

MARIATERESA CAIRO
MARIA CONCETTA CARRUBA

ADDITIONAL SUPPORT AND MEDIATED LEARNING IN INCLUSIVE EDUCATION IN EUROPE

In collaboration with ASuMIE Project Team



VITA E PENSIERO

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PEDAGOGIA E SCIENZE DELL'EDUCAZIONE

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Additional Support and Mediated Learning
in Inclusive Education in Europe

pp. 683-684). It is necessary to include such action-oriented programs, activities, and practices making them obligatory.

2.2. INCLUSIVE EDUCATION IN BELGIUM

*Beno Schraepen*¹

Legal framework

a. International Human Rights Law

The United Nations Convention on the Rights of the Child was signed by Belgium on 26th January 1990 and ratified on 16th December 1991. Belgium signed the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) on 30th of March 2009 and ratified it on the 2nd of July 2009.

b. National legislation and educational policies

Belgium has a history of segregated education and both special primary and secondary schools operate in all three Communities. Since 2009 however there have been increased efforts to support inclusion through policy (United Nations, Convention on the Rights of Persons with Disabilities, 2006) (European Parliament, Directorate – General for Internal Policies, Country Report on Belgium for the Study on Member States’ Policies for Children with Disabilities, 2013, p. 11).

Federal level

At a Federal level, Belgium guarantees the right of free education to all in Article 24 of its Constitution. Compulsory education starts on 1st September of the year in which a child turns 6 years old and lasts 12 full school years.

Article 24

§ 1. Education is free; any preventive measure is forbidden; the punishment of offences is regulated only by the law or federate law. The community offers free choice to parents. The community organises non-denominational education. This implies in particular the respect of the philosophical, ideological or religious beliefs of parents and pupils.

¹ Coordinator ASuMIE Project, AP University - Applied Sciences and Art, Antwerp - Belgium.

Schools run by the public authorities offer, until the end of compulsory education, the choice between the teaching of one of the recognised religions and non-denominational ethics teaching. 12 § 2. If a community, in its capacity as an organising authority, wishes to delegate powers to one or several autonomous bodies, it can only do so by federate law adopted by a two-thirds majority of the votes cast. § 3. Everyone has the right to education with the respect of fundamental rights and freedoms. Access to education is free until the end of compulsory education. All pupils of school age have the right to moral or religious education at the community's expense. § 4. All pupils or students, parents, teaching staff or institutions are equal before the law or federate law. The law and federate law take into account objective differences, in particular the characteristics of each organising authority that warrant appropriate treatment. § 5. The organisation, the recognition and the subsidising of education by the community are regulated by the law or federate law.

In addition to the right to a free education the Belgium Constitution also asserts the right to freedom of education and guarantees a freedom of school choice for parents. Every (legal) person may organize education and establish schools to the aim of freedom of education and the government has a duty to organize undenominational education. Parents and children have the right to access a school of their choice, within reasonable distance of their residence.

Further legislation on the right of appropriate education for all children is managed at a regional level and is explained further below.

In Belgium the role of the federal government is limited to:

- the determination of the beginning and the end of compulsory education;
- the setting of minimum requirements for the issuing of diplomas;
- the regulation of retirement for employees in the educational system.

Aside from these three competences, Belgium has three autonomous education systems which are responsible for education in their region. These education systems are split via the Communities:

- the Flemish Speaking Community;
- the French Speaking Community; and
- the German Speaking Community.

Around 58% of students in Belgium attend schools in the Flemish Speaking community and 37% of students attend schools in the French Speaking Community. The remaining 5% of students attend schools in

the German Speaking Community. For this report, the Flemish Speaking and French Speaking Communities will be the focus, as they provide an education to 95% of the population.

Due to this division of competences, educational policies concerning inclusive education and children with a disability differ for each community and all schools in Belgium have freedom to develop their own curricula, assessments, and self-evaluations.

Belgium/Flanders has a long history of special education. The need to organize a special school system became obvious because of compulsory school acts. The Compulsory Education Act of 1914 stated that ‘where the school population is sufficiently large, local authorities must provide classrooms for poorly gifted or abnormal children’. While some pioneers established special classes close to mainstream settings, the main initiatives in this field occurred after 1950. In 1959, the ‘School Pact Act’ required that a special education system be developed for all learners with learning difficulties.

