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To Act with Justice and Love Tenderly: Exploring the Church's Call for Inclusion

Michael J. Boyle¹

Abstract: This paper explores some of the documents that provide a foundation for the Church and its ministries to deliver justice and mercy to all, including students with disabilities. First, Catholic Social Teaching (CST) traditions will be presented as the foundation to some of the documents of the American Church. A chronology of the documents of United States bishops will trace the flow of CST as the impetus for designing and delivering programs for students with disabilities in Catholic schools. Implications for Catholic schools are outlined for next steps for implementation.

Keywords: Catholic schools, inclusion, students with disabilities

We are called to act with justice. We are called to love tenderly. We are called to serve one another, to walk humbly with God.

"We are Called," David Haas (1988)

The Church calls for inclusion for those with disabilities in the various ministries of the Church, most notably the faith community (Benedict XVI, 2005, 2008a, 2008b; Francis, 2016a, 2016c; John Paul II, 1981). "Catholics with disabilities, like all Catholics, are incorporated in the Body of Christ as integral members. They, like any other members, belong to the faith community" (National Catholic Partnership on Disability, 2015, n.p.). Catholic schools are attempting to respond to this call to open their doors to students with disabilities in increasing numbers. Yet, they need support and guidance in order to effectively build more inclusive environments for those students with disabilities.

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To Act with Justice

When approaching the creation and delivery of programs for students with disabilities, one can argue that Catholic schools often use compliance to civil law as a framework for design. The focus of such an approach is that of meeting only the accessibility needs of the individual. Since the passage of the Education for Handicapped Children Act (PL 94-142) in 1974, public schools have been mandated to serve students with disabilities within the public school setting. In its current state, the Individuals with Disabilities Education Improvement Act (IDEIA-2004) (PL 101-476), private schools, including faith-based schools, have only a narrow access for supports and services from public school entities. Under IDEIA, Catholic school students are guaranteed a proportionate share of the federal appropriation for services as a group but there is no individual entitlement. “Serious limitations of funding and staffing both at the diocesan and building levels will continue to cap the level of effort that can be made” (DeFiore, 2006, p. 463). This can place Catholic schools in a serious bind. Catholic schools can be caught between wanting to provide services for students with disabilities *and* being unable to due to lack of financial resources.

However, a justice orientation of working towards access only presents what Iozzio (2017) suggests is a “threshold approach.” This approach provides the minimum of programming to allow access for the individual with a disability. As Iozzio (2017) states:

Although the laws of a land serve as a guide in the development of individuals’ and society’s virtue, in forming upright and decent citizens and communities, laws today more often than not represent only a minimum (of decency let alone justice for the moment) owed between parties in human commerce. (p.13)

Without the legal imperative mandating the provision of service, Catholic schools, as well as other faith-based schools, have to look to other sources to establish foundations to provide such rationale for programming for students with disabilities. In essence, extrapolating from Simon Sinek (2011), what is the why that provides the impetus for Catholic schools to initiate and sustain programs for students with disabilities, when there are financial inhibitors that are present?

To Love Tenderly

For Catholic schools, as they consider developing and implementing programs for students with disabilities, there is a rich foundation of Church teaching and writing around disability that can provide profound guidance and, ultimately a moral calling, establishing the need to program for students with disabilities. These sources call for more than just legal compliance, which has been argued as only a threshold, not a gold standard, to serving the needs for those with disabilities (Iozzio, 2017). How could inclusion in Catholic schools reflect mercy, the “divine attitude which embraces...(and) accepts us” (Francis, 2016b) in addition to simply allowing access to necessary supports and services?

Many approaches to serving students with disabilities in Catholic schools are focused on pragmatic questions: Do Catholic schools have enough resources? How can Catholic school programs for students with disabilities without key personnel? Is there enough money? As Pope Francis states:

...our communities are still struggling to practice a true inclusion, full participation that finally becomes ordinary, normal. And this requires not only technical and specific programs, but first of all recognition and acceptance of faces, tenacious and patient confidence that each person is unique and unrepeatable... (2016b , para. 9)

In addition to the development of technical and specific programs to establish effective approaches to serving students with disabilities, Catholic educators must have a strong understanding of the “why” of establishing these programs. However, without embedding a focus on the Catholic vision of the person within the foundation of programs for students with disabilities, are Catholic schools missing the target? The various Church documents and teachings call Catholic schools to do more than just minimally comply with the law. By programming for students with disabilities, Catholic schools should be challenged to consider how they encounter “the other.” What are the factors that prevent them from truly accepting and loving, especially those with disabilities? It can be argued that, by thoughtful reflection and action on this question, comprehensive programming for students with disabilities can assist in affirming a school’s Catholic identity.

