to make it quite clear to everyone that David was not going anywhere. Oh, dear! I was standing in the reception area and dictating to the Principal! 'You can't do this to me! It's illegal! You can't have my child removed from the school!' Everybody just stopped and stared at me."

I could picture the scene in the busy reception area on the first day of term. The secretaries would certainly have been interested.

Paul and Denise were more cautious in their reactions to the Minister's Recommendations, far more aware that all their problems had not been solved simply by the Minister directing a course of action. These were practical, pragmatic people, wanting and needing some fairly immediate help for their son, working within a limited time-frame.

"Paul was on holidays. We'd been for a drive to get my pay, and when we got back there was a courier in the driveway. I thought a decision must have arrived. We don't get many couriers here!"

Denise smiled, remembering the arrival of The Letter, the old excitement returning. They spoke together, sharing sentences, thoughts.

"We had been phoning the lawyer every second day. Towards the end we thought it was going to turn against us."

"Because it was getting later and later. It was left to the very last minute - the courier arrived at 5 o'clock on the last Friday of the holidays. The longer it took, it seemed like the Minister was going to take the Crown Law's side over a parent, agree with the school and his Department."

"We started reading 'The Letter' and realised we'd won. Joshua was staying. You couldn't wipe the smile off our faces for a week."

"Apparently the Minister didn't want to sign the letter of recommendations and stalled as long as possible."

“And if he didn’t agree with what the panel said he would look like a moron.”

It made sense to me that a decision would be made before the term started. If the recommendation had been for a change, it would be better to implement the change from the first day of the term. Always assuming the parents would agree to the change. Denise gave a short, dry laugh, negating any notion of compromise.

“It took a couple of days to sink in. On the Monday I put Joshua on the bus as usual. I went to the school later that morning. Walked straight past the Principal with a grin. I don’t think he knew of the Minister’s decision at that stage.”

Couldn’t resist the temptation to gloat? She grinned at me, her moment of triumph still fresh.

I asked Paul if they had planned what to do if the recommendations had not been in their favour. He was quite forthright in his reply, traces of the old anger still there.

“We were going on to court. When we got the letter it was a bit of an anticlimax in a way, because I was ready to fight. The next stage would have been to get an injunction and that would have cost \$25000, so I was trying to figure out ways of raising money. Perhaps sell the house.”

To even consider selling the house indicated to me the level of commitment of these parents towards the issue of inclusion. What of the long term consequences of such a drastic action? Paul was still not convinced that the battle was over.

There was a wariness, a caution about future expectations. The recommended six month trial worried him and there was certainly no trust involved, not yet.

“At the end of six months we are up for another fight, I think.”

It was evident that both parents blamed the Principal as representative of ‘the system’, as Denise told me of her advice to another potential Section 20 parent.

“I know someone who might be going through this at another school. I just told them to fight, because it’s your child and you know what is best for him. The Principal has no idea. The teacher is with your child, not him. If you give in to them you would always be wondering whether or not your son has been given the best chance to learn, if you’ve done all you could for him.”.

A sad comment on the role of the Principal, or was this another little clue as to the situation in Hadfield Terrace. Perhaps the teachers really had been adapting and accommodating as much as was possible. Perhaps it was despite the Principal. Was there a hint of the crusade again? Fight at any cost? I hoped, for Joshua’s sake, her decision to fight ‘The System’ would ultimately prove to be beneficial to him.

## CHAPTER 5

**‘We went on a newspaper binge.’**

Sally’s use of the press had been an integral part of her campaign against the Education Department. She described it in terms of reversing the intimidation tactics used against the parents. Of using the law to her (their) advantage. I asked her about the very good rapport she seemed to have with the press and what degree of control she felt she had over the issues she wanted raised.

“The press are ordinary people. You get to know them and discuss issues, although I must admit they don’t always report the way you want them to. They have their own agenda. If it is a controversial story you can use strategies.”

Be manipulative, you mean. Be provocative. Twist the truth? Or just give a version of the issue. Claim the need to raise public awareness.

“A journalist ringing up and asking questions is often enough to make the Department react to the thought of the conflict going public. We’ve been aware of this reaction many times. The press are quite powerful people so you tend to utilise this power only when you need to.”

Or they use it against you? I thought of the infamous 7.30 Report, obviously not engineered by Sally. The press had followed up an interesting twist gained by a dissenting parent’s letter to the West Australian.

“Supposing there are more Section 20s next year. Would the press be as powerful a weapon again? Or is it now an old story, no longer of interest to either the public or the press.”

“It wouldn’t have the same impact. It would have more effect on the Department than anything else, because it is not an automatic win situation for them anymore. They would have to think very carefully about their response to the press.”

As always, she had a clear, strong view of how she would utilise her own power.

“Yes, we’ll use the press again. It’s an effective weapon.”



The press must have thought the Section 20 story newsworthy because despite the complex nature of the conflict which needed explanations of the Education Act and Education Support facilities, regular articles were appearing in the paper. Of course the issue was reduced to the right of a child with an intellectual disability to remain at the current school, against the insensitive Department.

Even more provocative were the headlines claiming the Department was at fault. Headlines such as ‘Parents’ told Minister wrong’, ‘Parents lose school choice’, ‘Tribunal seen as parents’ last hope for justice’, ‘Disabled educated below potential’ were guaranteed to promote and maintain some public awareness of the issue, no matter how limited the explanation. Sally had certainly used her tricks

to apply pressure on the Department. The current teachers' dispute was reported almost daily and she had given the press another chance to bring the names of the Director-General and the Minister into their articles. A very clever move on Sally's part.

One particular article caught my attention as it made claims against Doug. I needed to know his reactions to such damning claims.

THE WEST AUSTRALIAN SATURDAY<sup>5</sup>

# Parents say boys' files changed

BY CARINA TAN-VAN BAREN

A SENIOR Education Department officer wanted to destroy psychology reports central to a dispute over the education of two disabled students, according to documents obtained under Freedom of Information laws.

The parents of David Oates, 7, who has Down's syndrome, and Joshua Herron, 10, who has a mild intellectual disability called Fragile X syndrome, claim the department changed parts of the boys' files.

Both children attend an educational support unit attached to Hadfield Terrace Primary School but are subject to Section 20 of the Education Act, which enables Education Minister..... to force them into segregated schooling on the advice of an independent panel of experts.

The panel begins its review on .....

Denise and Paul Herron and Sharon Oates fear the loss of important documents in their favour after reading a message sent from one senior department officer to another.

On a facsimile cover sheet dated ....., one officer wrote: "Copy of relevant documents held at this office. I do have copy of psych report for each child - we should destroy those provided by Elsie Green (psych for Hadfield Terrace)."

Mrs Oates and the Herrons say the reports were not among file documents released to them this week.

They are also worried about the changes to the minutes of a meeting of the district placement committee that assessed the two cases. Two copies were released but the original was withheld because it "could be misleading".

Both families say the files include letters addressed to them which they did not receive and documents noted as having been presented at their meetings with the department but which they had not seen.

They also dispute accuracy of some records, such as the minutes of a meeting between Mrs Herron and Hadfield Terrace principal Paul Harrison which suggest Mrs Herron was happy with a suggested educational program for Joshua.

Mrs Herron said she was angry and outspoken at the meeting, which was attended by an independent witness.

Education Department director-general ..... said he was disappointed the families had approached *The West Australian* with their complaints before contacting the department.

The allegations were serious and would be investigated as soon as the families contacted him.

He would not discuss with the media the department's correspondence with the families or documents about their children.



<sup>5</sup> To maintain confidentiality, newspaper articles and letters have not been referenced. Any dates or names which give an easily identifiable time-frame have been removed



I asked Doug if he ever had any chance to redress the accusations made in the paper. I remembered a comment made by a District Office staff member that at the time it was as if they were under siege. Accusations in the press, phone calls from angry parents, constant meetings and a **huge** work load. Doug's answers were as direct as always.

"The actions I was supposed to have taken? No. They never brought their concerns to me. They never took their concerns to the Education Department. They took their concerns to the paper."

There was always the traitorous thought in my mind that Sally must have based her claims on something factual. Had she perhaps misinterpreted the message that psychologist reports had been destroyed? Was it as simple an issue as the destruction of draft copies of a report, leaving only a final copy of an agreed summary? Or was I being naive believing Doug's denial of improper action.

"The Director-General invited the parents to bring their concerns forward to him. But he wasn't prepared to investigate an incident brought to him by the press when it hadn't been reported to him by the parent. So the media became a third party in all this. The parents never put their claims in writing, nor met the Director-General to explain their concerns."

He looked across at me, shaking his head in mock despair.

"I don't know, I had the feeling that it didn't matter what I'd do, it would be misinterpreted by the parents. So I've been blamed for all sorts of things."

Again the wry laugh. "It wasn't quite fair, and certainly not true."

"It must have made you angry." A flash of that anger came to his eyes, as he recalled the injustice, the indignity of answering the allegations.

"Oh, yes, because the claims were really quite serious. If I had done what they said I had done, in terms of destroying documentation and destroying reports, it would have drawn some fairly serious disciplinary action against me. Nobody came to ask for details of what did happen."

"Did you feel as if you had to prove allegations were false?" His head shot up, watching as I sipped my coffee, considering, remembering. A raw nerve?

"There was a question asked in Parliament. The Department was required to respond, so I was able to provide the background information. I gave my account of how I saw the situation, of what I understood the facts to be." The indignity again. A stillness as we drank our coffee, Doug lost in thought. A short, harsh laugh broke the silence.

"There were no names attached, but most of my colleagues knew who the Superintendent was who was answering to Parliament!"

"They were probably thinking 'Thank goodness it's not me!'" We laughed together, Doug nodding his head in total agreement with my quip. I asked him again about the situation in the school, thinking that with such accusations being

publicly made there would be little chance of comfortable communication. He agreed, telling of the breakdown in trust between the two parties.

"It got to the stage where the parents didn't trust me or the staff at the school. Likewise, with some of the ways that they were doing things, I was finding it difficult to trust and to be open with them."

"Because you felt that things you said would be twisted?"

"Yes, yes. A very difficult situation. It made it very difficult to negotiate or conciliate."

I wondered if he felt he would handle things differently if, more likely when, faced with another Section 20. A seemingly unavoidable prospect for most District Offices now. Typically, his reply was considered.

"I don't know that I'd be more careful. I think I was extremely careful that proper procedures were followed. In future situations, the practice might be to summarise all the information gathered by the Placement Committee and send it back to the various stakeholders for verification. That might be a way of forestalling any misunderstandings. I guess the difference next time round is that I would be anticipating the next step."

"So you wouldn't be so shocked at finding your name blasted all over the newspaper!" We grinned at each other, Doug acknowledging the very real prospect.

"The District Office wasn't subjected to any phone calls from the press or the public and very little publicity. The Principal would have found it very difficult, though. He was never named, but there is only one Principal and the school certainly was named."

Sally's media campaign had certainly hit home. The press article referring to Doug had been triggered by Paul and Denise's belief that reports on their son were missing, and that files had been changed. This suspicion surfaced after the access to relevant documentation gained through the use of FOI. It was time to ask Paul and Denise their impressions on the role of the press campaign in the battle for inclusion.



"Did you feel comfortable with the press? Did you feel it was a good thing, that it helped you at all?"

Denise and Paul considered their answer, working in tandem, supporting each other.

"Most of it. We were only disappointed with one of the TV ones."

"The 7.30 Report. She twisted everything we said in the opposite direction."

Denise was scornful.

“I got this phone call from the ABC. I thought I would talk to her, she seemed very nice and everything. Ha! How wrong can you be!. When I first watched the programme, I was ready to have those women for breakfast! The way it came across was all wrong. The reporter had twisted it. I thought, I’ll come down there and knock your blocks off.”

Paul said dryly: “She was one angry mother!”

She grinned at us, not entirely prepared to let go of the outrage. Her peers had judged her son and that was not an easy thing to forgive and forget. She had felt betrayed by their comments.

“What sort of things did they imply. Negative comments?”

Their answers were indignant, the telling of the tale renewing their hurt.

“That we couldn’t accept that our son had disabilities.”

“We have blinkers on. That our child belongs in a special school and their kids belong in the unit and ours doesn’t. These were mums of kids with an intellectual disability! Most of their kids have Attention Deficit Disorder”.

I thought of the Panel suggestion that the parents of the school be informed about the purposes and functions of an Education Support unit, remembering how long it takes for attitudes to change, for an awareness to develop of any mutual benefits of inclusion.

“One was saying that she had three healthy boys, and I thought so have we, but health has nothing to do with it. I just let it ride and went to bingo as usual on Friday night.” She smiled enigmatically. “It worked out OK.”

Paul smiled to himself. It must have been an interesting Bingo night that night!

He continued, seemingly nonplussed at the women's motives.

"It was obvious that those mothers had been given the wrong information by someone. We feel it probably was the Principal because they were quoting textbook things that he was carrying on about, costing, resourcing and stuff like that".

"So they were implying it was a disadvantage to them to have your son in the school?"

Somebody else was using the press to their advantage, and it wasn't appreciated at all. "The other use of the press you were happy with? You felt that it helped you?"

"Yes, it was good. It let everybody know that there is a problem in the school system. I think the only time we personally stung anyone with the press was when we announced to the media that all the files had been changed. We were very angry about that, and felt people should know what the Department was doing to us."

I watched the 7.30 Report that had caused the heartache, and could see why the parents were so incensed at the perspective portrayed. The reporter had emphasised the negative attitude taken by some parents to sharing the limited school resources with children with significantly greater disabilities than their own. Some parents felt their children had been disadvantaged by the extra

attention needed to be given to Joshua by the teacher and the aide (from the reports it seemed the teacher's time was dominated by Joshua) to the detriment of their own child's learning environment. Sour grapes? No understanding of the role of a unit? That it was not just for remediation? Certainly a pointed criticism by the parents of Denise and Paul's decision to force the retention of Joshua in the unit.

Sharon and David had also been featured in the television report. I was sure Sharon would tell me how the press involvement had impacted on her in her usual forthright way.



I was careful with my questions today. Not that it was ever difficult talking to Sharon as she was always surprisingly confident and fluent in telling her tale. Reaction to the stress had set in though, leaving Sharon on antidepressants, barely coping with life. She was eager to continue her story, but in a very emotional state, inclined to burst into tears. She was not at all embarrassed at this, quite open and comical about it in her 'up' moments.

