

ASPECTS OF SPECIAL EDUCATION IN THE WORLD AND IN ISRAEL: LEGISLATION, IMPLEMENTATION AND FUTURE POSSIBILITIES

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Rezumat: Schimb rile ce au afectat societatea contemporan au generat efecte i asupra atitudinii comunit ii fa de persoanele cu nevoi speciale, mai ales fa de copiii cu nevoi speciale. În acest context, educa ia special vine s furnizeze bazele teoretico-practice privind sprijinul necesar copilului cu nevoi speciale, pentru a dep i dificult ile cu care se confrunt i care reprezint obstacole în procesul adapt rii sale sociale. Acest articol reflect unele aspecte ale educa iei speciale i cuprinde diverse viziuni privind incluziunea i posibilitatea integr rii copiilor cu nevoi speciale în înv mântul public i în cadrul altor structuri educa ionale disponibile atât în Europa, SUA cât i în Izrael.

Cuvinte cheie: educa ie special , incluziune, dizabilit i, integrare, coal public .

Key words: special education, inclusion, disabilities, integration, regular school.

Special education act was developed as a continuation to the human rights act. Its main goal was to offer education services to children from diverse categories of disabilities such as: children with mental retardation, behavioral-emotional problems, learning disabilities, sensory disabilities, chronic diseases, organic deficiencies and physical handicaps². These children were segregated into special education institutes and detached from their peers and moved out of their normal environment¹⁴. The basis for this segregation was the delivery of special education services in specialized institutes for

each category of disability. But, new humanistic-educational philosophies demanded the basic human rights for these children. These children have the right for *normalization* which is defined: the use of normal and culture-based means (valuable techniques, equipment and methods) in order to help individuals with special needs to have such quality of life (income, health services and social integration) as efficient as their age equivalent normal individuals. In addition, the society should make any effort available to support their behavior, experiences, status and self-respect⁶. Normalization was interpreted by Reiter⁸ as the right for living in a pluralistic democratic society, in which each individual can choose his own life style in despite his own disability. Initially, the idea of normalization was developed in the Scandinavian countries⁸, but later, it was developed in the USA. First, it was supported by legislations (Education for All Handicapped Children Act, 1975; PL 94-142). This Act aimed to achieve equal right and equal opportunities for children with special needs, and to support their inclusion in mainstream schools and other institutes that are less restrictive, in which they will be prepared to qualify for normal life^{8,9}. In 1990, the previous Act was replaced by a new one: "Individuals with Disabilities Education Act"⁴. However, this Act does not mandate that all students with disabilities, regardless of the nature and severity of their limitations be placed in the general classroom³. When a child with special educational needs is attending a special education class, he should be supported in order to be gradually transferred to a regular class, while giving him individualized instruction and adaptive strategies (The Israeli Special Education Act, 1988). Children with more severe disabilities and handicaps, which are referred to a special education classroom in a specialized institute, should be partially integrated in regular classes and normative educational and social environments.

The concept "inclusion" expands the term "integration" and refers to integrating any child with any disability in the regular mainstream classes with their peers for adapted instruction and individualized, comprehensive interventions⁹. According to the ethical and philosophic point of view of, in each country of the world, a special education act was prepared and delivered to each parliament in order to protect the right of children with special needs to be integrated in a normative educational environment. Some countries expanded the legislations which increase the level of implementation¹, and have already a formal Special Education Law that organizes the issue of inclusion and adaptation of the educational and instructional processes. For example, in Great Britain the law states that children with special need should be transferred out of the mainstream school only if it doesn't fit for his individualized needs⁵. Similarly, in Germany, children with special needs in mainstream school are individually supported by a special-education teacher in their regular class, for partial or full-time instruction. In addition, at-risk-children participate in prevention programs for decreasing the risks for disability¹⁴.

In France, four types of special education classes are available: for the visually impaired, for the hearing impaired, for the intellectually disabled and for the physically handicapped. When the targeted students are teenagers (12-18 years old), they are usually integrated in occupational classes for work qualifications. In Belgium, children with special needs are able to choose one of three choices: full, special education classes, full