To this end, this article will explore some of the documents that provide a foundation for the Church and its ministries to deliver justice and mercy to all, including students with disabilities. First, Catholic Social Teaching (CST) traditions will be presented as the foundation to some of the documents of the American Church. A chronology of the documents of United States bishops will trace the flow of CST as the impetus for designing and delivering programs for students with disabilities in Catholic schools.

Catholic Social Teaching Traditions

One area that can provide substantial support in answering the why of providing approaches to serving students with disabilities can be found in Catholic Social Teaching (CST). In general, Catholic Social Teaching typically references official messages on political, economic, and social issues articulated through a tradition of papal, conciliar, and episcopal documents that explore and express the social demands of the Catholic faith (USCCB, 2014). Carlson (2014 , p. 64) provides a concise summary of the United States Conference of Catholic Bishops (USCCB) statement on Catholic Social teaching:

1. A consistent ethic of life, with a commitment to love each person (made in the image and likeness of God), at each stage of life, according to her/his human dignity;

2. The right of all to participate in family, community and social/ political/religious life in order to reach the full flourishing of their humanity;
3. The duty of Catholics to seek the common good, to make sure that the “things required for decency” and basic human rights are assured to all;
4. A preferential option for the poor, based on the idea from Matthew’s gospel (Mt 25: 31-46) that we will be judged on how we treated the “least” in this world;
5. The right to work and the rights of workers to be treated with dignity, to form associations, and to enjoy wages and benefits which ensure a decent standard of living;
6. Solidarity, or the commitment to stand with all in the world for peace and justice; and,
7. The stewardship of all God’s creation.

Catholic Social Teaching is “an essential part of Catholic Identity and formation” (United States Conference of Catholic Bishops [USCCB], 2014, n.p.). Further, the bishops state that “Catholic schools, religious education, adult education, and faith formation programs are vitally important for sharing the substance and values of Catholic social teaching” (n.p.) In specific, the tenets of Catholic Social Teaching provide a strong foundation for programming for students with disabilities in Catholic Schools. “Just as the social teaching of the Church is integral to Catholic faith, the social justice dimensions of teaching are integral to Catholic education and catechesis” (USCCB, 2014, n.p.).

“Within the field of Catholic education a recognition is growing that CST not only justifies, but indeed obligates Catholic schools to pursue creating inclusive service delivery systems diligently to meet students’ special needs” (Scanlan, 2009, p. 538). However, when connecting CST to approaches to serving students with disabilities in Catholic schools, it can be easy to refer to CST in the collective sense. There are four tenets of CST that strongly connect with serving students with disabilities in Catholic schools. A closer examination of these tenets illuminates the ideas as a path for inclusion in Catholic schools.

A Consistent Ethic of Life

“Our belief in the sanctity of human life and the inherent dignity of the human person is the foundation of all the principles of our social teaching” (USCCB, 2014, n.p.). As such, Catholic schools need to ensure that their processes advance the concept of human dignity. Inclusion can be viewed as facilitating human dignity by decreasing discriminatory approaches to education, such as segregating students with disabilities into separate placements. CST posits that “the measure of every institution is whether it threatens or enhances the life and dignity of the human person”

(USCCB, 2014, n.p.). This is the challenge to Catholic schools, to ensure that all programs enhance life and the dignity of the person. As Pope Paul VI (1965a) stated, “Every type of discrimination, whether social or cultural...is to be over-come and eradicated as contrary to God’s will” (no. 29). It can be argued that by excluding students with disabilities, Catholic schools are not acting in a manner consistent with God’s will. To this end, as a community of faith bound by a call to respect and care for one another, “Catholic schools must explore effective channels of programming for those with disabilities and how to more effectively integrate them into Catholic school and parish religious education programs” (Long & Schuttloffel, 2006).