This was an 'up' day. The house was immaculate, Sharon smart in red and black casual clothing. The children were with their father, so she had the day to herself.

“Communication right throughout this entire process was a problem, you know! A lot of the time I found things out from the newspaper! That's why the Herrons and I went on a newspaper binge for months. It was a bit of a giggle, really. We'd go racing down to the shop in the mornings to get the paper to see if anything was in there about us!”

Like Denise and Paul, she was incensed at the supposed misrepresentation of their case. Not an appropriate time for me to point out the paradox of their initiation of the press campaign.

“But when the other parents at the school went on TV and talked about us, it was terrible. That was a really low point for me. Did you watch it?”

I nodded, asking for her reaction to the programme, my traitorous mind full of images of the equally wronged school and district staff.

“My reaction to it? I didn't know these women at all, and all of a sudden you're sitting there watching these strangers telling the public out there talking about **me**, saying things like ‘These parents have blinkers on’ and ‘They're really doing it for their own egos and not for their children’ and it really gets to you! It made me so aware of how the media themselves could turn this entire situation around and throw it back in our faces! It has given me a new awareness of anything that I watch on TV or read in the papers.”

The power of the press, I thought.



## CHAPTER 6

**‘I’m not an ogre’**

I had deliberately arrived early. This interview could last five or fifty minutes, at the Principal’s whim, so I had wanted a little observation time before hand. My reply from the Director-General’s office had finally arrived, two months after hand delivering my letter. No sense of urgency there! In accordance with Policy, my request to conduct a single school study was referred back to the Principal. As was to be expected. My second phone call to the Principal met the same response as the first (two months ago) except that I managed to persuade him to at least grant me a chance to explain what it was I wanted before he said ‘No’. Grudgingly, he accepted. And here I was.

There was a sense of order, of quiet this morning. Hadfield Terrace Primary is an old school on the corner of a main road in a low socio-economic area. Neat gardens enhanced the traditional brick buildings, helping to blend the demountable classrooms into the surrounds. Children in sports uniform were on the oval, a pre-primary class was queuing up at one of the outside classrooms, but otherwise no-one to be seen.

The two receptionists were very friendly, showing me to the staffroom to make a cup of coffee. I felt that I knew them from descriptions given by the parents,

easily picturing the immediacy of arguments in this confined space. An effort had been made to soften the harsh reality of an old building, stained carpets, security doors and windows, makeshift tiny rooms. A typical old style school. Floral curtains, pot plants, a board overflowing with children's art, a display of the shapeless pottery that only a mother can love gave the needed touch. A small group of students were being taught in one of the minuscule rooms to my right. No raised voices, no dramas.

Matt Harrison appeared, snappily dressed in tones of grey. I was pointedly ignored for a few minutes, probably as some perverse control tactic, then politely ushered in to his office. Bad luck if I'd been a parent, I thought wryly.

It was a tiny room, evidently halved to create a room for the photocopier. Rationalising resources, I imagine. There was barely walking space between the three visitors chairs and his desk. Add bookshelves, a cupboard, fill any spare wall space with a school development plan and a couple of small windows and there was hardly room to stretch your legs. Not exactly a sumptuous Principal's office! It would be very 'full' with three or four adults in this office. Especially angry parents.

As I expected, the Principal said 'No' to my research request. He was pleasant but aloof, his comments very controlled. He had mentioned my request to the three staff concerned. Apparently one was wavering towards a 'Yes', but as the other two were such definite 'No's, decided to comply with the group. He

explained that the staff felt intimidated, not by my research, but by the public nature of my enquires.

“These parents have been aggressive, angry, and the community attitude is split. Some of my staff live locally and it has been very difficult for them. It’s a very fragile situation here.”

He was starting to relax a bit more now, his answers not quite so brisk. He told me that his staff were worried about lack of anonymity, that I couldn’t possibly disguise the school, the teachers, the parents. I talked to him about pseudonyms and other tricks of the trade to disguise participants. I tried to reassure him that by the time my thesis was written the current situation would (hopefully) no longer be subject to such public scrutiny. He wasn’t convinced.

“You see, the teachers are very worried about making comments, worried about the reactions from both the Section 20 parents and others to any reported comments. I’ve already been involved in ‘rescuing’ teachers from aggressive parents. You have to understand that the situation is ongoing, that we are still involved in meetings and negotiations. There are still many arguments. Some parents who are openly ‘on side’ with the school are experiencing similar harassment problems to the staff. I have to watch the situation very carefully. There was, and still is, always the possibility of having to get restraining orders, you know.”

Wasn’t that a bit extreme? How much of a problem were these parents? Doug had told me that communication had broken down, but to the extent of using the

law? Was this an over-reaction? I knew the parents had been very angry and vocal, but I was sure no violence was involved. Verbal abuse? Harassment?

I said I'd watched the 7.30 Report, which had presented another viewpoint by indicating a level of dispute amongst the parent body as to the role of an education support unit. He agreed, reminding me of the letters published in The West Australian supporting the school. We had established some semblance of rapport now, the conversation beginning to flow.

Matt gave an impression of efficiency, of energy, of a dominant personality. In this tiny office his presence was compelling. I was pleased that he was relaxing, as I could easily imagine his quite forceful nature becoming overbearing. He noticed my observation of his office, finally smiling.

"We've had some interesting times in here lately." A euphemism for heated arguments? They would have been very immediate in such a confined space. Certainly very public, as the office staff and staffroom are so close to the Principal's office.

Still justifying his refusal of my research, he told me that another Section 20 was about to start in the school. He felt that the Policy was 'Fait accompli', that the Department had 'lost' in the sense that parents were citing the two cases as precedents. He frowned as he explained, leaning forward over the desk to emphasise his point.

"Parents are being actively encouraged to enrol their disabled children in mainstream schools and units. Principals of other schools are ringing me and asking advice about how to handle this, how to cope with similar situations."

There was a sense of pride in his voice as he described his advisory capacity. His aim was to make the best of the situation. His short laugh prompted me to ask how the staff were coping with the Panel Recommendations.

"This is definitely **not** Devolution. This is a **direction**. There is no option but to carry it out. We're coping because we have no choice. The teachers, the school, and myself as well, I suppose. Professionalism has taken over now, we have no choice but to cope. It has become a focus of School Development Plan for this year. We have to make it all fit in because of funding."

His answer bothered me, despite my vague sense of pity for the public nature of the dispute. Professionalism surely should have taken over a long time ago. Plenty of teachers have to 'cope' in unpleasant, stressful situations. I knew that officially no resourcing was available for inclusion outside the Department's recommended placements. Surely, though, the unofficial network used by most teachers when needing assistance and advice from other colleagues could have been accessed? Had everyone been so blinkered in their determination to 'place' these boys appropriately (elsewhere) that they couldn't seek help, even from other schools? Or had the school no idea that the Section 20 process they had instigated would last a semester.

Maybe his comment was only a broad statement, not reflecting the professional approach taken by the three staff concerned. Maybe the situation had been exacerbated by the Teachers' Union directive that no extra tasks be taken on over the perceived 'normal' workload. There were a lot of very angry teachers in schools at the time, determined to prove a point regarding working conditions. But to the detriment of their ability to cope in a classroom? Whatever the cause, professionalism should not only now be taking over. Again I was frustrated by my inability to talk to the teachers, especially the one who apparently had been willing to take part in my study. Now I could only surmise.

Matt was quite engrossed in his answers now, his foot up on his chair as he leaned forward over his knee, concentrating on our conversation.

"You can't win, can you? We get more aide time, an extra demountable to help us cope with what was a horrific problem and now we're seen to be sufficiently resourced to cater for more students in the units! We've already got thirty of these students. We were overcrowded before we started this thing!"

We pondered on the seemingly illogical moves made by the Department at times, usually a communication factor.

"This is madness, you know. Each time a new student with an intellectual disability is enrolled, we must go through the Section 20 bit again. Each case is different, so we can't generalise. It all boils down to resources, of course. And

the child stays in the school until the dispute is resolved. So the problem stays with us for what, six months?"

And the Section 20 was a means of getting those resources? He told me that he saw a continuing and frequent use of Section 20. One for each inclusion. He considered two issues would become vital to future inclusion. He felt there would be State wide ramifications from the result of the current case in the Children's (the Saunders' case), with the issue of advocacy, of the increasing expectation of inclusion surely forcing some easier policy statement. A little realism from bitter experience, I wondered? I was beginning to understand Sally's comments regarding the difficulties she had experienced negotiating with this Principal. He would not have taken kindly to being told of the parents' (or the child's) rights. I suspected he was not used to having his orders questioned, let alone openly defied.

We were conversing more as colleagues now, Matt totally relaxed and open in his comments. He smiled at me, ready to give some insight into his character.

"I'm not an ogre, you know. I do understand these issues. I have a son with an intellectual disability myself. My son spends four hours a day on a bus, so I understand the problems involved. I don't like the travel time either, but there comes a time for realism, for practicalities. It's disappointing. Of course it is, but you do the best you can in the situation. There is an acceptance factor involved."

I looked at him, appreciating his openness. Some of those barbed comments made by the parents must have really struck home, particularly as they knew he had a son with an intellectual disability. I had to ask myself, though, how his approach to his son's disability had influenced his approach to these parents' desire to cope differently.

We talked quietly as parents, bemoaning the way life can kick you in the teeth and still provide such joy. We talked as teachers, Matt telling me of his time teaching in Meekatharra, where he was involved with the inclusion of students with disabilities, this time in a mainstream situation. He told me of the wheelchair facilities, ramps, stair-climbing machines, change tables provided to help cope with student needs.

"So you see, I'm not a novice in this area. The present situation is far more difficult and emotive because there are choices and facilities available in the city. There are none in the country."

Again I was concerned that his previous experience had biased his approach in this case. Was his country experience a major influence in his wanting to take advantage of the choices now available to him in placing a child with an intellectual disability?

He considered inclusion was very much about to be the opening of flood gates. He was not negative towards this, just a bit overwhelmed, I think. Understandable, as the recent brush with inclusion was still pretty raw.



“How much aide time do you need? How can you tell? How many extra rooms?

This last action meant changing four classrooms, affecting the whole school. It is still impacting on the whole school. The staff need inservicing in behaviour modification and stress management. Two days inservicing for the whole school is not an easy thing to do at the moment. The current industrial situation means this must be done in school time, therefore we have to use the School Development days. Too bad if we had other priorities in the school.”

The tinge of bitterness in his voice was understandable. He saw his school's role as provider to a wide range of children and felt trapped in a narrow focus at the moment. He was quite sad as he talked of how he had always been a teaching Principal, of how much he loved teaching.

“Until this year I have always had a class, but my role is quite different now. Occasionally I pop into classrooms to take a lesson, but it's not the same. I really miss it, you know.”

With resignation, he accepted that with the situation continuing as this year, he would not be a teaching Principal again. The Section 20 situation had exacerbated this changing role for him.

We talked of a Primary teacher's changing role, with particular reference to inclusion. He told me how teachers could be expected to provide appropriate level work for a huge range of abilities within their class. Of how unprepared they felt for this task. Of behaviour problems and parent expectations for role

models and socialisation. Had he forgotten that this would not be expected of a teacher unless suitable resources were provided?

He shook his head as he pondered on the daunting teaching task of catering for reading ages from pre-primary to 14 years in the same classroom. An enormously increased work load, but an extreme case . I thought of my current year 8 maths class, an ungraded group of 34 students, with mathematical maturity ranging from those who still needed to be taught basic concepts (some still find subtraction one of the great mysteries of life) through a wide range of abilities to the other extreme, the students who have made the leap into abstract thought and who delight in algebraic manipulation. Was he a little unrealistic? To be fair, I sensed how protective he was of his staff, and of students. There was never any suggestion that inclusion should not happen, only an overwhelming sense of the enormity of the task.

We were quiet for a moment, Matt becoming aloof again, although there was a hint of awe as he told me how often he was required to check with solicitors before commenting publicly, or even to parents, in case it was a case of subjudice. Solicitors? Court cases? Certainly not the usual role of a Principal. No wonder he was noticing the change.

He snapped back into 'Principal' character as soon as we were in the foyer again, in public. I was formally shunted out the door.

For my own satisfaction I needed to have some sense of whether this whole saga was the result of a violent clash of personalities, or whether the situation was inevitable in any school faced with the inclusion of a child with an intellectual disability. For this reason I went to visit a primary school which, like Hadfield Terrace, students enrolled in an Education Support unit had two classrooms. The Principal was most accommodating, as was the Education Support teacher who agreed to talk to me.

The school had a vibrancy about it, surely an indication of a staff and student body working well together. It was close to their end-of-year concert, and preparations, rehearsals dominated the timetable. This particular afternoon saw the organised chaos required to cater for rehearsals in inclement weather. I was impressed with the rapport between the Principal and his students; obviously he was an approachable and familiar figure. So where did he stand on inclusion?

Both the Principal and Judith, an experienced Education Support teacher, talked of the changing role of the units in the school, of the gradual increase in the level of disability now encountered in the units, and the impact of this shift in emphasis on the whole school. Judith confirmed this, using her experience to give examples. I described the two children involved in my study and asked how she would have coped in a similar situation, fully aware that it was impossible to generalise, but hoping for some clues as to attitude and expectations. Both Judith

and the Principal agreed that this type of situation was beyond anything they had so far had to accommodate and that there would be fairly major problems associated with coping in such a situation.

Judith was quite open with me in admitting that she would need help, not just increased aide time. She was not negative about the prospect, though. As she explained, she already adapted programmes to suit each of the children that she taught, with maybe ten children working at different levels in her classroom. She had never had to seek help from the Department, but was not phased by the prospect, having quite an open mind to the inclusion into her unit of children with more severe disabilities than at present. In fact, she had very positive stories to tell of successful integration. She was convinced that a child's personality was of greater significance in successful integration than the level of his or her disability. She told me that in her experience children are accepting, provided the child with the disability gives an indication of willingness to participate at whatever level was possible. And she had seen the benefits to other students, the gradual acceptance and ownership of such students. Some good news at last, I thought. Again I needed to remind myself that she was not referring to experience with students with other than mild disabilities.

