# Introductory Textbook
# On the Right to Inclusive Education
# for Students in Teacher Training and
# Educational Sciences

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## Editorial message for the readers

Dear Reader,

Since the beginning of this century, numerous incremental changes have taken place in law and the structures of national education systems because of the internationalisation of education and training thereby enabling teaching staff and students to engage in international cooperation and mobility in education

This "Introductory Textbook on the Right to Inclusive Education for Students in Teacher Training and Educational Sciences" has been written with students from non-EU countries in mind. It aims to guide students from non-EU countries through the features of inclusive education. The law is placed within an educational context, and students are provided with an accessible treatment of all key areas of inclusive education.

A chapter begins with a summary of learning outcomes of the lectures. The chapters provide an overview of central themes of a particular subject and concludes with test questions and suggestions for further reading. Case summaries allow for easy understanding of theoretical concepts. The textbook continues via online resources which help to introduce students to self-paced study. Self-test questions aim at assessing if the students have a good comprehension of the information provided in the text

Every good wish,
Gracienne Lauwers
(prof. dr., Jean Monnet)
Brussels
2023

# Foreword

On behalf of the consortium members, we wish to express our deepest thanks to the Rectors, Vice Rectors, Directors, colleagues at Mongolian National University of Education, Khovd School of the National University of Mongolia, Dornod School of the National University of Mongolia and fellow academics, teachers, experts, and students for their support in the implementation of the Erasmus+ funded MELINC inclusive education project. It was an honour working with you.

Gracienne Lauwers
*prof. dr., Jean Monnet*
*Grant holder Erasmus+ MELINC*
*Vrije Universiteit Brussel*

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# Introduction to the course

## About the authors

This Virtual Classroom on Inclusive Education tutorial was made by experts from:

- Vrije Universiteit Brussel
- Uniwersytet w Białymstoku
- European Association for Education Law and Policy
- Mongolian National University of Education
- Khovd School of the National University of Mongolia
- Dornod School of the National University of Mongolia

## Course Objectives

Students will:
- gain an understanding of the right to inclusive education
- analyse the implementation of inclusive education in different countries
- study the laws and regulations on inclusive education applicable to students, staff and educational institutions in their own country

## Course Learning Outcomes

The 'Inclusive Education Virtual Classroom' focuses on empowering teachers to deal with challenges in working in an inclusive educational environment.

Students will:
- have a basic comprehension of the legal framework on inclusive education
- understand the rights and responsibilities of teachers and principals
- be able to critically question and analyse practices at their schools
- have an appreciation of the necessity and difficulty in making decisions about students with disabilities
- apply relevant regulatory requirements to their own professional context
- debate the rights of students with disabilities and responsibilities of schools

## Target Group of the Course

The course is designed to support teaching staff and teachers in teacher-training at higher education institutions and can also be used for in-service training of teachers and principals.

The course would also be suitable for professionals in an organization in the educational field and may be of particular interest to those in leadership roles looking to improve inclusion of students with disabilities in mainstream schools. Finally, the course is for anyone interested in learning about the right to education, education law, education policy and decision making in education. Students do not need any prior experience.

## Course Learning and Teaching Tips

- The course is structured in chapters and encompasses learning, questions, task and teacher resources
- Learning contains the general principles and procedures which the students must master before engaging in meaningful discussions.
- Questions are aimed at checking knowledge about inclusive education.
- Tasks allow students to discuss the application of law and policies on inclusive education in the classroom.
- Teacher resources make it easier for the teacher to discuss with students and check to what extent their reach the learning goals. It also allows the teacher to clarify basic principles.

## Modular Learning Outcomes

The modular learning outcomes describe the knowledge or skills students should have acquired by the end of a series of lectures. The outcomes focus on the potential applications of knowledge and skills in various contexts in the educational environment and help guide inclusive-based decision making in education. Students should be able to employ the material, both in the context of their studies and more broadly in the context of working with stakeholders in education.

# 1. Education and the UN Convention on the Rights of Persons with Disabilities[1]

## Learning objectives

In this chapter, students learn about the relevance of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in education.

## Monitoring the CRPD

The Convention is used to help change things for people with disabilities, and signatories to the Convention must take steps to ensure that people with disabilities enjoy their human rights.

To monitor the implementation of the Convention on the Rights of Persons with Disabilities, the government must appoint an independent organization to monitor how the Convention is being implemented across the country.

Governments that have ratified the Convention must produce a report for the UN and answer questions the CRPD Committee[2] has about the rights of people with disabilities in that country. People with disabilities must be part of this monitoring process.[3]

The Optional Protocol to the Convention on the Rights of Persons with Disabilities allows individuals and groups to petition the Committee on the Rights of Persons with Disabilities.