The Right of All to Participate

“How we organize our society, in economics and politics, in law and policy, directly affects human dignity and the capacity of individuals to grow in community” (USCCB, 2014, n.p.). This includes our schools. Schools reflect the community at large. If there are certain individuals that are missing from the community, what is the message that is being given? As Brady (2008) observed in considering appropriate responses to societal problems, “Catholics have formed parallel institutions that provide services that advocate for the poor or marginalized in society” (pp. 44-45). So, if the Church creates parallel institutions (such as hospitals and schools) to meet social needs, those institutions must serve the people most in need?

“While our society often exalts individualism, the Catholic tradition teaches that human beings grow and achieve fulfillment in community” (USCCB, 2014, n.p.). In the declaration *Gravissimum Educationis*, the school is seen as a community and not just as a sociological concept, but also as a theological one “as a genuine and proper instrument of the church” (Paul VI, 1965, no. 6). As such, the Catholic school has an obligation to those students with disabilities to facilitate access to the faith community. Further, all students in a Catholic school deserve the right to participate in a community that reflects the diversity of God’s kingdom and is not reserved for students or families who fit a specific profile. In short, God calls us to community, and it is inconsistent that some are allowed access to that community and others are not.

To Seek the Common Good

“In a world where some speak mostly of ‘rights’; and others mostly of ‘responsibilities,’ the Catholic tradition teaches that human dignity can be protected and a healthy community can be achieved only if human rights are protected and responsibilities are met” (United States Conference of Catholic Bishops, 2011, n.p.). Therefore, every person has a fundamental right to life and a right to those things required for human decency. Carlson (2014) suggests:

The application to inclusion here lies in Aquinas’s reminder of the responsibility to support the full flourishing of all. Thus, if what we supporters of Catholic education believe to be the best

type of education is available to some children to help them to become their best selves, should not participation be open to all? (p. 67)

Specifically, Catholic schools are challenged to reflect on their policies and procedures. Do those policies and procedures promote the common good and allow for those things required for human decency? If Catholic schools accept the prior CST tenets discussed, do their procedures reflect a consistent ethic of life and guard right of participation? If Catholic schools are the best type of education, an education that integrates Church teachings and faith development, why is this right being withheld from students with disabilities?

In order to accomplish this standard, Catholic school faculty and staff will require structures and technical knowledge in order provide an excellent education to all. Obviously, resources are required in order to build this level of capacity. This is not meant to suggest that this is easy or does not come without cost. However, discipleship was never promised to be an easy path. A school's expression of its Catholic identity is dependent less on a display of signs and symbols but more on how the Catholic ethos is demonstrated in its actions and its ability to uphold the rights and responsibilities of all students.

A Preferential Option for the Marginalized

“Catholic teaching proclaims that a basic moral test is how our most vulnerable members are faring” (USCCB, 2011, n.p.). This tenet challenges Catholics to put the needs of the poor and vulnerable first. It can be argued that those with disabilities are most at risk to be marginalized within schools. As such, Catholic schools are called to find ways to reach to the margins and find ways to effectively include students with disabilities. Scanlan (2009a) states that “Catholic schools cannot claim to be truly Catholic if they do not diligently strive to adhere to the fundamental teachings of the Church, and Catholic Social Teaching unambiguously compels Catholic institutions to treat those on the margins with dignity” (p. 7).

This particular tenet can be challenging in light of the current financial realities that many Catholic schools face. In light of competition for admissions and other financial pressures, Catholic schools might be tempted to focus on those students who score well on entrance exams or seek out those students who will not jeopardize test scores. However, Catholic schools are called to a higher standard. “CST compels Catholic schools to strive to include traditionally marginalized students, yet practices of exclusion and elitism in recruitment and retention of students by Catholic schools persist” (Scanlan, 2009, p. 7). This is not to suggest that this is easy work. In fact, Catholic schools may need to develop innovative approaches in order to address this tenet. Specifically, this challenges Catholic schools to consider how do they actively reach to the peripheries and serve those that are marginalized by the system. It certainly can be argued that students with disabilities are at a high risk for marginalization within the school setting. Catholic schools are then called to be

innovative, given the limited resources that they face, and design approaches to actively reach out, acknowledge, and serve those with disabilities. It cannot be sufficient to just acknowledge that an injustice exists. CST calls us to be active in identifying the injustices that exist and working actively to resolve them.