Judith's concerns were more practical. She would need to retrain her aide(s) to cope with a vastly different teaching situation. She would not be able to carry on with the afternoon remedial teaching programme currently in operation while the 'unit children' were integrated into mainstream classes, something she saw as

detrimental to the facilities available to the wider population of the school. She had never worked with parents to collaboratively produce a suitable programme for their child, but thought she'd get used to the idea, with help, always assuming she would be given extra non-teaching time to accommodate these new expectations.

More of a surprise was the Principal's reaction to the possible inclusion of a child with an intellectual disability into Year one next year. A classic situation: the child has full time aide in Pre-Primary. The Departmental decree is for the child to attend a special school in Year one, therefore aide time will not be available for the child's inclusion into a junior unit. The teacher and the school will not be able to cope with the child without a full time aide. The school will be left with little option but to resort to using a Section 20 to provide resources unless the parent compromises. The whole situation hangs on the parent's resolve.

And a sadder surprise? The expectation that a child with Down syndrome would become increasingly violent and difficult to handle as she or he grew older, that the prospect of physically handling a ten year old child with Down syndrome was a daunting prospect. Physically challenging, maybe, but surely not an insurmountable problem. The age-old fear of the unknown, the different. From caring, intelligent adults.

So what did I decide? Most likely the personality clash was a factor in aggravating an already difficult situation, but the process seems depressingly inevitable. And the prejudice.

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The role of the Parent Advocate had puzzled me since the start of my study. I could see the power and the dependence as significant aspects of being an Advocate, but Sally's was a voluntary role involving an enormous time commitment, and that was the puzzle. Why was she so committed, and when had this begun? As ever, she was comfortable answering my queries.

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Sally bent to accommodate the dead weight of her sleeping five year old daughter. There was a stillness, a gentleness about her that I hadn't seen before. Her two sons were playing quietly on the couch in the next room.

We were, of course, perched on the two kitchen stools. Sally had been telling me how confident she had been of the Independent Panel's decision, how it would have been impossible to rule against retaining the two boys in the unit at Hadfield Terrace Primary School. She told me of the frantic battle against time to prepare submissions, gather opinions. She spoke proudly of her interactions,

instructions to the lawyer provided by the Federal Disability Discrimination Act provisions.

We talked of the information they had sought through Freedom of Information, and the insights gained by this access. She spoke scathingly of the school's role in the process and the Department's mishandling of the whole affair. It was difficult not to comment on what seemed a blatantly biased opinion, but she assured me that there was now evidence obtained under FOI to support all accusations.

It was obvious that she felt in control, was in no way intimidated by the process or the people involved. It was also obvious that she had spent an enormous amount of time coordinating the responses to the Panel's set questions. I wondered at the toll on her children, her home life. I asked her how she became involved in these battles, why she continued in such a demanding, voluntary position. She spoke quietly, never looking up from her sleeping daughter, occasionally brushing her lips across the child's hair.

"My oldest son, Ben, is autistic. I went through three years of hell until he went to Pre-Primary, where we went through a diagnostic merry-go-round until it was decided that he had an intellectual disability. At least then I could get speech therapy for him and he qualified for an aide for pre-primary. Autism was a terrible label, because it was behaviour oriented.

"I had really needed help. There was no information, no support system. No aide time, no services for my son. So when it was time for him to go into Year one and there was no chance of the teacher coping without an aide, I decided to fight. I used the press. It was instinctive, I guess. I pushed and lobbied and was very public. And I got what we needed. The lack of information bothered me, so I researched and read all the literature I could get from all over the world. I saw how we need advocates to help parents, to disseminate that information."

She was quiet for a moment, rocking her daughter, eyes still downcast. Some of the compulsion was back in her voice now.

"I'm a midwife, but I'm not working at the moment because these Section 20s take too much time for me to work. I was just burnt out, I suppose. The Equal Opportunity cases I'm handling are a huge commitment, too. I simply have to be available. I can't walk away from the commitment I gave to the parents to support them." Again the pause, the change in direction, this time with a very personal note.

"The Department's gatekeeping process incenses me. If you've got an IQ of less than 70 then you don't go into a regular school with support, you go to a special placement. What is not looked at is the child's educational needs, just the label. What you have to consider is how well they can function in a classroom. Look at Ben. He is borderline. He's a normal child within a normal school but he still needs help. Other parents need to see this, to take this into account when they decide about their child, to look at the child and not the label."



"The reputation you have is of a threatening person".

My comment snapped her out of her reverie. The sharpness was back in her face, the quickness had returned. She looked up at me, almost antagonistic in her reply.

"A strong person. The image has been built up, not by me, but by other people's perceptions of me. That has become the aura that protects parents in a sense. Like a protection mechanism".

"You become part of the family support system, then. That is a very powerful position for you. Do you ever think of it in that way?"

She was calmer now, more contemplative.

"Yes I do. It takes a lot of balanced decisions to ensure that you don't abuse that power. I am very careful in what I do."

"How do you know it's the right reason? Is it a gut feeling?"

Sally looked at me for a moment, then explained that she worked from a values basis, a belief in the family unit, a belief in right and wrong. Her belief, I thought. And again I thought of how vulnerable, how trusting these parents are. I wondered if I would react similarly. I acknowledged with a private smile my ability to revert instantly, illogically, from a confident, competent teacher to a defensive, almost submissive parent at parent-teacher meetings when my child's progress was an issue. The role reversal always amused me. It was very difficult for me to be judgemental when I could only begin to imagine the problems faced by these parents.

## CHAPTER 7

### **‘A false victory?’**

The Recommendations had been in place for over a term now. Enough time for anger and hurt to settle, changes to be made. Doug’s office was quiet and cool on such a hot afternoon, a pleasant setting to ponder on the progress made in implementing the Recommendations. He was comfortable with the situation, pleased with the progress. Was the issue resolved? Could it ever really be resolved?

“Yes, it is working well now. The Implementation Committee has met twice to get everything going, with a review this term. And the outcome of that was that we don’t really need to meet again until next year. There are ongoing meetings at school level which I’ve been told are progressing comfortably now.”

His relief was evident. The situation had been fraught with problems. It had dominated the year. The District Office had other problems, with another possible Section 20 looming.

And the establishment of a new unit in the local school? “We will get another Education Support facility in the district next year.” So things were starting to settle.

I wondered if Doug could define any change in the role of the advocate. Whether there had been a sense of helping or hindering. Liz had hinted at a change of emphasis in negotiations, so I was curious to know if her perceptions were more widely felt. Doug smiled, telling of Sally's terrier tactics, at their heels all the way through the process, never missing an opportunity to snap at their actions, determined to wear them down.

"Encouraged, I think was the way I was seeing it in the early days." We laughed, his understatement obvious. "Very much assisting them and I thought involved in motivating and pushing the parents. I mean how much does it take to force people to back up against a system."

I thought I could probably answer that question now and was surprised that he still needed to ask.

"I suspect that without the advocates being involved in the very early days the conflict wouldn't have progressed to a Section 20. But now that we're in the process of implementing the Panel's recommendations the advocates have been useful people to calm the situation down. It has made for better communications. It certainly hasn't been a hindrance."

A satisfying situation. No understatement needed now.

"The dialogue between the parent and the school has been most satisfactory."

And the children?

To answer that question I needed to talk to Sharon and Denise. There must have been progress in implementing the Recommendations by now.



There was a mattress on the floor in the family room, Sharon's three children lined up watching the television. The house was littered with toys, Sharon looking dishevelled and tired. Not a good day. We escaped to the lounge room to catch up on what had been happening at the school since Sharon's joyous announcement that she had won. Her nervous exhaustion showed in her chain smoking, and constant, sharp changes in position and focus. Despite this, her excitement at the new tone of the school made her conversation animated.

"This term it's like David is going to a new school, even though he's not. They can't do enough for him. The programmes they are sending home are great. The Principal, the teachers, myself, the psych, and Sally all worked on them together. The visiting teachers from the Department help, too. They are putting in an extremely huge effort to work on David."

So progress was being made. The teachers had been given the help they needed.

What about attitudes?

"They've got the attitude that 'Right. We've been told, so let's get the job done', and now they're acting like the professionals that I believe they should have been when we initially went to the school. And I've been extremely happy with it. Things like speaking nicely to me now. The Principal? He's been the biggest turn around. He's trying to be extremely helpful."

Had her attitude changed too, I wondered? Was it only a perception of changed attitudes? As a teacher, it would be much easier to deal with a satisfied parent. I might not say or do anything differently, but it would come across in a far more relaxed manner, far less formal.

She smirked, stubbing her cigarette forcefully.

"We've had a couple of meetings since the decision was handed down. A few arguments about suitable programmes, but generally OK. There were a few problems, especially the question of the six month trial."

I knew there had been a real conflict of opinions here, to the extent that the parents (with their advocate) had sought legal advice as to the correct interpretation of the 'six month trial' clause. They had seen the Department's interpretation as differing from the intent of the Panel, that there was a six month period of adjustment before integration of the boys became mandatory.

Sharon looked across at me, tears in her eyes. "It really shook me. It was as if I'd had a false victory. I know all this is a delayed reaction to it all, but I just couldn't face going through all that again." She brushed the tears aside, shaking her head and picking up David, who was crying and pulling at her sleeve.

"One thing I made quite clear at that meeting: if I've been through all of this just to have my son go back on trial again, then I'm not going to have that. I'll take them to the highest court in the land if that's the case."

She was angry and exhausted, but determined to push for what she saw as her rights. A little calmer now, she told me that the new classroom had arrived, and

the aide time was now increased, although she was still adamant that it was the school who saw this need, not her. She resented the implication that her son needed constant supervision. Obviously not all the issues were yet resolved.

What about Joshua? Was he making any progress in his newly arranged classroom? The senior unit was now split into two classrooms, and Joshua should be working on an individual program.



It was Friday evening, our only opportunity to catch up on Joshua's progress since the Recommendations had been in place. We had kept in touch fairly frequently by phone, but with Paul's job entailing travel to the country the opportunities to sit down and talk were rare.

The children were sent off to play in their bedrooms, inevitably tempting them to play the 'Let's bounce on our beds and shout and see how long it takes to get a reaction.' game. Always a winning game for children. Their temporary escape from banishment gave them the opportunity to join us at the table. They were comfortable with me now after my frequent visits and were keen to show me pre-school projects, homework stars and the new kitten, dangling precariously, strangling, from the baby's eager hands.

But not Josh. He stood quietly in the doorway, watching, smiling gently. An observer. I thought of the brief television interview shown a couple of days after the announcement of the Minister's acceptance of the recommendations. Of the camera's reluctance to leave Joshua. He really was a delightful looking, gentle little man. I had to constantly remind myself that this was not the only side to his nature. There was almost a Jeckle-and -Hyde character here.

The children were sent back to bed, and our conversation became more focussed. There were so many things I wanted to know. Aware of how poorly Joshua coped with change of any kind, I wondered how he was managing, if any integration was taking place. After all, that was the whole point of the battle.

I sensed that I needed to go carefully tonight. Chicken pox had hit the household, and each of the four children had taken turns to be spotted. My questions seemed to reinforce Denise's sense of having lost close contact with recent happenings. And Josh was having problems. Consequently, there was often a defensive note to her replies.

"We still don't know for certain about the integration and his reading program is still not fully implemented. Now he is being taught the way we were told was correct for Fragile X, that is not breaking words down, no phonics. He is coping well with that. He brings home his reading, its just kid stuff with three or four word sentences. It's all new to him. He doesn't have the idea of homework. We are still developing the proper homework pattern and he has to get used to that."

Denise was pleased with his progress, but seemed to feel the need to apologise for the very simple tasks set for her son. Perhaps my questions had really thrown her. Or maybe that realism factor was still missing. My soothing comments were instinctive. For some inexplicable reason, I felt the need to defend Joshua. “Do you know if the routine has changed at all in the classroom? Joshua would need time to adjust to change.”

Maybe the motherhood factor saved me, as Denise instinctively knew what I was doing. The rapport was back, the responses flowed.

“I don’t know, that’s what we are trying to find out at the moment. He’s a bit off the wall at the present time, something has triggered it. Maybe it’s the change” Paul was less reticent in telling of the current situation.

“We’ve been to see his doctor. Josh has had another growing fit. Normally when he has a growing fit it throws everything out. It could be that. Or that he has changed to another classroom. That is something we have to look at. But he’s definitely having some problems.”

I asked Paul if he could explain to me the nature of these behaviour problems, as even after the extensive time I had spent with the family I had not observed any such behaviour. He was quite open about it, not an easy thing to do when it’s your son. Josh was having real problems coping in any formal setting. He couldn’t sit still, couldn’t stop fidgeting and calling out without the calming properties of his medication. There had been a couple of instances of violent behaviour towards his teacher, biting and scratching. Josh’s compulsive



behaviour was resurfacing, described by Paul in the extreme medical terminology as 'self mutilation'. What on earth was that, I asked, expecting tales of blood and gore. Paul told me that Josh habitually gnawed at his knuckle and scratched his arm or stomach until it drew blood. Not at all what I had expected. Paul continued to explain that Josh's doctor had helped them put the problems in context. Josh simply couldn't cope with the sudden change to a more formal, less restricted environment. I'm sure the school had told them the same thing, but I suspect that it seemed less judgemental coming from their doctor.

"The school seem to be very willing to help sort it out." Denise explained that she had increased Joshua's medication to try to control the behaviour problems. That the hyperactivity was a feature of Fragile X.

I decided to steer away from the sensitivity of Joshua's problems, asking about their relationship with the Principal. They laughed at my suggestion that the stage had been reached of everybody agreeing to interpretations of the recommendations. Comments, answers were as ever syncopated with glances and shared mirth.

"It's all very strained."

"We are all on best behaviour. You can always tell there is a bit of tension there."

"It will take a long time for the trust to come back. And he knows it."

"We still take Sally with us to all the meetings. We want a third party there with us."

I wondered about the other recommendations. The teacher's aide. The behaviour management programmes. It seemed that the leaning programme was well under way. It takes time to implement programmes, and most of the term had been used in the necessary organisation of these new moves.

Paul and Denise had other concerns, too. They had heard rumours that Josh was spending time in the junior Education Support unit. There was still the bone of contention that Josh needed constant supervision during recess and lunchtime. And it seems there was dispute over the role of the aide. This angered Denise, who saw it as yet another slur on her son.

So all was not well, despite enormous efforts to cope with new expectations by both the school and the parents. The behaviour management programme was yet to happen. Josh's shy smile flashed back to my mind. I wondered where he stood in all of this, what he wanted.