The Act on Special Education

The Act on Special Education was adopted on 6th July 1970. Under this Act, schools were established for learners whose educational needs and possibilities could not be met in mainstream education.

The 1970 Act had two basic principles:

- Learners should attend mainstream classrooms: attendance at special schools should be an exception and must be justified by a comprehensive examination, independent of the school.
- Special education would be organized into eight types or pedagogical settings, designed to provide the most appropriate responses to learners’ particular needs.

For the first time, the law focused on learners’ needs rather than on their disabilities and emphasized an educational rather than a therapeutic approach. The education categories (or types), which start from the age of 2 and a half years until 21 years, are as follows:

- Type 1 for learners with a mild intellectual disability.
- Type 2 for learners with a moderate or severe intellectual disability.
- Type 3 for learners with serious emotional and/or behavioral problems.
- Type 4 for learners with a physical disability.
- Type 5 for learners admitted to hospital or in quarantine for medical reasons.

- Type 6 for learners with a visual impairment.
- Type 7 for learners with a hearing impairment.
- Type 8 for learners with serious learning difficulties.

Of these types, Type 1 and 8 are not provided at nursery level and Type 8 is not provided at secondary level.

In secondary education students with disabilities are classified not only on type of disability but also on the training form they are able to participate in:

- Training form 1: social adjustment, provides social education with a view to integration into a protected environment.
- Training form 2: social adjustment and suitability for work, provides general and social education and work training with a view to integration into a protected living and working environment.
- Training form 3: vocational education, provides social and vocational training with a view to integration into an ordinary living and working environment. Various training courses are organized.
- Training form 4: general, vocational, artistic and technical education, prepares for higher education and integration into active life. The courses of study correspond to the courses of study from ordinary full-time secondary education.

Pathway to inclusion

After the revision of the constitution of 15th July 1988, the constitution (17 February 1994) transferred almost all responsibilities (art. 127 § 1.2) in relation to the educational system to the Communities. Since 1989, the Flemish Community is in charge of matters of education and is therefore responsible for the administration of education in its language area.

Integrated (GON) and inclusive education (ION) in mainstream schools

The 1970 Act allowed learners enrolled in special schools to attend mainstream schools full- or part-time. In the Flemish community, integrated education (GON - Geïntegreerd ONderwijs') was introduced in 1980 for learners with physical, visual, or hearing impairments. In 1983, it was extended to all learners with physical or sensory disabilities at all school levels. This led, in 1986, to the amendment of the 1970 Act on Special Education. Learners with disabilities could attend mainstream education under the guidance of a special school. In principle, no type or level of special education was excluded. However, in practice, during the 1988/1989 school year only 750 pupils with a physical, visual, or hearing impairment were integrated into mainstream

schools. The total number of pupils in special schools was almost 35.000.

In 1994, integrated education was extended to all types of special education, except for type 2. New forms and strategies of integration were introduced. In integrated education, staff from special schools supported learners and mainstream teachers. In this way, experience and special expertise from special education was integrated in the mainstream class. It created the opportunity to gradually build elements of special education into mainstream education. However, integration was still seen as extra support for learners who could meet the normal expectations of a mainstream school and the support often took place outside the classroom. Over a period of 10 years, the number of learners in GON increased, but their percentage share in the number of learners in nursery, primary and secondary education remained restricted.

In the inclusive education project (ION - 'Inclusief ONderwijs') that started in 2003-2004, a limited group of 100 pupils with moderate or severe intellectual impairments were able to follow an individual curriculum within the mainstream education curriculum.

Equal opportunities

The Flemish Parliament Act of 28th June 2002, on equal opportunities in education, granted, in principle, all pupils who, based on a statement of special educational needs are oriented towards a type of special education, the right to enrolment in a school or school site of their choice. This Act was followed by the Flemish Parliament Act of 10th July 2008, which provided a framework for the Flemish equal opportunities and equal treatment policy, which includes provisions for equal treatment during the school career. In 2011 the Parliamentary Act on the Right to Enrolment further promoted equal opportunities in Education.