Implication of CST for Catholic Schools

In a recent survey of Catholic school principals and superintendents, it was noted that 47% of respondents reported that training in CST was offered to administrators only and 47% of respondents reported that this type of training was not available to teachers or administrators (Boyle et al., 2017). Similar findings were also noted in the responses of superintendents. Only 39% of the superintendents reported offering professional development sessions in CST to teachers and administrators. Clearly, there is some work that needs to be done in this area.

Interestingly enough, this same study observed some correlations between schools that offer professional learning opportunities in CST and academic gains. The study noted that positive changes in reading ability for Kindergarten to grade 3 students with cognitive disabilities were more likely to be seen in schools that offer professional development on the connection between CST and serving students with disabilities (Boyle et al., 2017). In addition to the obvious benefits to gaining development in this area, there is a suggestion (that requires further exploration) of a connection to academic gains.

Given these results, it suggests that professional learning opportunities in the area of CST should be ongoing. As the USCCB (2011) suggests:

We strongly urge Catholic educators and administrators to create additional resources and programs that will address the lack of familiarity with Catholic social teaching among many faculty and students. We encourage diocesan and local educators to promote curriculum development in the area of Catholic social thought and would like to see a model developed for faculty interested in this arena. (n.p.)

The Pastoral Statement of the U.S. Catholic Bishops on Persons with Disabilities and Subsequent Reaffirmations

The U.S Catholic bishops have indicated their interest and support for persons with disabilities over the years through various documents. A chronology of the documents is presented here to trace this path of support and the implications that it has for the various ministries, especially the educational ministries of the Church.

The Pastoral Statement of the U.S. Catholic Bishops on Persons with Disabilities (November 16, 1978) has been referred to as one of the most important documents of the American Church

regarding persons with disabilities. It sets forth a vision of Church as a place where all are truly welcomed. The Pastoral Statement has as much relevance for Catholic organizations today as it did 40 years ago.

The Pastoral Statement is more than just legislating the Church's response to addressing the needs of persons with disabilities. It approaches the topic with a pastoral viewpoint and explores these issues from a theological perspective. In the opening paragraphs, the letter explores the bias that can be demonstrated towards those with disabilities. Not only is explicit bias acknowledged but implicit bias is discussed:

Prejudice starts with the simple perception of difference, whether that difference is physical or psychological. Down through the ages, people have tended to interpret these differences in crude moral terms. "Our" group is not just different from "theirs"; it is better in some vague but compelling way. Few of us would admit to being prejudiced against persons with disabilities. We bear these people no ill will and do not knowingly seek to abrogate their rights. Yet disabled individuals are visibly, sometimes bluntly different from the "norm" and we react to this difference. Even if we do not look down upon persons with disabilities, we tend all too often to think of them as somehow apart - not completely "one of us." (United States Catholic Conference of Bishops, 1978, p. 3)

The focus here is not on the person with a disability. Rather, it is on "us," our inability to see beyond difference. The Pastoral Statement further states:

Scripture teaches us that 'any other commandment there may be is all summed up in this: You shall love your neighbor as yourself.' (Rom 13:9) In His wisdom, Jesus said, "as yourself." We must love other from the inside out, so to speak, accepting their difference from us in the same way that we accept our difference from them. (USCCB, 1978, p. 3)

The emphasis in this section of the Pastoral Statement is on how one encounters the other—those that have a perceived difference from the majority. The great challenge here is not on "normalizing the other" by forcing compliance to the majority but on how one recognizes our differences and ultimately recognize the humanity in everyone.

The Pastoral Statement continues to explore this tension between balancing human dignity with the rights and responsibilities of the Church and associated ministries. The Pastoral Statement acknowledges that the Church hasn't always addressed the needs of those with disabilities with expediency but rather only after "public opinion has compelled us to do so" (USCCB, 1978, p. 4).

However, the Pastoral Statement advances the idea that the Church has an obligation to advocate for access to systems in order to allow persons with disabilities opportunities to be able to self-actualize. "Defense of the right to life, then, implies the defense of other rights which enable the individual with a disability to achieve the fullest measure of personal development of which he or she is capable" (USCCB 1978, p. 10).

The Pastoral Statement strikes a balance between acknowledging human dignity and active advocacy. It cannot be enough just to create systems to address the needs of persons with disabilities. Primarily, it has to be about recognizing the personhood of those with disabilities. “Recognizing that individuals with disabilities have a claim to our respect because they are persons, because they share in the one redemption of Christ, and because they contribute to our society by their activity within it, the Church must become an advocate for and with them” (USCCB, 1978, p. 11).