Sally was very pleased and proud of the progress made at Hadfield Terrace Primary School. She was full of praise for the teachers, openly sympathetic with the Principal. Quite a stark change in attitude since my first interview with her. But a lot had changed since then.

We were able to talk without the usual interruptions today, at least until the children woke. Even so, we perched on the kitchen stools, drinking coffee and

reminiscing about recent events. She told me how impressed the District Office staff had been at the rapport now happening between all stakeholders. How they considered sending a briefing note to the Minister to show how successful the process had been.

The paradox struck me again. These people considered it a success because negotiations were now civil, almost collegial. But the school and the children were far from considering the matter settled. They still had significant problems to overcome. And the parents were still locked in anger. Sally nodded her agreement to the parents' dilemma, explaining the difficulty of removing oneself from the heady heights of public conflict.

"I think it is a bit of an emotional rollercoaster for them. I suppose because I have had such a long involvement with media and people from the Department, I am not in awe of talking to the press or the Minister."

"But it's not like that for them?"

"No it is not. It is the ups and the downs and having put the events in context and return to a normal life after having gone through a period that was so intense and public. It's very hard for them to let go when the conflict finishes. Many of the parents need the help of a psychologist. There's depression, and almost a grieving process. It's a strange feeling, because you become empowered and used to being able to use that power."

The term 'empowerment' had surfaced in conversations with all my participants: all, I thought, with different connotations. I asked Sally for her version. To

Sally, empowerment was a process, the first step being the realisation that you deserve to have your needs met and that you are capable of making the decisions necessary to fulfil those needs. The process then moves through stages of knowing when and how to use this newly discovered voice, leading to its actual use.

“It was very evident at the meetings at Hadfield Terrace school. When we went back into the meetings the parents wanted to continue using that power and aggression and sending the anger back to the school, whereas the school had gone back into parent mode. We have had to work on this and talk things through. I had to hold Sharon back a few times at meetings, because she was still angry, still aggressive. And that is not the time or place, it has gone past that.”

“So what are they going to do with all their new empowerment?”

“That’s the other thing. For Denise she can go back to her life and utilise the empowerment through her Fragile X support group. She has four children, she has a husband, she has a busy life. She is coping and holding it all together, but I know that it is still there, unresolved. Sharon wants to utilise her power, too, and is starting to find ways of using her new knowledge. But she’s a single mother and doesn’t have the same support.” I thought of the agony in both households . If that was empowerment, I hoped for all concerned that it was a worthwhile goal.

We talked of how every one had moved on from the stance taken at the beginning of the year I wondered if Sally had similarly changed.

“I have come to understand the Department and the way they react. I suppose I have become more tolerant of the way they are and recognise them as people doing their job, instead of being more adversarial and thinking the Department didn’t understand.”

Her answer was given with a faint smile and grudging acknowledgment of her growth in acceptance. From my conversations with Doug and Liz, it seems the growing respect was mutual. It had certainly been a learning process for all three. I asked Sally if she had been seen as an aggressor, thinking of the Principal’s comments.

“Definitely at the school they found me aggressive. But they realise now there is a great deal of skill in handling people in these situations, that I did know what I was talking about. It wasn’t only a perceived image.”

Her comment reminded me of a previous conversation when we had talked of the Education Department’s perceived power. How the questioning of that power was becoming more common. How the Department could no longer assume absolute authority. It could be questioned, challenged, wrong.

“What about you, Sally. Can you let go of it all? Is it becoming a crusade for you?”

The question had obviously been bothering her. Her reply was full of doubt.

“What happens if I take away that band of protection? The parents are still there and they still need help, but if the Department perceives the band gone, they will

start pushing back again. It is a real concern and worry to me.” She was not yet ready to let go, to delegate. Was she indispensable?

“There is not much point in you totally destroying yourself.”

She looked at me and shrugged. “I could never refuse to help someone.”



As Sharon looked up at me through her dead, drugged eyes, trying so hard to articulate her thoughts, my heart went out to her. I shouldn’t be here, I thought. As if aware of my dilemma she smiled, apologising for her slow actions and pleading with me to stay.

“Please stay. I wanted you to see how well David is progressing. You know, he achieved all his objectives last term, even after missing three weeks of school. And this term he’s already achieved the set objectives! We had to set some new ones! I’m so proud of him. I knew he could do it, given half a chance.”

I couldn’t help but be moved by her plight. Not much of a detached researcher, I thought wryly. God I hope this works for her. She’s killing herself for an ideal. She had rung, inviting me to come and observe David’s home programmes. We had often talked of the work she did with him. It was almost a compulsion with her, a determination to ‘catch him up.’ She had shyly confided her attempts to develop some tongue exercises, wanting to help David develop control of his tongue to aid his speech.

"People's perceptions of intelligence are influenced by a speech impediment. David has enough problems with his looks, without speech as well. People are very cruel, you know. If I can help him with the formation of his words he'll make a better impression."

At my last visit we had joked about her youngest daughter, still in pre-school, teaching the other two their homework. It had been an 'up' day for Sharon, she had been sparkling. David had been going ahead in leaps and bounds, and she had been invited to speak at a conference in Queensland early next year, her chance to begin as an advocate.

Sharon explained to me how she was now diagnosed as having Clinical Depression, very much in need of the home help provided for her, unable to cope with the daily tasks involved in caring for three children let alone a lively son with an intellectual disability. She was characteristically pragmatic about the situation, seeing herself working through to full recovery.

Besides, good things were happening. It was Sharon's dream that all three children would attend the local school together. Not an impossible dream now, as it seemed the Education Support unit promised the local school may eventuate, as recommended. Sharon had been working, lobbying, coercing, determined to have that unit ready for the new year.

Even I had noticed the improvement in David's speech. His reliance on pointing and pulling to communicate was now interspersed with words, his deep, deadpan

voice mimicking anyone and everyone. I wondered if his behaviour modification program was working. Again, as if reading my thoughts, Sharon smiled and carefully mouthing her words, her speech slurred and slow, she told me of another high point in the year.

"The most wonderful thing happened, it made it all worth while for me. All this." She waved her hand around the room, encompassing the lady busy drying the youngest after bathing her, getting the children ready for bed, having already dispensed with the evening meal.

"We had one of those review meetings at school last week and the Principal said we needed to get more help for David's speech, because no-one could understand what he was saying."

Sharon's face lit up, animation struggling past the barrier of antidepressants.

"The teachers actually stood up for my little boy! They said 'But we can understand him! It was a real win for me. Those same teachers actually standing up for my son.'"

Her face glowed with love and pride, the ever-threatening tears back in her eyes. It was time for me to go. I couldn't let her do this to herself on my behalf. After the necessary pleasantries, I said goodbye to the children and drove home, filled with sadness for her, hoping for some realism in her expectations.



And the end of the story? I'm not sure that there is an end. The school has made every possible effort to implement the Recommendations as they need the services to survive and cope with any remaining sanity and dignity. The Department is being cooperative in assisting the implementation, but it all takes time, no matter how much good will and hard work is evident. Not all the outside services needed have been quick to cooperate, so not all the Recommendations are yet in place. And meanwhile, the teachers are doing their best to adapt and cope. No further enrolments of potential Section 20 students are expected at this school next year. Gatekeepers again? Or somebody else's turn.

And the children?

It seems Sharon's dream will come true... at least in part. The new Education Support unit will be placed at the local primary school, as recommended, after a battle needing the use of a solicitor to negotiate with the Placement Committee. All three of Sharon's children will attend the same school next year: how David copes with the new situation will be next year's story. Integration for him so far has been minimal, but all the educational objectives set for the term have been achieved. He has been invited to several birthday parties and is starting to be invited to play at other children's homes, as well as inviting children to play at his home. The socialisation is beginning to impact.

His aide time is transferable to any educational setting he attends, so Hadfield Terrace Primary School loses a resource (or at least a shared resource) and

Acacia Park Primary School gains aide time, a behaviour management programme and a peer support programme (when the Department eventually manages to provide these services for David). There is a clear understanding on Sharon's part that for all concerned increased integration needs to be a gradual process, but ultimately she hopes to have David fully integrated into a mainstream classroom.

And Sharon? She's slowly fighting her way out of the fog of depression, excited about the new prospects, less reliant on drugs or outside help now. Starting to let go of the anger, but still keen to follow through to the Equal Opportunities Commission to ensure full implementation of the Recommendations if she is not totally satisfied with progress early next year.

Joshua's story does not have a happy ending... yet. The desperately needed behaviour management programme has still not been provided, despite repeated pleas to the Department to help speed up the process. It seems the independent experts given the task are less than keen to provide the services. A cost factor. Another resource problem.

Meanwhile, Joshua is still having problems, despite increased medication. He is still gnawing at his wrist, his behaviour deteriorating to the extent that he needed a couple of days away from school to let things settle. The violent outbursts are becoming more common. He has become so attached to the unit staff, the routine, the other children, that he often stubbornly refuses any attempts at

integration. The characteristics of his disability are becoming more evident when expected to sit and do formal work, even in the unit setting.

However, there has been progress. Students are becoming more accepting of Joshua, he is slowly becoming one of the group and he has achieved all his educational objectives. He still prefers to remain aloof, though, more comfortable with adults than children. He is fully aware of the consequences of his behaviour, although this is not yet a deterrent for him. Probably more satisfying to his parents was the fact that Joshua's end of year report contained positive comments from his teachers and the Principal, indicating that once the behaviour problems are controlled, other objectives will be easier to attempt. And that finally attitudes had shifted towards acceptance of their son.

Denise and Paul decided to reject the opportunity to transfer their son to the new unit at the local Primary School. He does not cope very well with change and a new school would not solve his current problems. A recent visit to the doctor gave them the sad realisation that they were working, as Denise put it, "with a time bomb". Joshua has approximately three years of effective learning time left; it will definitely be life-skills time for him in high school. Even more reason not to interrupt his current progress. As Paul said, Josh has made more progress this year, despite all the problems, than they have seen in previous years.

Maybe Joshua simply needs more time to adapt to the changes. Maybe once all the programmes are in place, the situation will gradually resolve itself. And

maybe Joshua, in his own inimitable way, is giving everyone a very heavy message.

There has been an ironic twist to Sally's story. She has been asked to document and justify her son's need for an aide. A possible placement question? She tells me that as a result of her hard work over several years to raise community awareness of the choice of inclusion, the number of parents wanting to integrate their children with autism has increased, but the resource allocation has not. So a rationalisation of resources is under way. Several recipients of aide time are being reassessed before the start of the new year. She is not really concerned, as she is quite convinced that even if the unthinkable happened and she was to face the Independent Panel, her son would not be shifted from his current school, his aide time fully justifiable. It seems that the system remains impervious to fairminded advocates.

Sally tells me that the Inclusionists are gaining ground, their evangelical skills persuading an increasing number of parents to push for full integration, for mainstreaming. Sally's willingness to accept the viability of the full range of Education Support settings (assuming parental choice) invokes a 'Devil' label. She is seen as an evil influence, to be pointedly avoided. And that inevitably, when the going gets tough and the Section 20s loom, the Inclusionists retreat leaving the parents to look for Sally Johnson to solve the problem. The

Inclusionists, I'm sure, would tell another tale, of mutual benefits and a child's rights.

There are other Section 20s under way. Committed parents are pushing the system, determined to exercise their perceived right of choice, leaving the school with little choice but to resort to a Section 20. There is a recognition of the mutual advantage in the use of a Section 20...to themselves as parents, needing the Independent Panel (in fact needing the process of the Section 20) to counter the Principal's power of selection and to the school, in providing the necessary resources to cope with the inclusion of a child with an intellectual disability. Doug described a current case as: "Interesting, just the sort of thing you'd like to write about." The implication was that the charged emotions, the anger, the defensiveness, the frustrations, the inability to conciliate, the anticipation of intent is there again. Maybe it is inherent in any Section 20 situation.

## CHAPTER 8

**'Beginning to understand.'**

I watched as he progressed down the busy mall toward me, his eyes lowered, shoulders forward, tongue slightly protruding, concentrating on his measured steps. It was difficult not to notice him...a stocky adult in a bright yellow raincoat, gumboots and rainhat, the hat securely fastened with elastic under his chin, making him appear neckless, squat. Close behind him followed an elderly couple, also dressed for inclement weather, far more subdued in style and colour. A family outing. Not unusual, even on an overcast Sunday afternoon, even for ageing parents and their middle aged son with Down syndrome.

The son followed what seemed to be a pre-determined course, never looking up, obsessed with his stride. The parents followed, keeping a proprietorial eye on him, quietly chatting as they strolled. For some reason the son stopped, looked up and caught his reflection in the window. It was with child-like delight that he gazed at himself, caressing his bright outfit with spread fingers. As if transfixed by the sight, he stood there, grinning. The parents hovered, seemingly oblivious to the reactions of the passers-by.

Most adults simply averted their eyes, not knowing how to react, not wanting to appear rude. A young boy asked him what he was doing in the loud, penetrating voice of childhood. A couple at the table next to me glanced at the tabloid, leaned in to whisper comments, out again with shared mirth. A group of passing teenagers jostling in their boisterous camaraderie were not so subtle with their reactions. "God mate - look at the corky! A yellow corky!" Gales of raucous laughter. Snide comments. Cruel imitations.

The parents looked at each other with the wordless communication of longtime couples, the mother stepping forward and gently taking her son's hand, quietly talking to him, persuading him to move along.

I couldn't help thinking of the parents I had been interviewing. Of the anger. The quiet acceptance of a son's disability, of his need for a supported education. The fears for what it would be like as he aged. Of how she would cope, where he would go. The hope that somehow integration would negate the chance that her son would 'end up in a sheltered workshop'. The overwhelming desire for him to be given the opportunity to lead a normal life, to be able to really communicate. The knowledge that given a chance, people would develop a tolerance, even appreciate his company. The growing awareness that as her son reached high school age, mainstreaming might not be a reasonable option for him. He was going to need protection, guidance, teaching skills perhaps beyond the

capabilities of any normal secondary school. The sadness in acknowledging this inevitability. The inability to predict into his adult years.

As if drawn by my thoughts, the mother turned to meet my smile of empathy. I was stunned by the ferocity of her gaze. There was an almost confrontational, animal protectiveness about her. A mix of anguish, pride. There was no resignation about her. No plea for sympathy.