## Definitions in the CRPD

The Convention does not include a definition of 'disability' or of 'persons with disabilities' as such. However, it provides guidance to clarify its application.

The preamble recognizes that 'disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others'.

The Convention does not consider a disability as a medical condition but rather because of the interaction between negative attitudes or an unwelcoming environment with the condition of particular persons. By dismantling attitudinal and environmental barriers – as opposed to treating persons with disabilities as problems to be fixed - those persons can participate as active members of society and enjoy the full range of their rights. People with

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[1] Online tutorial at: https://www.youtube.com/watch?v=r52TAwj4w2A&t=424s
[2] Information about the Committee on the Rights of Persons with Disabilities (CRPD) and its activities can be found on the website https://www.ohchr.org/en/treaty-bodies/crpd
[3] For the biannual/sessional reports of the CRPD Committee
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=4&DocTypeID=27

disabilities include persons who have long-term physical, mental, intellectual, or sensory impairments.

## General Principles of the CRPD

Article 3 CRPD sets out the General Principles that apply to the enjoyment of the rights of persons with disabilities.

These are:
- respect for inherent dignity, individual autonomy, which includes the freedom to make one's own choices
- the independence of persons with disabilities
- non-discrimination of persons with disabilities
- full and effective participation and inclusion in society
- respect for differences and acceptance of persons with disabilities as part of human diversity and humanity
- equality of opportunity
- accessibility
- respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to maintain their identities.

Article 10 CRPD on the right to life is about people with disabilities having the right to live on an equal basis as everyone else.

Article 24 CRPD deals with the right to education that is already contained in other conventions. The CRPD focuses more specifically on what countries should do to make sure people who have disabilities enjoy the same right to education as everyone else.

Article 24 obliges the government to make sure people can access schools and educational institutions and exercise the right to education.
The government and public institutions must:
- make sure students can use transport and services and get into educational buildings
- make sure students with disabilities have a choice about where they would like to engage in education and ensure students with disabilities can participate in educational activities
- develop learning materials in ways that students with disabilities can use and understand.

Article 24 obliges the government:
- to guarantee equal access to primary and secondary education, vocational training, adult education, and lifelong learning
- to employ the appropriate materials, techniques, and forms of communication
- to provide support measures. Pupils who are blind, deaf, and deafblind are to receive their education in the most appropriate modes of communication from teachers who are fluent in sign language and Braille

- to foster the participation of persons with disabilities in education, their sense of dignity and self-worth and the development of their personalities, abilities, and creativity.

Article 21 CRPD on the freedom of expression and opinion and access to information means that people with disabilities should express their opinions and ideas and have access to information in various alternative or accessible formats. This includes accepting, facilitating, and promoting the use of sign language and Braille.

Article 5 CRPD on equality and non- discrimination obliges schools to treat persons with disabilities equally and protect them from discrimination. This includes ensuring that reasonable accommodations are made when they are needed.

Governments must raise awareness with teachers and school principals about what the Convention says about the rights of students with disabilities.

Article 24 CRPD guarantees the right to inclusive education. The right to inclusive education is further elaborated in General Comment no. 4 (infra).
- All students with disabilities have the right to get a good education in the same places as people without disabilities, to be informed and to be included in the decision making
- Students with disabilities should be treated fairly and get the same good education as every other student with the support they need to learn
- The states parties should examine existing law and practices and amend legislation and change the way schools work, as well as adapt buildings, classrooms, books, information, and transport to school. Teacher education must train teachers and support them to make inclusive education happen.

Article 20 CRPD on personal mobility aims at ensuring that people with disabilities can move around and be as independent as possible. This could include mobility aids provided by schools.

Examples from the publication Dympna Glendenning's 'Education and the Law' are used to illustrate what people working with students with disabilities must be aware of to make it easier for these students to study in mainstream schools.

Students with a disability (dyslexia) in the context of the State Examinations were granted reasonable accommodation in the Leaving Certificate examinations on the grounds of dyslexia, in the form of marking adjustments in certain elements of language subjects. However, their Leaving Certificates contained annotations.
The students with disabilities found the annotations on their Leaving Certificates discriminatory on the disability ground. The Equality Officer (in Ireland) ordered new amended certificates to be issued to the students without the relevant annotations. However, the appeal Court found no breach of the Equal Status Act (Ireland). The Court stated that it would not be reasonable to require waivers without annotation to be provided, nor did it accept that the disclosure of a disability was an unlawful discrimination against the students with disabilities. The court reasoned that the students with disabilities

had not been treated less favourably than their counterparts and that there had been no failure to provide reasonable accommodation.[4]