In most cases, the Pastoral Statement suggests that “integration into the Christian community may require nothing more than issuing an invitation and pursuing it. For some others, however, full participation can only come about if the Church exerts itself to devise innovative programs and techniques” (USCCB, 1978, p. 14). From a programmatic perspective, the Pastoral Statement calls on Catholic elementary and secondary schools to develop strategies to “best integrate students with disabilities into programs of regular education” (USCCB, 1978, p. 30). Further, the Pastoral Statement suggests that diocesan offices of Catholic education offer ongoing professional development focused on programs for persons with disabilities. There is an imperative contained in this portion of the Pastoral Statement. Catholic school educators need to be actively involved in innovating and delivering approaches for students with disabilities. Catholic schools cannot take a passive stance, waiting for a student with a disability to enroll and then (and only then) cobbling together a program. Contained in this call is a need to be active in the creation of such approaches. This will allow schools to be able to actively reach to the margins for those with disabilities and ultimately ensure that the faith community is open to those who wish to access it.

Ultimately, the Pastoral Statement makes the definitive case for inclusionary approaches. “There can be no separate Church for people with disabilities. We are one flock that follows a single shepherd” (USCCB, 1978, p. 33). As such, Catholic schools must develop approaches to ensure that the schools reflect this notion of one Church. Engaging in policies of segregation or denying access does little to achieve this aim. This cannot just be about programming but advances the dual function of providing access and quality (justice) and the function of maintaining human dignity (mercy) through developing a sense of belonging. “It is not enough merely to affirm the rights of people with disabilities. We must actively work to make them real in the fabric of modern society” (USCCB, 1978, p. 11).

NCPD's Tenth Anniversary Report to U.S. Catholic Bishops (1992)

As a result of the Pastoral Statement, the National Catholic Partnership on Disability (NCPD) was formed in 1982 out of the National Advisory Committee on Ministry with Handicapped People. In 1992, then NCPD board member Most Reverend Francis E. George, Bishop of Yakima, addressed the fall meeting of the National Conference of Catholic Bishops (NCCB) in Washington, D.C. His

statement reported on NCPD's efforts to implement the Pastoral Statement. His remarks indicate an important shift of focus in working with persons with disabilities:

In society, there has also been a shift in recent years from a medical model, which sees those physically or mentally impaired, to a political model, which conceptualizes the environment as the handicapping factor. (National Catholic Partnership on Disability, 1992, para. 7)

This notable shift focuses more on the person and less about "curing" the disability. This change in thinking helps to place organizations in a more active role and responsible for areas that can fall more into their control, such as developing programmatic responses. Further, this 10th anniversary report demonstrates that the needs of persons with disabilities are still on the agenda for the U.S. Catholic Bishops.

Welcome and Justice for Persons with Disabilities: A Framework of Access and Inclusion (1998)

In 1998, *Welcome & Justice: A Framework of Access and Inclusion for Persons with Disabilities* was approved by the bishops on the 20th anniversary of the original Pastoral Statement. This document (*Welcome and Justice*) is organized around a series of bullet points and affirms and extends the thinking of the Pastoral Statement. *Welcome and Justice* (United States Conference of Catholic Bishops, 1998) continues to reaffirm the dignity of the person. This affirmation is accompanied by the call for the defense of the rights of persons with disabilities. Included in this call for defense of rights is the call for equal opportunity and access to education.

Access is a critical issue outlined in *Welcome and Justice*. "Since the parish is the door to participation in the Christian experience, it is the responsibility of both pastors and laity to assure that those doors are always open" (USCCB, 1998, no. 6). A reason frequently cited for not including those with disabilities in Catholic schools is cost. But as the Bishops continue, "Costs must never be the controlling consideration limiting the welcome offered to those among us with disabilities, since provision of access to religious functions is a pastoral duty" (USCCB, 1998, no. 6). As Carlson (2014) states, "If the Church is called, by the principles of CST, to follow the radically inclusive teachings of Jesus, and does not, largely on the claim that there is not enough money, can that failure to include all be justified?" (p. 67).