mainstream classes or at-home educational and instructional services⁵. While many educational reforms have been introduced all over Europe, only few countries have specifically addressed the ways teachers are prepared. A variety of projects supporting teacher professional development have been initiated, but so far they have not led to systemic changes in the universities, where teachers are still prepared according to their specialization in traditional subjects. These programs emphasize high levels of academic knowledge but pay little attention to diverse learning needs or the kind of cross-curricular co-operation or interactive student-centered methodology advocated by educational reformers (UNESCO IBE 2003)¹². This lack of attention to diversity also applies to the preparation of other education professionals who work in schools, such as those who study educational methods and child development, for example pedagogues. Not surprisingly, issues of teacher professional development and the need to reform teacher education have emerged as concerns in regional and international reports on Education for All^{11,13} (UNESCO IBE 2008; UNICEF 2007, 2010). These reports document the view that teachers are not sufficiently prepared for inclusive education¹³. Moldova has adopted and ratified a number of international acts and conventions, including the UN Convention on the Rights of Persons with Disabilities (9 July 2010), and, at the same time, has elaborated a legislative framework aimed at ensuring the full citizens' rights of persons with disabilities². However, most of these rights as set out in the legislation are not applied in practice due to a lack of implementation mechanisms¹⁰. Even though the Republic of Moldova is trying to develop the process of inclusive education, children with disabilities continue to remain segregated, marginalised, and restricted in exercising their rights to basic education in an inclusive environment. In the Republic of Moldova, the education of children with disabilities is carried out in the following ways: education in special institutions, home schooling and education in mainstream schools¹⁰. A comprehensive policy on inclusive education and practical mechanisms for integrating children with disabilities into mainstream educational institutions has not yet been developed. First of all, there is no mechanism for evaluating children according to their needs and providing recommendations for the elaboration of an Individual Education Plan. Secondly, the mainstream schools are not yet ready to accept children with disabilities, because: most of the schools lack basic facilities to ensure accessibility for children with disabilities; the teachers are not familiar with the process of inclusive education and lack abilities to work with children with special educational needs, nor are they trained in elaborating and implementing an Individual Education Plan; support services (support teachers, personal assistants, transportation facilities for children with disabilities) for children with special educational needs in school are not stipulated by law.

As for the funding policy of special education institutes and integrative schools, they are funded according to various criteria: according to the percentage of the integrated children at each school, according to special projects administered at each school, according to the geographical distribution of the integrated children and according to the academic achievement of the children at each school. In Finland, a new governmental reform transferred the funding authority in the hand of the local municipalities in addition

to the decisions for integration and inclusion. Thus, the number of special education institutes decreased while the number of the inclusive schools increased⁵. The diagnostic process and the reference of the children with special needs are implemented by various authorities in different countries. For example, in Italy, the health authorities assess the children, make the diagnosis and refer them to the proper educational institutes. The authorities aim for full inclusion, thus only a minority of children attend special education school, mainly those with visual-impairment and/or with severe hearing-impairment. In Luxemburg, each and every child with special needs has the right for 8 weekly-hours for individual instruction in the regular class⁵. In England, the diagnostic process and the assessment are implemented continuously in order to refer the child to the appropriate educational frame along the years. In Iceland, the children are referred for assessment and diagnosis by the school staff to external health institutes and later, all reports are delivered back to the school. In Moldova, the local public authorities cannot budget additional funds for support services such as support teachers, personal assistants and adapted transportation, because there is no legal framework for providing support services for children with disabilities in schools. The existing support services have been developed by non-governmental organisations, such as “Speran a”, a centre for social inclusion and equal opportunities for people with disabilities, which provides support services for integrated children with disabilities in mainstream educational institutions¹⁰. Another non-governmental organization is the APDI HUMANITAS centre, a centre of socio-medico-educational intervention in Moldova, which is managed and guided by Dr. Hab. Racu A. (2009)⁷. The programs of the centre aim: creating a day-care centre, assessment of families having children with disabilities, developing partnership with professional staff members and volunteers, improving the awareness in the society for these children and creating a resource centre for parents, volunteers and the community. During a personal visit to the center, I had the honor to meet Dr. Racu, who impressed me a lot with her professionalism and her strong will dedicated to support children with special needs and their families. Although, in reality, there are deficits and a need for a lot of invested work in the special education field, you can feel the optimism, the persistence and the insistence of Dr. Racu working toward the integration of children with special needs in Moldova, demanding support for them as a part of their rights to live with dignity, equally with their peers and getting the supportive services that they have to get. At the establishment of the state of Israel, special education services were delivered on the basis of volunteering. In 1950, the department for special education was established in the Ministry of Education¹². In the fifties and sixties of the 20th century, the department of special education preferred segregation of children with special needs into special education schools rather than integrating them into special education classes in the mainstream school. In the seventies, the number of special education schools and classes increased. In 1988, the Special Education Act passed in the Israeli Parliament (The Kneset). It included a paragraph regarding the inclusion, which declares: "*when the professional committee decides to integrates a child with disability, the preference should be for the regular mainstream school... such school will be financially-supported by the*