Startled, I looked down, fighting for composure. Fighting the blush that was creeping up my neck. Fighting the prickle of embarrassment. Fighting an unreasonable sense of rejection. I had forgotten Sharon's almost aggressive "We don't want sympathy, we want acceptance. What's the point of being sympathetic? How does that help my son?"

I had intruded on the mother's grief.

By the time I looked up again the trio had moved on, the Sunday crowd parting and letting them through. People reacted or not, in a seemingly random manner. I was overcome with a sense of helplessness, a realisation of the enormity of the task taken on by these parents regardless of the appropriateness of the educational expectations for their sons.

I was beginning to understand.



I recognised their vulnerability, the fine line they walk between realistic expectations of their child's ability to cope, the system's ability to accommodate their needs, society's willingness to accept their demands for equality. I realised how easily they could be persuaded to become zealots with unrealistic goals, or perhaps be disempowered by a system with fractured communications, too unwieldy, too unwilling to accommodate their requests for flexibility without being forced. And I wondered whether anything would change by the time their children were adults.

## 4.0 AFTERWORD

I had envisioned, as did Denzin ( cited in Donmoyer, 1994) that my story would “plunge the reader into the interior, feeling, hearing, tasting, smelling and touching worlds of subjective human perception.”(p. 159). Whether my literary skills would allow this was another issue, however Denzin’s words aptly describe my sensations as interviewer in this study and I certainly experienced his sense of a parallax of discordant voices, visions and feelings.

### 4.1 Data Collection

As envisaged, the collection of data formed three distinct categories - two forms of interviews and a study of documentation.

#### Interviews with Parents

The collection of data became ethnographic in a sense, as the time spent within the parents’ homes could not really be adequately described as ‘interviews’. The three planned sessions extended to five, each of at least two hours. Two sessions were in Term 3, one session during the September school holidays, two sessions in Term 4, and a final session for the reading of their draft story, including collaboratively writing the ‘end’ of their story. All except the final session were tape recorded and maintained my original planned format.

The first interview needed to start in a fairly structured way, as the parents were predictably at a loss as to how to tell their story. However, as they relaxed the

stories flowed. Subsequent interviews followed a sequence of a brief review of events since the last interview, clarification of the focus for the current session, and then the 'conversation'.

The children were an integral part of the interviews, as we were always talking in and around the normal household happenings. The background noise made transcription of the taped sessions interesting, especially when conversation was competing with noisy videos! This observation was deliberate on my part, as it was my only opportunity to get to know the two boys, having been refused access to the classroom. Besides, it added a realistic touch to the situation and relaxed everyone.

Many stories were retold - events were re-explained in subsequent interviews using an almost word-for-word repeat of the same story, subconsciously I'm sure. I used these repeats as a selection process, on the assumption that the event must have had a significant impact to so consistently be retold. Without the mutually extended time frame in which the participants could tell their stories in their own way, and the subsequent building of rapport, I am convinced that I could not as successfully have portrayed these participants. They could not have become characters, Selves.

The parents had often commented to me that they found it helpful (cathartic?) to sequence and explain the events. They were quite moved when eventually reading their story and I felt very relieved to have adequately portrayed them to their satisfaction. 'Denise' described the sensation of reading about her own trauma as "a total spin-out." No changes were requested, but the stories started flowing again. The temptation was there for the parents to re-interpret their recorded reactions in light of more recent events - a story re-storying itself? A cultural shift? New knowledge?

#### Interviews with Education Department Representatives

Two one hour interviews were used for each participant, with three of the interviews tape-recorded and all described in detailed field notes. As planned, the structured questions were available but were not used except occasionally to re-focus the conversation. The participants glanced through them, then left the questions on the table and simply talked to me. We had a 'conversation'.

As I was not sure of the availability of the second interview until after the first (I was on trial) I pushed in that initial interview for an overview of their reactions to the Section 20 process and its impact on them. Hence the second session (I passed the test) filled the missing links, and as such was structured around what had not previously been discussed. The sessions were very friendly and informal. These participants in particular were influenced by the open nature of my study

and my explanation of the methodology in the sense that no overt judgement was to be made. They did not feel threatened by the thought of telling their story, they were relaxed and confiding. My comments and questions as interviewer were usually spoken over, sometimes leaving me with the feeling that I was an irritating interruption to their telling. They wanted to tell their story in their own way. I learnt very quickly to smile and nod!

Both participants told me they had enjoyed the opportunity to talk about the quite traumatic events, welcoming the opportunity to balance the well known (very public ) view of the parents and their advocate. Both were understandably very concerned with the accuracy of my interpretations, working with me to elaborate and reword phrases to minimise any possible misconceptions. Both, unfortunately, felt that any misquotes or misinterpretations could have legal ramifications, or result in possible confrontations with other participants. Having reached the stage of establishing a positive, but still tentative, working relationship with the parents neither representative was willing to risk that gain through my research. I felt it was not really a problem, except that it occasionally meant a compromise on wording that took the sting out of the story.

### Interviews with the Parent Advocate

The interviews with the Parent Advocate also fell into two distinct categories: three tape-recorded interviews along the same lines as those conducted with the

parents and numerous phone calls and brief visits. The taped interviews needed very little direction, not only because the Parent Advocate had a definite message to give (interspersed with personal stories), but because the other relatively frequent contact had ensured a comfortable rapport. The Advocate was a constant source of documentation and current information, my source of discrete triangulation, so to speak. Inevitably, many stories told to me in confidence were subsequently retold to me by the Advocate, with the reverse order also common. She seemed the only participant who truly understood my intent to tell as many sides to the story as possible and was not phased by this prospect.

### Other Interviews

The decision by the Principal and the teachers not to take part in my study forced me to look elsewhere for some indication of the conflict within the school. I had planned to make brief contact with a range of other Education Support facilities, but now needed much more focussed information. In order to gain some insight into how the Education Support staff at Hadfield Terrace Primary School might have reacted to the inclusion of the two boys with an intellectual disability. I visited and interviewed principals and teachers from a unit, a centre, two special schools and a mainstream primary school. Two experienced high school teachers involved in teaching post-compulsory aged students with intellectual disabilities were also able to help me develop an impression of the possible problems and concerns faced by teachers relatively inexperienced in dealing with children with

an intellectual disability. They demonstrated to my satisfaction that the parental desire for inclusion is **not** restricted to primary schools.

These interviews were to ensure some realistic context to my interpretation of the situation being studied, giving me the chance to fill the gaps in my own knowledge of Supported Education. Not all interviews were taped - some were 'only' conversations - but field notes were made each time.

I also interviewed other parents whose sons had an intellectual disability - two who had sons with Fragile X syndrome, and two who had sons with Down syndrome, one of whom is now an adult. The context of these interviews was not used in the story as the intent was to meet my need to place the problem in some realistic (for me) context. These interviews gave me sufficient understanding of the problems associated with children who had Fragile X or Down syndrome to allow interviews with the major participants to flow without my constant need for clarification. It seemed demeaning to the two families involved in my study for me not to have developed a reasonable understanding of their sons' problems, apart from any practical consideration of my not fully grasping points made during interviews.

### Available Documentation

I used newspaper articles and letters to the editor to establish points that could not otherwise be made, and to give a sense of the conflict within the community. Documentation, including information received through Freedom of Information, was readily made available for my use. The parents and the advocate were very keen to present a full picture of the events, providing me with copies of any documents I, or they, thought relevant, introducing exquisite ethical dilemmas.

## **4.2 Missing Voices**

At times I felt that I was re-living Helen Garner's (1995) research for 'The First Stone'. I was locked out of significant (I thought crucial) avenues of information, as well as having to deal with burgeoning ethical problems. I began to wonder if my study was jinxed by my stated intention of basing my work on a controversial work of non-fiction! After a major mind shift in deciding to consider these problems a challenge and an interesting twist to my methodological trial, I found ways to counter the setbacks.

### School voices

I sought to counter the missing voice of the teachers by using documentation made available to me by the parents and the Advocate. I used school assessments of the children obtained by the parents through Freedom of Information (FOI), and the parents' submissions to the Independent Panel, which



also addressed the issues raised by teachers in the FOI information. This triangulation of data removed some of the ethical dilemma regarding the use of such documentation.

My decision to talk to the District Office in fact added an extra dimension to the study and although it was as a result of my inability to interview the Education Support staff at Hadfield Terrace Primary School, I consider it gave some reasonable insight into the school's perspective as well as a very clear insight into much broader issues regarding the costs of providing public services and subsequent constraints from the District Office perspective.

I couldn't really balance the detailed viewpoint of the parents without these voices, or the opportunity to observe the two boys in a classroom setting. This left me reliant on very subjective reports of the classroom situation. The Principal's explanation of why the teachers decided not to participate gave some semblance of balance, but not the immediacy I would have preferred. However, because I was forced to move outside the school setting for indications of the conflict, I developed a much better sense of the District Office position and the Placement Committee perspective than I had originally planned. I had the opportunity to speak with most members of the District Placement Committee, although for ethical reasons we did not discuss the Placement Committee meetings, only the outcomes.

I further enhanced my sense of the teachers' perspective by visiting other schools, talking to other teachers, other principals. I was aware that I couldn't generalise from these interviews, as each inclusion situation has unique problems, but talking to a range of concerned staff faced with similar situations gave me an idea of current perceptions of the problems and advantages of inclusion. I chose school settings as close as possible to that being studied, that is, schools where students with intellectual disabilities were being included or schools with Education Support unit attached.

### Other Voices

Two other relatively significant voices were missing from the story ... one by choice, one mutually agreed to be a sensible retraction.

I decided not to include the influence of the Disabilities Services Commission, despite the active participation of the Area Co-ordinator in all relevant meetings, as I felt that within the structure of the story too many characters would be confusing for the reader, and reduce the impact of the major characters. Maybe in retrospect I was wrong; maybe to give a fair 'voice' to the Inclusionists I should have included their story. However, in terms of the portrayal of these two parents' resolve to fight the system and the major on-going support they received, the role of the Disabilities Services Commission was not as significant as that of the Parent Advocate.

The other 'silenced' voice was that of the Senior Area Psychologist. I had in fact conducted a one hour taped interview with the Senior Area Psychologist, along the same lines used for the two Education Department representatives. However, because of the restrictions implicit in her Code of Ethics, she could not disclose any information regarding the students (I hadn't expected her to) and after being interviewed, felt very uncomfortable about being quoted in any way concerning the Section 20 process. She required restrictions on my data and its presentation in any public form that were totally unacceptable for me, so we mutually agreed that she formally resile from her agreement to participate in my research. Perhaps, like Janet Malcolm, I had gone for the jugular, or perhaps the recent publicity and its consequences were still too raw. Whatever the reason, I had no desire to work on any but collaborative terms with a participant, so we parted amicably.

It was difficult to balance the perception of a negative staff viewpoint without the chance to talk to people within the school. I'm sure I would have found some contrasting attitudes given the opportunity.

### **4.3 Ethical Dilemmas**

Even though I strictly followed the University Code of Ethics for Research, it was an inadequate guide for the problems faced in researching a controversial, open-ended issue, particularly since the Western Australian Freedom of

Information Act (1992) gave me as researcher, and the participants, access to what previously would have been classified as confidential, inaccessible data. It also potentially gave my participants access to my incomplete thesis and field notes, quite a significant issue in terms of confidentiality for any research if participants demand their 'rights'. A search of other Codes of Ethics, including that of the Australian Association of Educational Research and the Australian Journalists Association, still failed to address the problems I faced. At times it seemed that I was unfortunately positioned to agree with Zeller's (1995) question as to whether trustworthy data collection, data analysis and peer review could take place in a situation where anonymity had been assured.

More of a problem, though, was whether having collected trustworthy data, I could ethically use it. Zeller's (1995) suggested solution to the serious problems relating to ethical treatment of information by mutually shaping the text, by providing extensive opportunity for review by the respondents helped to overcome most of my ethical problems.

### Confidentiality

The particular problems associated with maintaining confidentiality while seeking a range of perspectives of a specific incident in an on-going, public and controversial debate were quite daunting. The openness of my methodology helped, but the immediacy of the situation meant that participants were

potentially aware of each other's participation. I went to great pains to explain the nature of my research to the participants, that I would seek differing perspectives, that the study involved two families at a particular school and would include, if possible, the Education Department perspective, so I was quite comfortable that all participants were fully informed. However, as the parents involved were in fact a mutual support system, along with the Parent Advocate, and as any other major participant was obviously fully aware of which parents and advocate I was referring to, it became almost impossible (in fact at times pointless) to maintain confidentiality in terms of identity.

Apart from being aware of the parents involved, the participants were **not** aware of who else had been interviewed; no mean feat, believe me. As each participant was relating his or her own perspective, the stories were quite self-focussed, and rarely became a source of slander. Selective editing ensured this, again presenting the problem of maintaining my ethical stance that no-one would suffer from my research, with ensuring the integrity of my study. This was usually overcome by the fact that the differing perspectives and impact of the same events did not really include other participants in any immediate sense.

Because the parents were still following through claims with the Equal Opportunities Commission at the time of writing the story (that is, at the end of the school year) I felt a responsibility to maintain this editorial power, as

although I wanted to tell the 'truth', it was never my intent to provide a vehicle for participants to sue each other, or me. Careful compliance with suggested changes to each participant's story was my safeguard here; all participants were actively involved in augmenting their story in my draft narrative, a very time consuming exercise. The story was actively re-storying up to the day of submission. As previously mentioned, for some participants this took the sting from the story, but for others it added a distinct tang.

My decision to include newspaper articles and letters created another confidentiality dimension. Even though I used pseudonyms within the text of the newspaper articles, by correctly referencing them (including the date of issue) I would destroy any real confidentiality. Again influenced by the over-riding fact that the parents and advocate were keen participants with a vested interest in being recognisable and other participants were not named in these articles (although the school was named), I decided to use the articles, without referencing. The participant discussed in the article (the District Superintendent) was aware of and compliant with my intent, helping with editing for maximum confidentiality, so I was comfortable with its use. After all, there was only one school where two boys were very publicly fighting a Section 20 at the time, so in a sense, there was never any real anonymity. My decision was based on the fact that these articles provided my study with an otherwise inaccessible perspective,

such as the local community attitude to inclusion, or gave a realistic insight into allegations made and a sense of the impact of being publicly accused.