Another theme contained in *Welcome and Justice* is the role of pastoral care. Contained in this document is a call for recognition and appreciation for the contributions that persons with disabilities can make to the spiritual life of the Church. Additionally, pastoral care for those families that encounter disabilities is encouraged. This challenges Catholic schools to examine their pastoral response to their families that encounter disability. As a ministry of the Church, Catholic schools have a duty to help accompany those that are experiencing a diagnosis and are learning about

disability. Catholic schools also need to consider how they engage in active outreach to their families.

Affirmation of and Commitment to the Call of the 1978 Pastoral Statement of the U.S. Catholic Bishops on Persons with Disabilities. (2018)

On the occasion of the 40th anniversary of the Pastoral Statement, NCPD governing board Archbishop Joseph E. Kurtz from Louisville, KY presented an affirmation of the statement to the annual meeting of the USCCB in Baltimore in November 2018. The Affirmation of and Commitment to the Call of the 1978 Pastoral Statement of the U.S. Catholic Bishops on Persons with Disabilities (the Affirmation) reaffirms the call of the “inalienable dignity” of every human. The Affirmation further asserts:

Persons with disabilities have the proper right to be active participants in the life of the Church. We recognize that the bare assertion and protection of rights can become a sterile exercise whenever it lacks the Christian presumption of our common call to friendship with one another in Christ. (NCPD, 2018, no. 7)

This statement advances the ongoing theme of the balance between maintaining the rights and responsibilities and upholding the dignity of all persons. As the Affirmation states:

When individuals with disabilities and their families are not present, the Catholic community experiences a loss. With our Christian identity as our foundation, we reaffirm our commitment to ensuring that persons with disabilities increasingly experience a sense of belonging and welcome in the parish, diocese, and Church at large. (NCPD, 2018, no. 8)

Supporting Documents from other Catholic Organizations

The National Catholic Partnership on Disability (NCPD) serves as the voice on disability for the U.S. Catholic Bishops. As such, NCPD has several documents that help frame the foundation for approaches to serve students with disabilities within the Catholic school setting. Both the NCPD Board Statement on the Provision of Catechetical and Academic Instruction to Catholics with Disabilities (NCPD, 2010) and the National Catholic Partnership on Disability Statement on Inclusion (NCPD, 2015) were developed out of a sense of advocacy for persons with disabilities and their place in the educational programs of the Church. These statements further advance the themes of the statements of the Bishops to support the dignity of the person and outline the need to provide services as a channel of access for those with disabilities.

Catechetical programs and parochial classrooms bereft of such individuals are symptomatic of a culture that denies children and youth with disabilities their rightful place within the faith community. (NCPD, 2010, para. 2)

The Need for Balance in Justice and Mercy

In programming for students with disabilities, it can seem that a justice orientation (upholding the rights of both the student with disabilities and the rights of other students) may appear to be in opposition or take primacy, to a certain extent, to approaches that reflect mercy. However, Pope Francis suggests that both justice and mercy “are not two contradictory realities, but two dimensions of a single reality that unfolds progressively until it culminates in the fullness of love” (Francis, 2015, no. 20). In essence, the Pastoral Statement outlines the role of mercy as a foundation of including individuals with disabilities within the ministries of the Church. “It is not enough merely to affirm the rights of people with disabilities. We must actively work to make them real in the fabric of modern society” (USCCB, 1978, p. 11). Notably, the Church does not legislate rules and regulations to meet the needs of persons with disabilities within the Church. Rather, it relies on the creation of a clear and compelling case supporting the idea of a Christian anthropology, honoring the unique humanity of each person as the basis for creating and sustaining programs for persons with disabilities. As such, in recognition of “one baptism,” all members belong, and access should be created so that all can truly belong. If providing access and equity to the Church and its ministries isn’t a legal requirement per se, it can be argued that there is a moral imperative to do so. As Carlson (2014) states:

In the case of Catholic schools, then, the moral requirement to serve the broadest spectrum of children possible cannot be negated simply because human law (the Individuals with Disabilities Education Improvement Act, or IDEIA, 2004) does not compel private schools to provide services to children with special needs. (p. 71)

Therefore, approaches to serve the needs of students with disabilities should reflect both a justice orientation and one that reflects mercy.