An Irish language college refused the complainant admission to a summer course. Although the student with dyslexia had achieved a grade A in higher level Irish in her Junior Certificate, she had been afforded a reader and marking modification in spelling and grammar which was reflected in the annotation on her Certificate.
She was refused a place in the summer course and was told that only students with a 'standard grade C or higher' in Irish were eligible for the course and that she would suffer 'a sense of failure, humiliation and lack of self-esteem' if she participated in the course. The court however awarded the student with dyslexia an amount for the discrimination she suffered.[5]

Students attending special schools were required to leave the school at the end of the school year in which they reached their eighteenth birthdays by contrast with students in mainstream schools who could complete the year after their eighteenth birthdays. The students with disabilities alleged discrimination on the disability ground.
The Equality Officer (in Ireland) found the existing practice in special schools to be discriminatory on the disability ground. Accordingly, students who are pursuing courses leading to accreditation (e.g., Junior and Leaving Certificate in Ireland) must be afforded the same duration of time to complete these courses as their counterparts in mainstream education.[6]

A student was required to leave the Autism Unit attached to the school when he reached his twelfth birthday by contrast with other mainstream students who were not 'turned out' at that age.
The matter was settled when the school acknowledged the entitlement of the student to remain in the Autism Unit, and the school amended its Admission and Enrolment Policy for Autism by removing the discriminatory age limit of 12 years.[7]

An Irish court ruled that a school can rebut the presumption of inclusive education for a student with special educational needs only where, by virtue of the disability itself, inclusive education would either be impossible to achieve or compliance with any of the provisions would have a seriously detrimental impact on its services to other students or make it impossible in the circumstances.
The High Court ruled that in a particular case that there was no discrimination when, having acknowledged the student's constitutional rights, the school expelled the student having weighed the balance of the student's right to inclusive education and those of other students to education in his (intended) class based on the facts.[8]

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[4] Dympna Glendenning, Education and the Law, Butterworths, 1999, 135-161 (Educational Provision for Children with Disability and Special Educational Needs)
[5] Idem
[6] Idem
[7] Idem
[8] Idem

A school decided not to permit a pupil with ADHD to participate in mainstream education and offered to provide him with only five hours per week of resource teaching support, without any further access to fulltime education.
According to the student with ADHD, the school failed to make reasonable accommodation. The school argued that it had put in place a coherent Individual Education Plan (IEP) to address the pupil's special educational needs. However, the Equality Officer (in Ireland) was not satisfied with the evidence and held that the school had inadequately addressed the educational needs of the pupil with ADHD.[9]

A student with insulin dependent diabetes was prevented from carrying out a finger-prick test in school for fear of copycat action by other students. The student's mother was required to perform the test in a car on the side of the road.
The student lodged a complaint with the Equality Authority (in Ireland).
Following correspondence and negotiation between the Authority and the respondent, the school agreed to the test being done on the school premises.[10]

The provision of school transport for a child with a disability was for transport to 'the nearest recognised mainstream school'.
However, the student's parents had chosen another school which did not fit that description and transport was not provided to the latter school.
A settlement was reached when a psychologist's report was supplied by the parents which supported the parental choice of school as being 'in the best interests of the child'.
The authorities agreed to pay the transport costs and to reimburse the parents for previous expenditure on transport costs.[11]

## CRPD and the European Union

The UN Convention on the Rights of Persons with Disabilities was ratified by all EU Member States and by the European Union in 2010.
The protocol however was ratified by 22 of them (in July 2022)[12]. The European Commission has taken steps on behalf of the EU for its implementation.

To achieve further progress in ensuring the full participation of persons with disabilities, the European Union Strategy for the Rights of Persons with Disabilities 2021-2030[13] guides the action of Member States as well as EU institutions and offers solutions to the challenges ahead.  The Strategy for the Rights of Persons with Disabilities 2021-2030 intends to tackle the diverse challenges that persons with disabilities face. It aims to make progress in all areas of the United Nations Convention on the Rights of Persons with Disabilities, both at the EU and Member State levels and help to deliver on the European Commission's priorities of building a Union of Equality and delivering on the European Pillar of Social Rights[14].

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[9] Idem
[10] Idem
[11] Idem
[12] https://indicators.ohchr.org
[13]  European Commission, Directorate-General for Employment, Social Affairs and Inclusion, "Union of equality: Strategy for the rights of persons with disabilities 2021-2030", March 2021
[14] https://ec.europa.eu/social/main.jsp?catId=1226

The goal of the strategy is to ensure that persons with disabilities in Europe, regardless of their sex, racial or ethnic origin, religion or belief, age or sexual orientation enjoy their human rights, have equal opportunities, have equal access to participate in society and economy, are able to decide where, how and with whom they live, can move freely in the EU regardless of their support needs, and no longer experience discrimination.