### Including the Principal

Even though the Principal of Hadfield Terrace Primary School declined (twice) the opportunity to take part in my study, I included his 'story'. I took his rejection as that of access to the school and staff. As he had freely agreed to an interview (quite an extensive interview as it turned out) and at no stage asked me not to use this material, I used the interview in the context of the story. I was very careful to express the very general concepts we discussed, and in no way could the text be seen as detrimental to the Principal ... in fact, besides providing an essential dimension to the overall study, I considered it to be a very sympathetic interpretation of his situation. I did question boundaries of journalism and research here and felt that I had complied with ethical expectations in both. Is there really any difference, considering both imply an ethical and methodological continuum? I had related what I had been told truthfully, with no intention of harm and without knowingly placing the person in a compromising position.

### Freedom of Information

Much of the documentation made available to me by the parents and the advocate had been obtained through Freedom of Information. This presented me with an

ethical dilemma as to which, if any, documentation I could use, and raised the issue of my own ability to apply through FOI for relevant documentation. Quite a different approach to data collection. Ethical? Provided I could justify my intent, and always provided the party to whom I had applied (in this case it would have been the Education Department) was compliant. This did not eventuate, but certainly raises some questions as to confidentiality of information.

One of my participants was most anxious that other participants would not gain access to my 'story' via FOI, a problem I had not anticipated and to which I could only reply that my thesis was not yet a public document and hence was inaccessible to the other participants. This issue arose because of the on-going nature of the story. It was felt that certain information could influence current proceedings (of other Section 20s) if made available. Again my over-riding concern that no-one be harmed by my research provided a solution. No participant had access to any but their own 'story' and would not do so until the thesis became public in the sense that it was available through the University Library. I had never promised otherwise, but this was a disappointing compromise, as I would very much like to have registered the reactions of each participant to the whole story. There had been a significant shift in self-understanding for some participants within both their own 'culture' and the overall supported education 'culture', which could have provided other participants an opportunity to develop a new understanding of the frustrations and restrictions



implicit in each role. As a researcher, I considered this compromise a lost opportunity. By the time the participants have access to the story, the immediacy of the current proceedings will have dissipated.

The decision as to which documentation to use was influenced by the same overriding concern. Any documentation considered a professional (medical) assessment, including psychologists' reports, were immediately discounted. However, school assessments I considered acceptable. After all, as a classroom teacher I am constantly made aware that any professional opinion I make about a student is now accessible through FOI, and my Year 12 results are very public property.

Fortunately, the submissions made by each parent to the Independent Panel, jointly compiled by the parents, their advocate and lawyer, had addressed each of the issues raised in the documentation obtained through FOI and so removed my quandary. Hence my summary of the basis upon which the school decided to seek a 'more appropriate placement' for the two boys was based on these submissions, confirmed by my sighting the FOI documentation.

#### **4.4 Transforming Text into Story**

Because my aim was for the participants to tell their own story (as much as was possible) I relied very heavily on the transcriptions of the interviews. In all cases

the words spoken by the major characters are taken directly from transcripts, although as Janet Malcolm (1990, p. 155) comments, as author I owed it to the participants to “perform the sort of editing and re-writing that, in real life our ear automatically and instantaneously performs”.

I found that using the tape recorder made me lazy. I was often tempted not to bother with field notes because the interview had been taped. However, when faced with writing the story it became obvious to me that for narrative writing my observations, reactions, introspective comments made at the time were vital for any real interpretation of my taped interviews. Like Janet Malcolm (1990) I found the truthfulness came from my field notes, when it was the “writer’s ear that caught the drift of the subject’s thought” (p.157).

### Smaller Stories

Each of my participants shared stories with me, helping to develop their own ‘culture’. Sharon and Sally were very articulate and focused in telling their stories, allowing almost direct use of their transcribed words in some sections of the over-all story. More difficult was the three-way conversations involved with interviews with Paul and Denise. This became even more apparent when reading my transcripts, which needed much more care in unravelling the parallel and combined lines of thought.

As I had already semi-structured the story in separating interviews into beginning, middle and end, I had a basic structure for the whole story and each participant's story. Each participant had as Bruner (1990) suggested would happen, used smaller stories to justify and explain their actions. For example, Sharon used the story of meeting the teacher to explain the beginning of conflict between her and the school. Denise used the story of a child asking to play with her son to explain and justify the social advantages of inclusion.

I looked (listened) for repetitions of these smaller stories to indicate the level of significance of the event being explained in terms of the overall story for each participant. This was easy to do as each had 'favourite' stories, recounted in every interview. These stories allowed a culling of the text. I found that once I removed my own comments from the text as well as the repeated stories, the participants' story became almost self evident.

### Structure

In structuring both the overall story and each major participant's story, I looked to the Burkean Pentad to give 'dramatism' (looking for 'Trouble'). Surprisingly, I didn't need to play with the Pentad to create a story instead of merely relating a series of events. At each level of story - overall plot, the five individual stories, smaller stories used to justify each of these five stories - the Burkean Pentad (ie. who did what, to whom, where, when and why) could be found in the teller's tale.

There was conflict between the parents (to whom) at many different levels (who and where) - the school, the District, and the Department - regarding the attempted exclusion (what) of the children. And why? That is the source of another Pentad: an exponential story growth.

It became, as Tom Barone (1995, p.175) found, a “story-within-a-story format...that raised more questions than it answered.” In the same sense, a culture-within-a-culture format became apparent. Hence the culture of being a parent of a child with an intellectual disability, an advocate, a school, a District Office and an Education Department provided the setting within which each participant’s actions and Selves were justifiable. The over-all culture, of course, was the world of supported education. The conflict (Trouble) between these various perceptions of a culture, the clashes in culture, became the plot for the story, with the individual stories justifying individual Selves within each culture, as well as allowing a justification within the over-all culture.

#### **4.5 Archetypal Features**

Elizabeth Jolley (1994) suggests through one of her characters in ‘The Georges’ Wife’ that to write about reality you need the passage of time to blur the boundaries of fact and fiction. I suspect she is right; however, in this study the passage of time provided a combination of retrospective autobiography and the immediacy of relating events in which the participants are fully and currently

engaged. Both genres allowed the characters to sufficiently develop within the story to raise it from specific to the general on several levels.

As described in 'Transforming Text into Story (4.4)' the narrative form as a methodology allowed each participant to become a 'character' (a Self), easily justifiable within the relevant culture. As such, these characters took on an archetypal image, becoming categorically representative. My 'critical readers' related to the individual characters, but also spoke of 'mothers of children with disabilities', 'the Department', 'the school', showing a move from the specific to the general. They commented on the difficulties 'Liz' had coping with the work load and were very surprised at the delegation of decision-making. 'Doug' generated comments about the relative powerlessness of the District Office, and the 'Principal' was consistently seen in a sympathetic light, which surprised me. My 'readers' also spoke of 'the power issue' and 'the resource problems', and having 'a sense of being allowed to share a dilemma', which again indicated to me the generalisation of the specific events. They wanted to know what had happened to the characters since I wrote the story; they had become attached to the characters, explaining and justifying the parents' actions.

Certainly as the researcher, I developed a new and comprehensive knowledge of the frustrations and expectations associated with being the parent of a child with an intellectual disability, of the culture of supported education and the parental

belief that inclusion was their child's right. Apart from developing a much broader understanding of the narrative form (there is no better form of learning than doing!) and a heightened respect for authors (I am in awe of anyone who writes stories with ease), I have developed a healthy respect for the implications of the recent Freedom of Information legislation and a much clearer understanding of the implications of policy implementation, of Section 20 in particular. The attempt to show the human face of the Education department was, I hope, achieved through the very real character of 'Liz', showing the delegation of decision-making totally misunderstood by these particular parents, who were very focussed on fighting 'The System' and 'The Department'. Again, the District Office's restricted power came across in the frustration faced by 'Doug'.

### 'Empowerment' of Parents

It became increasingly clear through the stories of all the characters that the role of the Parent Advocate was crucial to both the invoking of Section 20 and the subsequent legal ramifications for the Department of the Independent Panel's recommendations to the Minister. This central issue of power and the 'empowerment' of the parents emerged as integral to the plot, as the growing awareness of the parents, the school, the District Office and the Department that the parents had the necessary support system and the legal representation to

exercise what they considered was their right of choice for the appropriate educational placement of their child.

This growing awareness was translated at other levels of parent support networks, reflecting a change in community acceptance of the inclusion issue, and certainly a change in parental expectation of inclusion (with or without support) of their children with intellectual disabilities. Within the story format this change was reflected in the gradual development of the parents' confidence (often translated as aggressive behaviour) and the ability to make some independent decisions to demonstrate this new role. This was particularly shown by the character 'Sharon', who progressed from compliant parent to aggressive apprentice-advocate.

Despite this growth in perceived power the parents still had very little real understanding of the complexities of a large bureaucracy, and seemingly no understanding of the difficulties faced by the 'minor players' in the Department. Their anger was still directed at 'the system', still seeing the other side as less than cooperative, and still having no understanding of the time taken to implement policy ( or perhaps more relevant for them, recommendations).

The role of the Parent Advocate also underwent a metamorphosis within the time frame of the story and within the acknowledgment and mutual respect developed

by the Advocate and the 'Department'. Perhaps, in bell hooks' (1991, p.54) terms, she learned to "use knowledge in the service of liberation." Not only did she no longer see herself in an adversarial role, at all levels of implementation of the Minister's recommendations she was seen to be an asset in conciliation with the parents. It was unfortunate that within the story there was no opportunity for this metamorphosis to be tested.

### Heightened Awareness

Despite the children in this story having different intellectual disabilities, the stories of 'Sharon' and 'Denise' were remarkably similar. Their need to counter prejudice, to fight for their child's acceptance at all levels of society, to somehow 'catch up' on supposed lost opportunities to 'learn' were consistent with stories told to me by parents with similar children. The constant high level of care needed by these children and the subsequent strain on family life became 'real' as the two children and their parents became 'characters'. 'Paul's recognition of the limited time left for his son to develop any abstract skills and the realisation that the increasing behaviour problems are not necessarily going to be addressed before Josh's time 'runs out' are a very real indication of the personal anguish faced by parents of a child with an intellectual disability, as is Sharon's compulsion to help her son speak clearly to counter prejudice.



### Impact of Policy Implementation

The frustration engendered by the confrontation implicit in the implementation of this policy was shown within the stories of all characters. The parents' anguish and sense of intimidation, the stress affecting not only themselves but the other children in the family, the financial sacrifices made, the self doubts and subsequent depression made a humbling story. I was constantly moved by the stories told. One parent (not a 'character') told of having seriously considered using suicide as a means of proving a point to the Department. The pointlessness of this extreme tactic was lost in her stressed, desperate need to provide a 'normal' setting for her child's education.

The impact of the policy implementation was equally evident in stories told by 'Doug', who was frustrated by his inability to provide resources to enable a solution which would be satisfactory to all parties, and 'Liz', who was equally frustrated and stressed by the constant very public criticism of her efforts to conciliate and 'solve' a difficult situation. Both 'Doug' and 'Liz' faced vastly increased workloads throughout the process, as well as the need to cope with the ramifications of any decisions made.

Although the impact of the policy implementation on the school could only be judged through the participants' stories, the on-going consequences of the school's decision to invoke a Section 20 clearly rose out of the various stories.

Even after resources were made available to the school the constant confrontation was still apparent, gradually diminishing over the semester.

### Policy Insights

It also became apparent through the stories told that the previously perceived autocratic power of the Education Department is seen by an increasing number of parents as only that - a perception of power. The impact of legislation such as the Equal Opportunities Act, the D.D.A., and FOI combined with the legal expertise developed and accessible to parent advocates have resulted in an almost invincible support system for parents of children with intellectual disabilities. With sufficient resolve, these parents can now negate (or at least provocatively question in a legal forum) the authority of the Education Department in relation to placement of their child in an educational setting.

I am confident that the narrative form as a methodology (telling a story) provided insight into policy implementation beyond the reach of more conventional research methods. Stories told by 'Doug' and 'Liz' gave a contrasting view to those told by the parents and the Advocate at each step of the process, giving a vivid sense of the impact of the policy implementation at each level of participation. It was interesting to see the policy issues described above surface quite distinctly, despite my stated intent not to conduct a 'policy study' except in the sense of studying from various perspectives the personal impact of this

particular policy. It was also interesting to see that people without a background in education policy (my 'critical readers') could comfortably discuss a policy issue. I believe that the narrative form as a methodology allowed this knowledge to develop in a culture approachable to any reader.

Apart from the issue of perception of power described above, the story also highlighted the twisting of policy intent, as participants described the potential use of the Section 20 to gain resources. This was not the original intent of this section of the Education Act, which was to dictate placement of a child with an intellectual disability. As the question of resources was vital to a school's ability to cope with the inclusion of a child whose intellectual disability was significantly different to that of the general population of the school (or unit), and since it was the Department's policy not to provide resources for inclusion in other than recommended placements, the use of Section 20 to provide these resources seemed the only viable option for the school(s). This intent was made clear within the overall story by the Principals, the Advocate and the parents, as well as through 'stories' told to me by participants who did not become 'characters'.

The shift in locus of power to a legal arena was another issue emerging from the story(s). The participants emphasised the transition of decision-making from their own locus to that of a legal forum, requiring their reliance on a third party to

implement their wishes (and rights). This transition was seen at all levels, as the parents relied on the expertise of the Advocate, who in turn sought the advice of a solicitor to challenge the Education Department's every move and to ensure all avenues available to the parents were explored. The Principal, District Superintendent and the Central Office staff were reliant upon the advice of the Crown Law for interpretation of policy and concurrent legal implications. It was apparent that the Department as a whole and the participants in particular were unprepared for the confrontational challenges to the Department's authority. This was evidenced by the lack of records kept from the last case in 1983 and the need to rediscover effective forms of communication.

I felt that the methodology used, particularly the polyvocal approach, allowed the participants the freedom to raise such issues almost subconsciously. Certainly as a researcher I was delighted to see these more generalised issues emerging from the personal narratives and confirmed across the various perspectives.

Having explored narrative as a research methodology, I am confident that telling as a story could be an appropriate way to tackle my original question - that of the failing student teacher. It would certainly provide a means of depicting the many facets of this tragedy and an opportunity to create a culture-within-a-culture, allowing both the researcher and the reader to develop a sense of the reality and complexity of the 'whole' problem.