The M-decree

The Decree regarding Measures for learners with specific educational needs (M Decree) (2014) facilitates the inclusion of learners in mainstream education. Pupils who can work within the mainstream curriculum with reasonable accommodations receive an unrestricted entitlement to enroll in ordinary education through the M Decree. When schools are unable to work with pupils with SEN within the mainstream curriculum, they develop an individual adapted curriculum (related to the mainstream curriculum). Pupils get 'a statement' and can remain in the mainstream school or enroll in a special school. On the other hand, the M De-

cree still contains a framework for special schools based on types of disability as a parallel and equal system to mainstream education.

In September 2017 a new support model was introduced to assist mainstream basic and secondary schools to deal with students with special educational needs (Decree on Basic Education, art. 172 quinquies and 172 quinquies/1; Codex Secondary Education, art. 314/8 and 314/99).

A mainstream school can make use of support, starting from the extended care phase (of the care continuum). The model consists of two tracks:

1. support for mainstream schools with pupils with mental, physical, visual, or auditory impairment and pupils with speech and language development problems. Schools choose one or more special schools to co-operate with, together with parents and the pupil guidance center;
2. support for mainstream schools with pupils with severe learning problems, behavioral or emotional problems and pupils with autism. Mainstream and special schools work together in support networks. Support can be child-, teacher- or school-centered and is based on the support needs mainstream schools formulate together with parents and the pupil guidance center.

Newly arrived learners with a foreign mother tongue can attend reception classes and receive extra support in a follow-up year. Disadvantaged learners, migrant learners and learners from ethnic cultural minorities may be prioritized at registration. Schools that welcome a minimum number of learners from these groups receive extra support within the framework of the equal educational opportunities policy.

Following the passing of its M-Decree in 2014, the Flemish Speaking Community is seen to have the highest levels of inclusive education of all the communities in Belgium. The M-Decree legally reinforces the right of students with special educational needs (SEN) to be enrolled in mainstream education.

The M-Decree's measures regarding promoting inclusive education are:

1. providing parents of a child with special educational needs, who disagree with a schools' refusal to enroll their child, with the right to appeal to a Student Rights Commission.
2. Requiring mainstream schools to make reasonable adjustments to accommodate students with special education needs and requiring mainstream schools to only refer a student to special education once all such "reasonable adaptations" have been tried.

3. Providing children, teachers and school teams with additional support based on the transfer of resources and expertise from, teachers and paramedic staff of special schools.

Although the introduction of a framework favorable towards inclusive education, the decree reinforces segregated education by updating the definition categories (type 9) for students with special educational needs and broadening it with a category for “normally gifted” children with autism. In figure 1 we notice that the biggest group in special education is in Type BA (Basis Aanbod), a type of education for children with special needs that have difficulties following the general curriculum because of specific learning disorders.

Figure 1 - Children in special elementary schools, N=27892 (2019-2020)

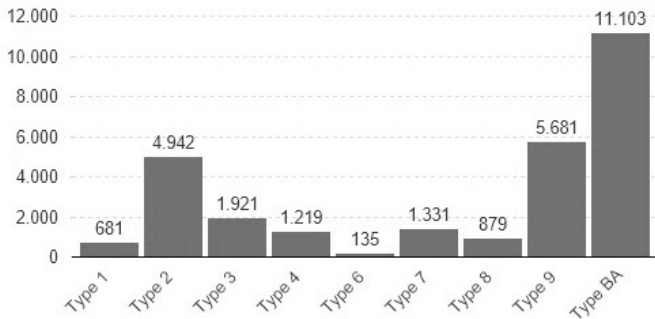
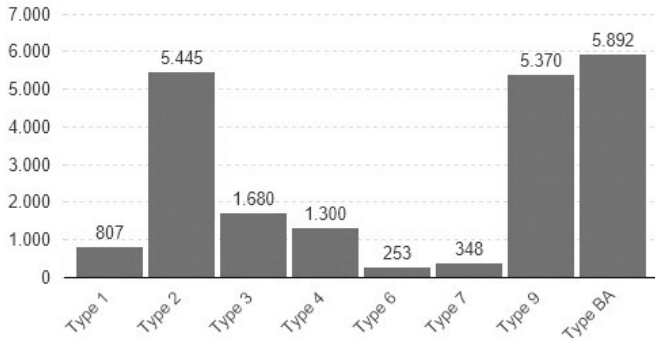