With this said, IDEIA is limited in what it can provide for students in faith-based schools. Current legislation allows access for students with disabilities in private schools, commensurate to the proportion of students with disabilities attending private schools to the overall population of students with disabilities in the public schools. In the current iteration of IDEIA, there is no individual entitlement for students with disabilities in private schools. So even at best, IDEIA establishes only a threshold for Catholic schools. As Iozzio (2017) states,

the failure to recognize that these and other laws require only a minimalist or anemic justice to avoid discriminatory behavior and other harms upon individuals and communities and/or the violation of citizens’ exercise of their rights to common liberties and access to common goods. (p. 10)

Legislation calls schools to meet only a minimal standard of care. Gaudet (2017) suggests, “Secular documents of rights, while necessary to avoid a regression into atrocity, merely set a floor

for societal treatment of those with disabilities” (p. 49). Moving from a pure justice orientation in programming, Catholic schools need to consider the role of mercy in the design of approaches to serving students with disabilities. Using the imagery of God willing to bend over backwards to extend mercy, suggesting no end to the mercy that God will extend, Iozzio (2017) argues that:

Admittedly, we human beings fail to bend time and again. We begrudge equal employment opportunities, equal access to education and healthcare, equal welcome to our places of gathering and worship, and we fail thereby solidarity and the preferential option: we fail to do what God wills. (p. 28)

Extending Iozzio's imagery to Catholic Schools, designing and delivering programs for students with disabilities is a way to mirror God's mercy. Creating such programming grants access and also extends this sense of welcome. It is a demonstrable step to help Catholic schools live its charge for the preferential option for those who are marginalized.

Within Catholic schools, the issue is that there is need for both justice and mercy. While justice can provide a level of protection for individual liberties, the law “simply cannot change hearts” (Swinton, 2012, p. 182). The law in and of itself is not designed for conversion. Catholic schools should be more than a provider of safeguards and protections. It cannot simply be about a place of justice but also a place of mercy. How do Catholic educational institutions reflect and magnify God's mercy? By balancing both justice and mercy, inclusionary approaches provide the possibility for a call to conversion. The opportunity to encounter a diverse collection of individuals provides the opportunity for self-reflection and affords members of the school community to “accept their difference from us in the same way that we accept our difference from them” (USCCB, 1978, n.p.). If this can be the case, then the ultimate question becomes this: by excluding students with disabilities, are we missing out on these opportunities to find this grace? As M. Iozzio & Romero (2017) note: “...a change of hearts (of the nondisabled toward people with disabilities) is the moral standard held by Christ and by those who would call themselves disciples” (p. 4).

A startling reality in designing and delivering approaches to serving students with disabilities in Catholic schools is that it is less about the faculty being the helper but rather that that faculty is helped. Reinders (2011) describes the process of becoming friends with someone with an intellectual disability: “...a difficult process of conversion, of sacrificing a sense of superiority and virtue in the “choice” to serve this community” (p. 168). This process causes the helper to confront their feelings of arrogance and superiority while framing it in the more socially desirable light of being the helper. This stance of being the helper allows individuals to wrap themselves in a self-comforting sense of sympathy, ultimately shielding them from the opportunity to confront their own obstacles and encounter the face of God in those that we serve. By acknowledging these faults, the helper surrenders this sense of superiority and, through this process, becomes the helped. As stated in the National Directory for Catechesis (USCCB, 2005 , p. 207):

All persons with disabilities have the capacity to proclaim the Gospel and to be living witnesses to its truth within the community of faith and offer valuable gifts. Their involvement enriches every aspect of Church life...They (persons with disabilities) are not just the recipients of catechesis—they are also its agents.

Synthesis and Plan for Action

The Church recognizes the unique call of community and the relationship of all individuals, including those with disabilities, to the Church. As such, it compels the Church to examine the structures that limit access for those with disabilities to the Church. As Iozzio (2017) states:

This ideology of segregating exclusion has been inserted into nearly every social structure of human making, including the Church, and has corrupted the proclamation—by its “normative” interpretation—of the Good News in a way that defies the logic of the Incarnation. (p. 27)

Creating approaches to serve the needs of students with disabilities in Catholic schools cannot be driven out of a sense of secular justice but a justice that is derived from faith. These systems must recognize and assert the dignity of the person, thereby reflecting the analogy of mercy as suggested by Iozzio. To this end, there are several actionable steps that Catholic schools can take to develop these program that reflect a sense of justice and mercy.