### A Comparison

Elizabeth Erwin's (1995) study investigating the experiences encountered by parents committed to inclusive education for their children with disabilities provides an interesting comparison of methodologies when taken in contrast to my study of similar experiences. Her traditional qualitative method included semi-structured interviews of 60 to 120 minutes with nine participants, using an initial set of questions to facilitate discussion. This seems very similar to the approach I took though with a single interview of at most two hours it would not have been possible to develop a complex understanding of participants' actions and beliefs.

The use of several interviewers would have limited the opportunity for the researcher(s)' personal development of knowledge of the participants' experiences, and the culture within which these actions could be justified. Although participants were provided the opportunity to comment and review the draft of the article, this was not really an opportunity to add their voice to the study, only to approve the tone of a group of researchers' summary of perceived personal dilemma, the participant featuring only if select comments are seen to illustrate the researchers' point.

The study summarised issues as themes which emerged from the interviews, with excerpts of these interviews used to illustrate conclusions reached. I felt that the impact of the participants' accounts was lost in this format, with the removed third person (sometimes tabulated) account of their struggles for inclusion negating the emotive issues. I would suggest that the narrative form as a methodology used in my study was better able to illustrate Elizabeth Erwin's point that the pursuit of inclusion not only involved an enormous amount of frustration, time and energy, but the emotional impact this process had on parents deserves particular attention.

### Conclusions

I would suggest that the building of a culture-within-a-culture through my story (through narrative) provided the reader the opportunity to develop new knowledge, new understanding. The participants became characters, and as such augmented this understanding.

I would suggest that the narrative form as a methodology allows researchers to pass the stringent test not only to qualify as a piece of literature, as Tom Barone (1995) suggests, but also as a piece of research having the ability to speak to those whom the novelist Nadine Gordimer (1989, as cited in Barone, 1995, p.176) describes as readers who do not "share terms of reference formed in us by

our life experience: our political, economic, social and emotional concepts and our values derived from these: our cultural background.”

I would suggest that the telling of a story allows researchers in the social sciences to reveal new knowledge, new understandings that may be inaccessible to them were they to follow more clinical, ‘objective’ methods of inquiry.

## APPENDIX 1

Reprinted under the  
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at 11 August 1992

### WESTERN AUSTRALIA

## EDUCATION ACT 1928

AN ACT to consolidate and amend the law relating to public education and for incidental and other purposes.

### Definition of “advisory panel”

20. In Section 20A, 20B or 20C the term “advisory panel” means an advisory panel convened and constituted under section 20D.

*[Section 20 inserted by No.95 of 1976 s. 3.]*

### Children requiring special education

**20A.** (1) Where it appears to an advisory panel that a child of not less than 6 years of age nor more than leaving age has a mental or physical disorder or disability of such a nature that the interests of that child would be best served if he were to attend a school providing education of a kind specially suited to persons suffering from such a disorder or disability, the Minister may, on the recommendation of the panel, serve on the parent of the child a direction in writing requiring the parent to cause the child to attend such schools as is or are specified in the direction during such times as are so specified.

(2) Subject to section 20E (5) a direction served under this section shall come into force on such date as is specified in the direction and shall remain in force until —

- (a) it lapses or is revoked or cancelled under this Act;
- (b) the parent of the child to whom it relates is served with another direction under this section or a direction under section 20B; or
- (c) the child to whom it relates attains leaving age, whichever occurs first.



(3) At any time whilst a direction under this section is in force in relation to a child the Minister may —

(a) serve on the parent of that child a notice in writing revoking the direction; or

(b) on the recommendation of an advisory panel, serve on the parent of that child another direction under this section in relation to the child.

(4) Notwithstanding section 14, whilst a direction served under this section is in force in relation to a child the mental or physical disorder or disability by reason of which the direction was served shall not be regarded as providing a reasonable excuse for the non-attendance of that child at a school specified in the direction.

*[Section 20A inserted by No. 95 of 1976 s. 4.]*

### **Children with severe disorders**

**20B.** (1) Where it appears to an advisory panel that a child has a mental or physical disorder or disability of so severe a nature that the presence of that child in a Government school would disrupt the normal operation of the school the Minister may, on the recommendation of the panel, serve on the parent of the child a direction in writing directing the parent to refrain from causing the child to attend any Government school and whilst the direction remains in force the Minister shall refuse to permit the child to attend any Government school.

(2) A direction served under this section shall come into force on the day following the day on which it is served and shall remain in force until —

(a) it lapses or is revoked or cancelled under this Act; or

(b) the parent of the child to whom it relates is served with a direction under section 20A,

whichever occurs first.

(3) At any time whilst a direction under this section is in force in relation to a child the Minister may serve on the parent of that child a notice in writing revoking the direction.

(4) The provisions of sections 13 and 16 do not apply to or in relation to a child whilst a direction served under this section is in force in relation to that child.

*[Section 20B inserted by No. 95 of 1976 s. 5.]*

### **Review and confirmation of direction by Minister**

**20C.** (1) Where a direction served under section 20A or 20B is in force in relation to a child the parent to that child may —

(a) within 21 days after the expiration of a period of one year from the date of the service of that direction; and

(b) within 21 days after the expiration of any subsequent period of 2 years, serve on the Minister a request in writing requesting the Minister to reconsider the direction and, within 60 days after being served with that request, the Minister shall consider whether it is necessary for that direction to remain in force and may, on the recommendation of an advisory panel, serve a notice in writing on the parent confirming the direction.

(2) If the Minister does not confirm a direction within 60 days after being served with a request under subsection (1) and the direction is still in force at the expiration of that period, the direction shall thereupon lapse.

*[Section 20C inserted by No. 95 of 1976 s. 6.]*

### **Advisory panels**

**20D.** (1) The Minister may convene an advisory panel whenever he considers it necessary or desirable to do so for the purposes of section 20A, 20B or 20C.

(2) An advisory panel shall consist of 2 or more persons who, because of their professional or other qualifications or experience, are in the opinion of the Minister qualified to give advice as to the educational or other needs of a child having regard to the disorder or disability from which the child suffers.

(3) Of the members of an advisory panel —

(a) at least one shall be a teacher; and

(b) at least one shall be either a guidance officer appointed under this Act or a psychologist.

*[Section 21D inserted by No.95 of 1976 s. 7; amended by No. 48 of 1979 s. 6.]*

### **Children's Court may cancel or confirm direction**

**20E.** (1) A parent who has been served with —

- (a) a direction under section 20A or 20B; or
- (b) a notice under section 20C confirming a direction under section 20A or 20B,

may, within 30 days after the service of that direction or notice, as the case may be, on complaint duly laid before the Children's Court and served on the Minister as defendant to the proceedings, apply to the court for an order cancelling the direction.

(2) In any proceedings under this section the onus shall lie on the Minister to show cause why the direction should not be cancelled.

(3) In any proceedings under this section the Minister may be represented by a person authorised by the Minister in that behalf.

(4) On the hearing of a complaint under this section the court shall make an order —

- (a) cancelling the direction; or
- (b) confirming the direction,

and may, if it thinks fit, make an order as to the costs of the proceedings.

(5) Where, within 30 days after being served with a direction under section 20A, a parent lays a complaint under this section before the Children's Court —

- (a) if the direction is not in force when the complaint is laid — the direction shall not come into force until the court has heard and determined the complaint;
- (b) if the direction is in force when the complaint is laid — the direction shall, by operation of this subsection, cease to be in force from the time when the complaint is laid until the court has heard and determined the complaint.

(6) Nothing in subsection (5) prevents the Minister from exercising his powers under section 20A (3) or section 20B (3) at any time whilst the determination of a complaint laid under this section is pending.

*[Section 20E inserted by No. 95 of 1976 s. 8; amended by No. 49 of 1988 s. 62.]*

### **Contents or directions and notices**

**20F.** (1) There shall be included in every direction served under section 20A or 20B a statement advising the parent of the child to whom the direction relates that he may —

- (a) within 21 days after the expiration of a period of one year from the date of the service of that direction; and
- (b) within 21 days after the expiration of any subsequent period of 2 years,

serve on the Minister a request in writing requesting the Minister to reconsider the direction.

(2) There shall be included in —

- (a) every direction served under section 20A or 20B; and
- (b) every notice served under section 20C confirming a direction served under section 20A or 20B,

a statement advising the parent of the child to whom the direction relates that he may, within 30 days after the service of the direction or notice, as the case may be, apply to the Children's Court pursuant to section 20E for an order cancelling the direction.

*[Section 20F inserted by No. 95 of 1976 s. 9; amended by No. 49 of 1988 s. 63.]*

### **Child may be suspended from Government school**

**20G.** (1) If a person holding or acting in a prescribed class of position is of the opinion that the conduct and behaviour of a child attending a Government school is not conducive to the good order and proper management of the Government school the person may suspend the child from attendance at the Government school in accordance with and subject to the regulations.

(2) Where, pursuant to subsection (1), a person holding or acting in a prescribed class of position suspends a child from attending a Government school the person may in addition recommend to the Minister that the child be excluded from attending the Government school.

(3) A recommendation made under subsection (2) shall be subject to review and confirmation by a panel constituted in accordance with the regulations.

(4) On receipt of a recommendation made under subsection (2) that has been confirmed in accordance with subsection (3) the Minister may, on the recommendation of the chief executive officer, by order exclude the child in relation to whom the

recommendation is made from attending at the Government school specified in the order or at any Government school.

(5) In any order made under this section the Minister may give such further directions as he thinks fit relating to the education of the child with respect to whom the order is made.

(6) An order made in relation to a child under this section may be varied or revoked by the Minister by further order and shall remain in force for the period specified in the order or if no such period is specified, until further order made by the Minister under this section with respect to the child.

(7) Where —

- (a) the Minister excludes a child from attending a Government school and pursuant to subsection (5) gives directions relating to the education of the child in relation to whom the order is made; and
- (b) the child fails to comply with such directions without an excuse that is deemed a reasonable excuse under section 14,

the child is deemed to be habitually absent from school for the purposes of section 18 and the provisions of that section apply accordingly.

(8) The suspension or exclusion of a child from attending a Government school under this section has effect notwithstanding any other provision of this Act and is a defence in any proceeding under this Act relating to the child's non-attendance at school.

*[Section 20G inserted by No. 96 of 1982 s. 3; amended by No. 7 of 1988 s. 11.]*

## APPENDIX 2

### PART XIB —SPECIAL EDUCATION

*[Heading inserted in Gazette 4 November 1977 p. 4117.]*

#### Interpretation

**262H.** In this Part, unless the context otherwise requires—

“child” means a child of compulsory school age;

“direction for exclusion” means a direction of the Minister, under the provisions of section 20B of the Act, directing the parent of a child to refrain from causing the child to attend any Government school;

“direction to special education” means a direction of the Minister, under the provisions of section 20A of the Act, requiring the parent of a child to cause the child to attend such school or schools as is or are specified in the direction;

“school” means the Government school in which a child is enrolled;

“special educational facility” means a special class designated by the chief executive officer to be a special educational facility for the purposes of this Part.

*[Regulation 262H inserted in Gazette 4 November 1977 p. 4117; amended in Gazette 30 December 1988 p. 5113.]*

#### Arranging a conference

**2621.** (1) Where the principal of a school or the parent of a child is of the opinion—

- (a) that the child suffers from a mental or physical disorder or disability; and
- (b) that by reason of the disorder or disability the child is having extreme difficulty in adjusting to the regular educational programme of the school,

the principal shall arrange a conference (in these regulations referred to as an “initial conference:”) for the purposes of ascertaining the educational programme best suited to the needs of the child and inform the parent of the child of the date and time of the conference.

(2) An initial conference shall consist of—

- (a) the parents of the child;
- (b) the principal of the school;
- (c) the teacher or teachers of the child; and
- (d) where the parents so desire, an interpreter, friend or relative of the parents, brought to the conference by the parents.

(3) For the purposes of convening an initial conference the principal shall—

- (a) set a reasonable time for the conference after, if practicable, discussion with the parents of the child;
- (b) invite the parents to attend the conference;
- (c) advise the parents that they may be accompanied by a friend, relative or interpreter;
- (d) require the teacher or teachers of the child to attend the conference; and
- (e) give written notification to the parents of the date and time of the conference and inform them that they may be accompanied by a friend, relative or interpreter.

(4) An initial conference shall take place in the presence of both parents of the child unless one or both parents refuse or neglect to attend the conference or one parent is unable to attend a conference at any reasonable time.

(5) The aims of an initial conference are—

- (a) to ensure the maximum co-operation between the parents of the child and the school regarding the provision of an educational programme that is in the best interests of the child;
- (b) to discuss the educational programmes offered by the school and their adequacy, in the light of the child's disorder or disability, to meet his educational needs;
- (c) to agree where possible, on an educational programme for the child at the school; and
- (d) to discuss possible alternatives to the educational programmes available at the school.

*[Regulation 262I inserted in Gazette 4 November 1977 pp. 4117-18.]*

### **Specialist assessment to be made**

**262J. (1)** Where an initial conference has taken place and the principal of the school is of the opinion—

- (a) that it is not possible adequately to determine whether the school is able to provide a suitable educational programme for the child without further advice; or
- (b) that it is not possible for the school to provide a suitable educational programme for the child,

he shall arrange forthwith for a specialist assessment of the educational needs of the child.

(2) The assessment referred to in subregulation (1) shall be made by any or all of the following persons—

- (a) an officer or officers of the Guidance Branch or other specialist branches of the department;
- (b) any person or agency generally approved by the chief executive officer as suitable for the assessment of children;
- (c) at the request of the parents of the child, and if approved by the chief executive officer, by any person or agency not comprised in paragraphs (a) and (b).

(3) Where an assessment of a child has been made under the provisions of this regulation, the principal shall forthwith convene an assessment conference to discuss the results of the assessment.

(4) An assessment conference shall consist of—

- (a) the principal of the school;
- (b) the teacher or teachers of the child; and
- (c) where practicable, the person or persons who made the assessment.

(5) An assessment conference shall consider the report or reports of the person or persons making the assessment and shall recommend to the principal that the child—

- (a) remain in the school under that school's regular programme;
- (b) remain in the school under a modified programme;
- (c) be placed in a special educational facility; or
- (d) be excluded from attending any Government school.