Figure 2 - Children in special secondary schools, N=21095 (2019-2020)



Additional Support for inclusive education (2017)

The 2014 M-decree stresses the importance of strong support for schools and teachers to include learners with SEN in the mainstream system and aims to implement the principles of the UN Convention on the Rights of Persons with Disabilities. The subsequent Model of Support (MSup), introduced on 1st September 2017, stresses the importance of networks supporting teachers, school teams and pupils. In the 2020–2021 school year, around 3,100 additional full-time staff from special education supported learners with SEN in mainstream schools. Support is organized in support networks and each network consists of several multidisciplinary teams, that send their support.

The support model (2017) was introduced to assist mainstream basic and secondary schools to deal with pupils with special educational needs (Decree on Basic Education, art. 172 quinquies and 172 quinquies/1; Codex Secondary Education, art. 314/8 and 314/9, in European Agency for Special Needs and Inclusive Education, CPRA - Belgium (Flemish community, 2020). The model consists of two tracks:

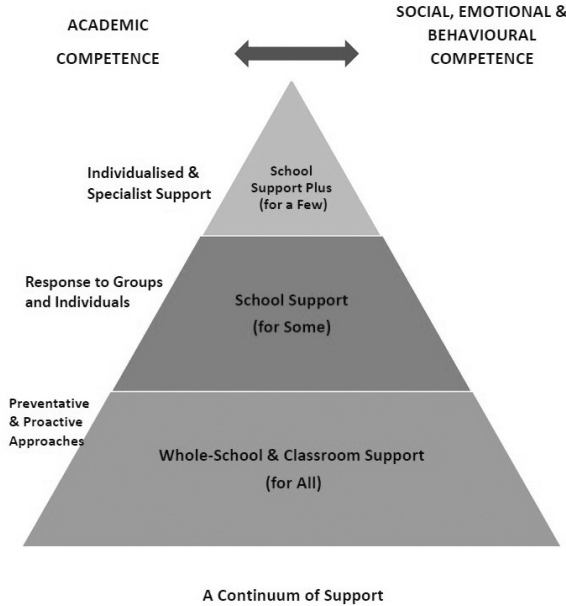
- support for mainstream schools with pupils with mental, physical, visual, or auditory impairment and pupils with speech and language development problems. Schools choose one or more special schools to co-operate with, together with parents and the pupil guidance center;
- support for mainstream schools with pupils with severe learning problems, behavioral or emotional problems and pupils with autism.

Mainstream and special schools work together in support networks. Support can be child-, teacher- or school-centered and is based on the support needs mainstream schools formulate together with parents and the pupil guidance center. The model of support gives special schools an important role in supporting mainstream schools to guide learners with SEN. Mainstream teachers and specialist ‘supporters’ work together to guide learners with SEN in mainstream schools. The focus is on collaboration and strengthening mainstream teachers and schools in their work with learners with special needs. The support provided is based on the needs of teachers, learners and school teams.

Support staff from the previous systems of ‘integrated education’ (GON) and ‘inclusive education’ (ION) and staff from special schools could choose to become support teachers. Due to the extra budget invested in the support model, new staff also entered and continue to enter the support model.

Continuum of support

Figure 3 - *A continuum of support*



Support is organized along the levels of the continuum of support pyramid that organizes support based on the number of children, the support needed and the intensity of support. The continuum of care pyramid contains several levels of support from level 0 to 3.