ministry of education, professional therapeutic team and individualized instruction". The Israeli Special Education Act (2000) expanded (1) the instructional services delivered to the children and added diverse therapeutic services in the mainstream school (2) the parental influence on the decision-making-process and, (3) the age limit of the children and youth population with special needs from 3-21 years old. Consequently, the number of the children in inclusive schools increased, while the number of special-education schools decreased¹³. There are three primary models for inclusion in Israel: **an individual inclusion** in the regular class or kindergarten for children with mild disabilities. Most of them are individually accompanied by a special education teacher for partial time or full time assistance if the disability is severe. **a special education class in a mainstream school** for children with moderate disabilities, **and inclusive classes** for a small group of children with mild disabilities. These children are given a group-support for instruction and social skills by a special-education teacher³. Some studies revealed the importance of professional cooperation, teamwork and collaboration between the various systems involved in the process of inclusion of children with special needs: the principal, the teachers, the therapeutic team members, the parents and the relevant departments in the local municipality¹. In the USA, the Individuals with Disabilities Education Act of 2004 has prompted service delivery changes in education, which has necessitated new collaborative and communicative roles among professionals, with regard to inclusive classrooms. A significant dilemma exists in the field of inclusion and integration of children with special needs in the mainstream schools in Israel. The main funding is usually given for special education schools that include the sufficient educational and therapeutic resources for these children. Consequently, mainstream schools lack the effective resources for supporting the children with special needs that are already referred to them³. Therefore, a main question should be asked: "what is the cause for this gap between the full inclusion plans and the real status of inclusion in Israel?" The controversy between the Ministry of Education and the Ministry of Finance continuously leads to a partial implementation of the inclusion plans. Funds and budgets are always inappropriate for the real needs of the various educational institutes³; in addition, in my opinion, although, the Special Education Law (1988) gave the right for all children with special needs to be integrated into the regular educational settings (from kindergarten to high school). We can find that the most of the children involved, are mildly to moderately disabled. Children diagnosed with more severe disabilities are still directed by the integration committee to the placement committee for replacement and reassignment into the special educational settings such as Special education or special education classes in regular schools.

As a director of the regional support center and member of the referral committee for children with special needs, I notice the paradox and the gap between the Law's content and the reality of the referral process. This paradox has several implications: (1) the parents of the referred children do not participate deeply and comprehensively in the debate regarding their child; (2) the inclusion schools that some children were referred to, are not always the less restrictive educational frame for the specific child; (3) the

committee members do not always share sufficient documents relevant to the referred child, mostly medical and least educational-therapeutic reports; (4) many of the referred children that were diagnosed as learning-disabled are also affected by environmental factors and socio-emotional deprivation, thus the diagnosis should be questioned. This reality leads to some questions: to what extent is the Special Education Law implemented in Israel? And what should be done in order to improve the implementation of the Special Education Law for children with special needs? What are the attitudes of the teachers and inclusive-schools' principals towards the current status and implementation of the Special Education Law in Israel?

The literature indicates that the majority of the teachers support inclusion and believe that inclusion benefits students with disabilities and does not harm the non-disabled students. Further, the presence of students with disabilities has no negative impact on the instructional process. Inclusion offers several other benefits such as increased opportunities for social interaction for students with disabilities and facility in accessing the general education curriculum. Previous researches have revealed that teachers' attitudes are crucial to the success of inclusion programs for children with special needs⁵. Student-teachers were investigated for their attitudes, using the Impact of Inclusion Questionnaire (IIQ). The participating teachers presented positive attitudes toward the integration of students with mild disabilities, Sensory impairment and Physical disability More than the integration of children with behavioral- emotional problems. There was little support for the effects of training background or student teachers' previous experience of special needs on their attitudes⁶. Based on the previous literature review, the western European countries and Israel were shown to be the most developed countries in relation to the special education services, legislation and its implementation at inclusive schools as compared to Moldova and some other Eastern Europe countries. Yet, there is a lot of work to do for more effective supportive services as a part of the implementation of the Special law in every country in the world. Several factors in the educational framework can hinder and harm the effectiveness of support services and the success of the integration process of children with special needs in regular school. There is also a need for regular education teachers to undergo advanced study and learning about the variety of children with special needs, their needs and work strategies with them, in collaboration with professional factors such as special education teachers. In addition, no doubt there are necessities for more professional and financial resources with more monitoring and control. Besides, there must be more effective and active role of parents along the educational work process.

To the end I would like to add that all children have the right to be supported and to be given the chance to be integrated in our society. We, the grown-ups, are those who should give them this opportunity and offer them the possibility to live a normal life.

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