*[Regulation 262J inserted in Gazette 4 November 1977 pp. 4117-18; amended in Gazettes 30 December 1988 p.5114; 30 December 1988 pp. 5114-15.]*

**Principal to decide whether child to remain at school or whether child cannot be accommodated at school.**

**262K.** (1) Where, after an assessment conference, the principal of the school decides that the child should remain in the school under the regular or a modified programme, he shall forthwith—

- (a) inform the parents of the child in writing of the decision explaining the reasons for the decision and the nature of the programme the child will undertake; and
- (b) attempt to enlist the co-operation of the parents in implementing the programme decided upon.

(2) Where, after an assessment conference, the principal of the school is of the opinion that it is not practicable, by modification in facilities, staff, or



programmes, to provide a suitable educational programme for the child at the school and that the child should be placed in a special educational facility he shall forthwith—

- (a) recommend to the chief executive officer that the child be made subject to a direction to special education; and
- (b) inform the parents of the child, in writing, that he has made such a recommendation.

(3) Where the chief executive officer does not approve the recommendation he shall—

- (a) direct that the suspension of the child, if any, be terminated;
- (b) direct that the child continue to be enrolled in the school; and
- (c) inform the parents of the child in writing of his decision.

(4) Where the chief executive officer approves the recommendation he shall—

- (a) recommend to the Minister that the procedures of the Act relating to a direction to special education be implemented; and
- (b) inform the parents of the child in writing of his decision.

(5) Where the Minister approves the recommendation of the chief executive officer, he shall forthwith convene an advisory panel under the provisions of the Act and inform the parents of the child in writing of his decision.

(6) Where the Minister does not approve the recommendations of the chief executive officer, the Minister shall—

- (a) direct that the suspension of the child, if any, be terminated;
- (b) direct that the child continue to be enrolled at the school;
- (c) inform the parents of the child in writing of his decision.

*[Regulation 262K inserted in Gazette 4 November 1976 pp. 4118-19; amended in Gazette 30 December 1988 p.5114.]*

**Principal may decide that child may disrupt the normal operation of the school**

**262L.** (1) Where, after an assessment conference, the principal of a school is of the opinion that the child suffers from a physical or mental disorder or disability of so severe a nature that the presence of that child in any Government school would disrupt the normal operation of the school he shall forthwith—

- (a) recommend to the chief executive officer that the child be made subject to a direction for exclusion; and

- (b) inform the parents, in writing, that he had made such a recommendation.

(2) Where the chief executive officer does not approve the recommendation, he shall—

- (a) direct that the suspension of the child, if any, be terminated;
- (b) direct that the child continue to be enrolled in the school; and
- (c) inform the parents of the child in writing of his decision.

(3) Where the chief executive officer approves the recommendations he shall—

- (a) recommend to the Minister that the provisions of the Act relating to a direction for exclusion be implemented; and
- (b) inform the parents of the child in writing of his decision.

4. Where the Minister approves the recommendation of the chief executive officer he shall forthwith convene an advisory panel under the provisions of the Act and inform the parents of the child in writing of his decision.

(5) Where the Minister does not approve the recommendation of the chief executive officer, he shall—

- (a) direct that the suspension of the child, if any, be terminated;
- (b) direct that the child continue to be enrolled at the school; and
- (c) inform the parents of the child in writing of his decision.

*[Regulation 262L inserted in Gazette 4 November 1977 p. 4119; amended in Gazette 30 December 1988 p. 5114.]*

## APPENDIX 3

### EQUAL OPPORTUNITY ACT

#### ***PART IVA - DISCRIMINATION ON THE GROUND OF IMPAIRMENT***

##### ***Division 3 - Discrimination in other areas***

###### ***Education***

**661. (1)** *It is unlawful for an educational authority to discriminate against a person on the ground of the person's impairment.*

- (a)** *by refusing or failing to accept the person's application for admission as a student; or*
- (b)** *in the terms or conditions on which it is prepared to admit the person as a student.*

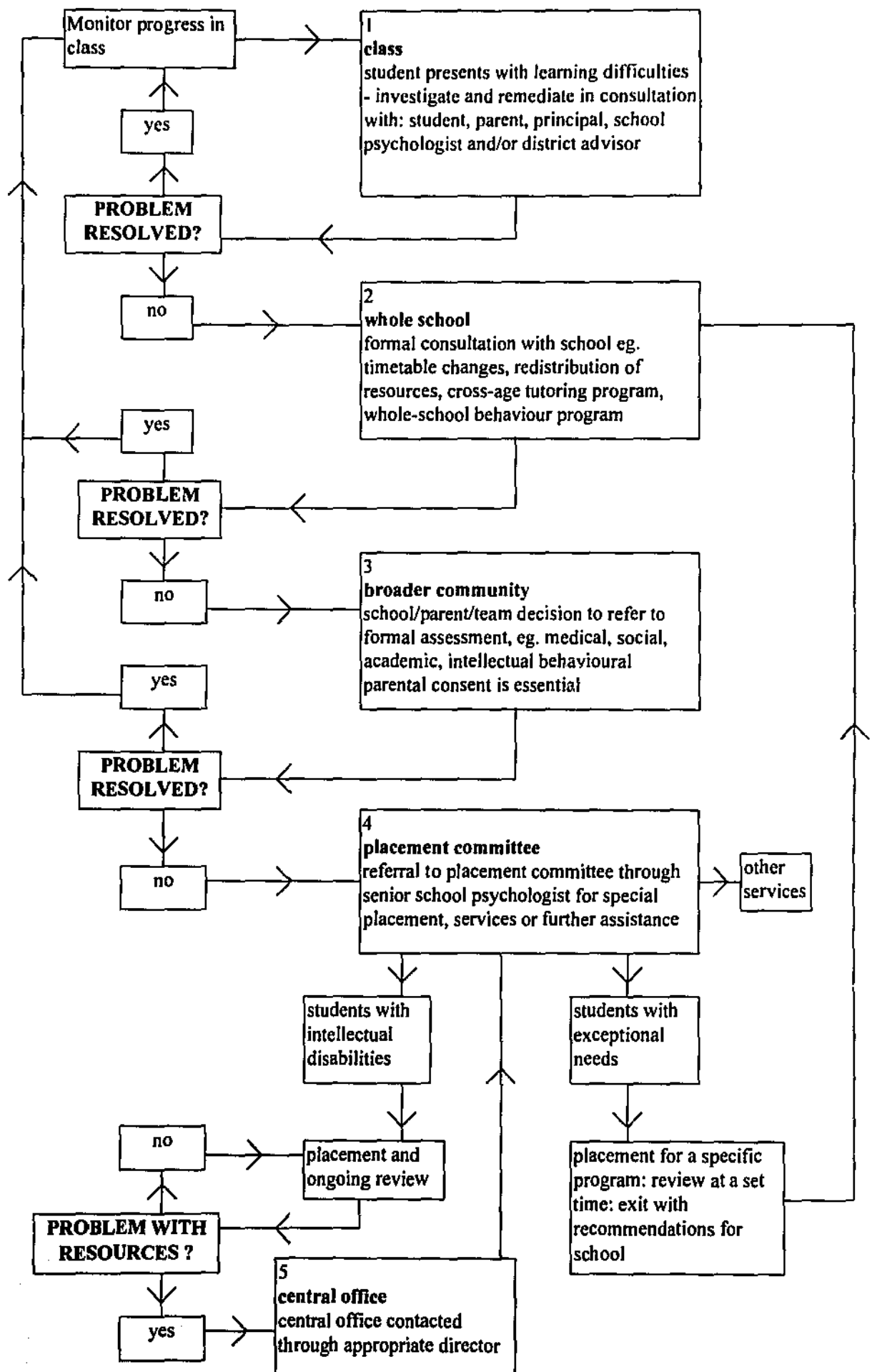
**(2)** *It is unlawful for an educational authority to discriminate against a student on the ground of the student's impairment.*

- (a)** *by denying the student access, or limiting the student's access, to any benefit provided by the educational authority;*
- (b)** *by expelling the student; or*
- (c)** *by subjecting the student to any other detriment.*

**(3)** *Nothing in this section applies to or in respect of a refusal or failure to accept a person's application for admission as a student at an educational institution that is conducted solely for students who have an impairment which the applicant does not have.*

**(4)** *Nothing in this section applies to or in respect of a refusal or failure to accept a person's application for admission as a student at an educational institution where the person, if admitted as a student by the educational authority, would require services or facilities that are not required by students who do not have an impairment and the provision of which would impose unjustifiable hardship on the educational authority.*

# **APPENDIX 4** **Social Justice in Education Policy (1993)**



## **APPENDIX 5 Parent Interview**

### **INTERVIEW 1 The Placement Committee**

#### **1. Background of Parents**

Tell me something about your background - where you grew up, where you work.

This is a very new suburb. Where did you live before? Why did you move?

#### **2 Background of Child**

Tell me about your son's birth - did you have a normal pregnancy? Is there a family history of similar problems?

How was he diagnosed? What made you think something was wrong?

Tell me what it was like before he went to preschool.

Did you have any problems at preschool? Did you have an aide?

What happened when it was time for Year 1?

Tell me about your other children.

#### **3. Enrolment at Hadfield Terrace Primary School**

What was it like enrolling your son?

Tell me about meeting the principal - the teachers - anyone else from the Department.

#### **4 Coping at School**

What did you understand the problem to be at the school? Why do you think the staff had trouble with your child?

What were the meetings like?

How did you feel when you met the District Placement Committee? What was your understanding of what they were trying to do?

Why did you decide to fight the decision?

## **INTERVIEW 2 The Section 20**

### **1. Awareness of Section 20**

How were you made aware? What did you do about it?

How did you cope?

What was your understanding of what was happening?

### **2. Parent Advocate and Press**

How did you meet Sally? How did she help?

What was the impact on the rest of the family? On your son?

What was it like at the school?

When did you decide to use the press? Why? How did it help you?

What did other people think?

### **3. The Independent Panel**

What was required of you before you met the panel?

How did you feel before, at, after the Panel meeting?

What was it like waiting for the results?

Tell me about receiving the decision.

### **INTERVIEW 3     After the Recommendations**

#### **1. The Recommendations**

What were they?

Were there any problems understanding the implications? How were these resolved?

#### **2. School response/ District response**

What has changed? How has your relationship with the school/ parent body changed? What changes do you expect this term? Tell me about the meetings - are you working together yet?

#### **3 Ongoing Monitoring**

What does the trial mean? Can you tell me about your son's programmes? About developing them?

#### **4 Expectations for Term 4**

What do you expect will be different next term? Tell me about the Recommendations already implemented - and those that are not. What impact has this had?

#### **5 Expectations for Next Year**

What have you decided to do about next year? Will you change schools? Why? How is your son progressing? What changes have you noticed? What do you expect to change next year?

## **APPENDIX 6 Education Department Representative Interview**

### **Use of Section 20**

1. Could it have been avoided? What degree of choice was involved in its use?
2. Why do you think it reached the stage of needing the use of Section 20 to resolve the situation?
3. How can any similar conflict be avoided?
4. Parents were impressed with the panel - thought it was a very fair and reasonable means of making decisions about inclusion. Do you see any future role for the panel?
5. What if parents continue to say no to suggested placements?
6. Expensive option - expensive solution to the situation - newly resourced school for the placement of two students. How feasible is this for future inclusion attempts?
7. Do you have any concept of winning or losing? of who won, who lost?
8. Could you comment on whether Section 20 was used in the spirit in which it was written - ie. for appropriate placing of a child in an educational setting.

### **Use of Press**

9. Could you comment on the impact of the use of the press by the parents and parent advocate?



10. How did the very public nature of the conflict influence decision making?  
Was it in any way intimidating to Department staff?
11. The series of articles in School Matters on educational support highlights the need for collaborative action in schools if inclusion is to be successful. Could you comment on the timing of the articles and the audience they are aimed at?

#### **Role of Teacher in an E.S.U.**

12. Do you see any discrepancies in the interpretation and expectations of the role of a teacher in an E.S.U. by the teachers and the Department? The parents seem to have very high expectations of these teachers - in what way would you consider these expectations conform with your own?
13. Can you comment on any change in this perception of role in the past few years? Would long-serving staff be 'informed' of these new expectations?
14. In what way would the new 'customer focus' of the Department have influenced the conflict?

#### **Panel Recommendations**

15. The issue of a 6-month trial has caused much concern to the parents. Could you comment?
16. The emphasis on the rights of the parents to choose a setting other than that recommended by the State as offering the best educational

opportunities seems to imply a *fait accompli* for most parents who wish to push for integration. Could you comment? Do you see EDWA as having any choice but to comply with parental pressure?

17. To what extent do you agree with the importance placed on socialisation for these children?
18. How do you see the introduction of an ESU in their local primary school solving the situation? How amenable will the 'new' school staff be to this change?
19. Aide time is expensive - and trained aides are rare. How will you overcome increased expectations of the availability of aids for inclusion?
20. Staff P.D. is expensive - and attitudes are difficult to change. Any comment?
21. Perception of an inflexible institution - parents want the ability to have some flexibility in placement - ie. move from Special. School → Centre ↔ Unit ↔ Mainstream  
  
How reasonable is this expectation?  
  
How feasible for a large institution?
22. Was it particular to these parents - ie. a matter of personality conflict?

### **Role of Parent Advocate**

1. In what way(s) did having a Parent Advocate involved in the negotiations affect conciliation?

2. Has the Parent Advocate played a different role since the Recommendations have been implemented? Has this been a positive or negative change?
3. If her role is seen as empowering the parents to exercise their 'right of choice', can you see any way to work towards avoiding continuing conflict situations?

### **The School Situation**

1. Can you help me develop a realistic view of the problems/conflicts faced by the staff at the school before and during the implementation of the Section 20?
2. I've been told that it's a good news story now -- to what extent is this so? Are the Collaborative Plans working? Are the teachers coping now? Do they still feel threatened by the situation?
3. All the attention, no matter how positive, must emphasise the teachers' sense of accountability. How are they coping with this?
4. What guarantee is there that any expertise gained by the staff in the Unit at the school will be ongoing next year --will the same staff be there?
5. What about the new Unit at the local school? Is it going ahead? What reaction has the school community had to that decision? To what extent are their wishes/worries an influence in this decision?

### **Who won/ Who lost?**

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