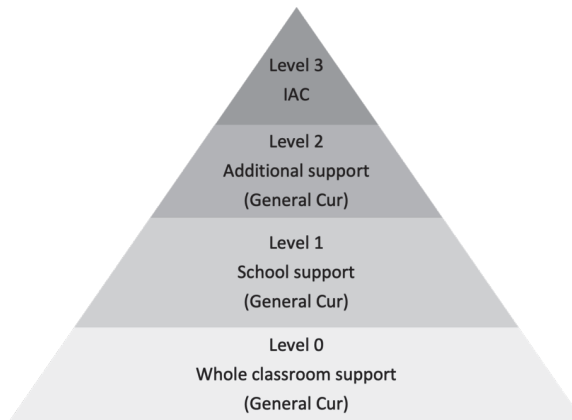
Support on level 0 is classroom support for all children, provided by the teacher and reaching out to the diverse classroom. It’s about differentiation, remediation, universal design, accessible learning activities, classroom management...The goal is that all children aim for the general curriculum. But sometimes that’s not sufficient and some children and teachers need some extra support provided by the school. Level 1 is about support on a school level. Each school has specific support processes within the school, based on the specific population (i.e., poverty) or challenges (i.e., behavior) in the school. Each school has a team of care teachers to organize this and support teachers and pupils. On this level the child guidance center (CLB) advises the school.

So far so good, within this context no additional support from a support network or special school is needed. For some children with special

needs or specific disabilities though, the school can decide, aided in this by a decision of the child guidance center (CLB), that they don't have the qualities to enhance the learning and participation of these pupils, still within the goal to reach the curriculum. In a motivated statement, they will explain why additional support is needed. This statement gives access to support on level 2.

For support on level 2 a school can turn to a support network or a special school. It's a two track system. Support provided by a network, addresses special needs in the field of learning disorders, autism, or social-emotional issues. A school turns to a special school for specific support and aids for children with physical, speech, hearing or visual impairments, or a combination.

Figure 4 - *Continuum of support organizing additional support in Flemish schools*



Level 3: Individual Adapted Curriculum (IAC)

An IAC is a tailor-made learning program for a pupil with a report for access to special education. The pupil is not enrolled in special education, but in mainstream education. The adapted learning program contains objectives tailored to the pupil. The class council chooses these objectives, in consultation with the parents and, where possible, with the pupil and with the CLB or other external support providers. At agreed times and when necessary, the objectives of the IAC are adapted. This is done after evaluation of the set goals.

The learning goals are aimed at maximum development of the pupil and at the most complete possible participation in class and school life.

Depending on the pupil's possibilities and prospects, the learning objectives are also aimed at:

- social participation, possibly in an environment that provides appropriate support;
- labor participation in an environment that provides appropriate support;
- employment in an environment that provides appropriate support;
- employment in the ordinary working environment;
- further studies.

In the 2018-2019 schoolyear, 1633 children were in an IAC learning program, in 2019-2020 approximately 2129 children attained regular education with an IAC.

Support model: evaluation

An evaluation of the support model highlighted some challenges (Evaluation report (October 2019), *Evaluatie van het nieuwe ondersteuningsmodel*. Commissie Struyf, 2019 and Exploratory research by Education inspection (June 2020), *Rapport terreinverkenning ondersteuningsnetwerken*. Rapport terreinverkenning kleine types. Onderwijsinspectie, 2020):

- basic care and increased care (the two first phases of the 'continuum of care') must be strengthened in mainstream education. Mainstream teachers feel they are not well equipped enough to provide quality support to learners with special needs, so issues are often escalated up the support network. This feeds the belief that only experts can solve the problems, which reduces the confidence of mainstream teachers.

- mainstream teachers are expected to provide individual pupil-centered support instead of receiving cooperation and support themselves. Support staff are not always authorized to work in a teacher- or team-oriented way, especially in secondary education.

- better collaboration between actors (pupil guidance center, pedagogical guidance services, support model staff) is needed to strengthen and support schools efficiently and effectively.

- mainstream schoolteachers lack time for consultation and meetings with support staff.

- the current (up to this point, temporary) support model lacks a clear legal framework and statute for support staff. This impacts the stability and continuity of collaboration and relations between support staff and mainstream teachers/schools.

Despite the shortcomings of the support model and legislation, some schools and teachers realize beautiful stories of inclusivity. Especially, where teachers and schools accept the right of reasonable accommodations and inclusive education and where there is a shared responsibility and cooperation on an equal base between teachers, parents, and support people.

Based on the results of the evaluation, in October 2019 the new Flemish Government decided to replace the M-decree with a “Learning support Decree” for learners with SEN and their teachers.

The future: a step back or forward?

Five years after the M-decree, the Flemish government promotes a realistic and pragmatic realization of inclusive education: “Mainstream education, if possible, special education if necessary”.