Professional Development

To work toward more inclusive approaches within Catholic schools, ongoing professional development in the area of technical skills is required. There is “a tension between the social justice value to include all students and the social justice value to provide adequately for these students’ learning requirements” (Long & Schuttloffel, 2006 p. 446). To address this tension, systems of Catholic schools must engage in ongoing and sustained approaches to professional development in order to build the requisite knowledge and skills to effectively program for student with disabilities. Enhancing understanding of the impact of disability on learning as well increasing use of evidence-based instructional techniques increase efficacy in meeting the needs of those students with disabilities. Implementation of approaches like Universal Design for Learning not only benefits those students with disabilities but increases quality of learning for all students. Continued partnerships with Catholic institutions of higher education are important to help provide evidence-based approaches to developing these technical skills.

In addition to the acquisition of specific skills, Catholic school faculty and staff should engage in ongoing study of the original documents that provide the foundation for creating and delivering programs for students with disabilities. As suggested earlier, the Church has numerous documents that help to establish the why of creating and sustaining approaches for students with disabilities in Catholic schools. It is imperative that Catholic school faculty and staff be familiar with these

documents and that these documents should serve as the impetus for developing inclusionary programming.

Build Systems to Support Inclusion

In order to avoid random and ad hoc attempts at building system of supports, Catholic schools should utilize a systematic approach to creating such programs. Building policies, procedures and protocols can facilitate this approach. Such systems as Multi-Tiered Systems of Support (MTSS) hold much promise for its application in Catholic school settings (Boyle, 2010, 2017). Although a secular approach, many of its tenets are consistent with the approaches advocated in the Church documents. The MTSS approach certainly places value on the common good and advances an ethic of care. It also focuses on developing interventions that are tailored to the person and the integration of services largely done in classroom settings.

The creation of such systems enhances the quality of stewardship of resources and increases the effectiveness of delivery systems. It is imperative that, as systems of support are being developed, these systems are congruent with the call for community, put forth by the various documents. The programs of the Church should reflect a strong sense of Catholic identity. Gaudet (2017) suggests that “we must also be mindful that an overemphasis on “special” programs encourages segregation rather than integration” (p. 52). As such, programs of support should facilitate access to education for those who do not have a disability. As Catholic schools build more integrated approaches delivered in general classroom settings as warranted, the need for segregated, self-contained programs for students with disabilities will decrease.

Conversion of the Heart

In addition to developing technical skills in educating those with disabilities, Catholic educators must also build on the faith dispositions for developing programming for students with disabilities in Catholic schools (Boyle & Bernards, 2016). In addition to the development of technical programs and the acquisition of specific skills related to address the needs of those students with disabilities, there is a specific need for Catholic educators to reflect on the spiritual aspect of providing services. It is not so much about the perceived power inherent in the position of being the helper. It is what faculty can discover about themselves when they encounter persons with disabilities. The focus on the opportunities for conversion move programming from just meeting legal compliance to opportunities for a change in heart.

Without this aspect, attempts at the development of programming for students with disabilities can be hollow. In order to support the faith dispositions related to this work, Catholic schools need to be intentional in providing opportunities for faculty and staff to explore this faith dimension. In addition to the professional development needed to develop the technical knowledge and skills to

create effective programs, opportunities to engage in directed faith development (such as retreats or guided support in exploring the Church documents) are critical in developing this approach.

Conclusion

For Catholic schools, creating and maintaining approaches to serve students with disabilities must rise above legalistic approaches. Meeting the needs of those with disabilities within the Catholic school context is not only about justice. It is about both justice and mercy. While not minimizing the protections afforded by the law, Catholic schools must move beyond using civil law as frameworks for service delivery. These approaches must be charged with the dual function of providing access and protection (justice) while maintaining and celebrating human dignity (mercy). Catholic schools are called to move beyond a secular view of programming and embrace this approach from a Catholic worldview. Clearly, through the Catholic Social Teaching tradition and the various documents of the Church, incorporating a balanced perspective of both justice and mercy helps Catholic schools to support an ethic of life, live the call for community, work for the establishment of the common good, and provide the preferential option for the marginalized. Ultimately, it affirms the school's Catholic identity. By "acting with justice and loving tenderly," Catholic schools can more effectively serve those with disabilities and, as David Haas suggests in the opening quote, and help them to "walk humbly with God."

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