The Policy Paper Education 2019-2024 states that:

“The M-decree must be abolished and replaced by a ‘guidance decree for children with care needs’. For many pupils with special needs, special education remains the most appropriate form of support. Given the high level of expertise, we continue to give special-needs education a fully-fledged place in the educational provision. We are reinforcing the quality”.

The new decree will be called “The Learning Support Decree” (LSD) and is now in preparation. The decree wants to increase the quality of education, but also guarantee workability for schools and teachers. It does so by focusing on strengthening ordinary education, learning support and special education. The Flemish Government aspires to:

- a strong primary care and increased care in mainstream education;
- a sustainable learning support model with appropriate employment conditions for support staff;
- a fully-fledged system and a strengthening of the quality of special education.

For mainstream education the following targets are set:

1. all schools should put into place an effective policy on pupil guidance. The school team has the necessary competences to realize this.
2. The pedagogical guidance services (PBD) and centers for pupil guidance (CLB) are reinforced on pupil guidance with effect on the classroom floor. Increased attention should be given to schools that are lagging.

3. The Education Inspectorate focuses on the quality of pupil guidance in all its inspections and imposes a guidance process on schools and CLB's which do not provide effective pupil guidance.

4. Teachers recognize easy learners, the gifted and exceptionally talented and make education sufficiently challenging for them.

5. Mainstream and special schools (together) make maximum use of their responsibility in the field of guidance of the individual pupil.

Specifically, on the concept of learning support the following goals are set:

1. A clear and broadly supported reference framework for quality support ensures a well-founded and uniform approach in the Flemish educational field.

2. The Education Inspectorate effectively monitors the quality of learning support by the inspection of learning support centers.

3. Support is provided to pupils and their teachers and school teams who need learning support to extend care or an individually adapted curriculum.

4. Learning Support Centers have effective learning support, staffing, professionalization, and financial policy.

5. The delivery of learning support to mainstream schools is based on a clear and simple model.

6. The learning support team has sufficient disability specific, pedagogical, inclusion and coaching expertise, which they develop together in an accessible, cross-network and regional way.

7. The flow of information and cooperation between mainstream education, the learning support center, the pupil guidance center, and parents are focused on learning support.

Special-needs education will be strengthened by following objectives:

1. Special needs education must realize targeted, adapted education with a focus on learning gains and development.

2. The Special Education Department and the CLB must support the effective functioning in the schools and give increased attention to the schools that are lagging. The Education Inspectorate monitors the quality and imposes a guidance plan in case of shortcomings.

3. We make optimal use of the disability-specific expertise in special-needs education in all Flemish education and for all pupils.

4. Schools for mainstream and special education (together) make maximum use of their responsibilities in terms of support for individual

pupils, with special attention paid to the possibility of pupils returning from special to mainstream education.

The Learning Support Decree will go into force probably in the school-year 2023-2024 and will have an important impact on the current and future inclusion of children with special needs and/or disabilities.

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Legislation and policy definitions linked to key concepts within inclusive education systems

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2.3. INCLUSIVE EDUCATION IN BULGARIA

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Legislative basis for Inclusive Education in Bulgaria

The main national and international documents that Bulgaria adopts regarding inclusive education are:

- 1991, Ratification of the Convention on the Rights of the Child and Adolescent which promotes the right to non-discrimination of children and adolescents and equal opportunities for education;
- 1994, Declaration of Salamanca, which declares that the right to education is not enough to ensure that all children can study together. Schools are required to adapt and change to meet the needs of each child;
- 2002, the Public Education Act³ repeals Instruction 6 of 1977, according to which some children were categorized as “uneducable” and allows children with special educational needs to study in a general education school. This is subject to receiving a status of special educational needs based on a medical diagnosis. The term integrated education is still used.
- 2012, Ratification of the Convention on the Rights of Persons with Disabilities, which stresses the right to equal access to inclusive and qual-

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³ In 2002, the Public Education Act changes in the law regulated integrated training for learners with special educational needs (SEN) in pre-schools, general education schools and vocational schools (<https://www.european-agency.org/country-information/bulgaria/legislation-and-policy>)