## Summary

The CRPD has been a global transformation. It provides a framework for ensuring that the rights of persons with disabilities are realized. The CRPD is based on the social model of disability. It acknowledges that obstacles to participation in society and its institutions reside in the environment rather than in the individual. NGOs for persons with disabilities are lobbying for reform and changes to legislation and policies and for eliminating barriers to the participation of persons with disabilities as full members of their communities.

## Questions

1. How is the implementation of CRPD monitored?
2. What does the CRPD consider a disability?
3. What are the general principles of the CRPD?
4. What steps has the European Commission taken to implement the UN Convention on the Rights of Persons with Disabilities?

## Tasks

Students contact local, regional, federal governmental and non-governmental institutions and investigate how they have begun to reform their laws and structures and to remove barriers to the participation of persons with disabilities.

## Resource for teachers: list of rights in the CRPD

The teacher uses this list of rights in the CRPD to explore with students their understanding of the development of inclusion of persons with disabilities and of inclusive education.

| Article 5 – Equality and non-discrimination | Article 14 – Liberty and security of person | Article 23 – Respect for home and the family |
|---|---|---|
| Article 6 – Women with disabilities | Article 15 – Freedom of torture or cruel, inhuman or degrading treatment or punishment | Article 24 – Education |

| | | |
|---|---|---|
| Article 7 – Children with disabilities | Article 16 – Freedom from exploitation, violence and abuse | Article 25 – Health |
| Article 8 – Awareness-raising | Article 17 – Protecting the integrity of the person | Article 26 – Habilitation and rehabilitation |
| Article 9 – Accessibility | Article 18 – Liberty of movement and nationality | Article 27 – Work and employment |
| Article 10 – Right to life | Article 19 – Living independently and being included in the community | Article 28 – Adequate standard of living and social protection |
| Article 11 – Situations of risk and humanitarian emergencies | Article 20 – Personal mobility | Article 29 – Participation in political and public life |
| Article 12 – Equal recognition before the law | Article 21 – Freedom of expression and opinion, and access to information | Article 30 – Participation in cultural life, recreation, leisure and sport |
| Article 13 – Access to justice | Article 22 – Respect for privacy | |

## 2. Historical Overview of the Emergence of Inclusive Education[15]

### Learning objectives

In this chapter, students trace the emergence and development of the inclusion of students with disabilities in mainstream education. An understanding of the historical perspectives informing the development of educational provisions for students with disabilities and special needs is essential to understand how the concept of the inclusion of students with disabilities in education has evolved.

### The emergence of education for disabled people

Throughout history, disabled people were largely treated as second-class citizens. Society excluded them and showed them little respect. Disabled people tended to be regarded as inferior with few rights or privileges. Their disability has always been a serious impediment to their social and economic participation and integration.[16]

Education for disabled students only emerged in the middle of the eighteenth century, prompted by the philosophy and principles of the European Enlightenment informed by beliefs about the equality of all people and the human responsibility to care for others within society.
As a result, reform movements were established to address the inequalities experienced by marginalised groups within society, including disabled people and those deemed insane.

For much of the 20th century, it was common to segregate disabled people from the rest of society. Large numbers of disabled people were put away in institutions on the grounds that it was for their own good and the good of society.

The very existence of these institutions limited opportunities within wider society for disabled youngsters. These institutions separated those who were disabled from their peers, who could continue with their schooling without any interference from disabled students. However, innovative pedagogies were developed to support those who were deaf, blind, and intellectually disabled. Pioneering educators devised a variety of strategies to address the educational needs of disabled students, including sign language for the deaf, a raised print method for the blind and an appropriate pedagogy for those who were intellectually disabled.

### Making provisions for disabled students in the early twentieth century

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[15] Online tutorial at: https://www.youtube.com/watch?v=3dvBp2f7auk&t=35s
The textbook editors refer for further reading to the article of Sarah Arduin, "The Expressive Dimension of the Right
to Inclusive Education", in: Gauthier de Beco and others (eds.), The Right to Inclusive Education in International Human
Rights Law, Cambridge University Press 2019, 141-165 and the sources referred to there. In her chapter, Sarah Arduin
analyses how Article 24 of the CRPD affects national legal frameworks and the meaning of social norms.
[16] https://www.coe.int/en/web/compass/disability-and-disablism

In the early twentieth century, general schooling became more organised. Compulsory attendance laws forced the state to make provision for disabled students, generally through institutions and emergent segregated classes.
Parallel systems of regular and special education became established with different locations, specialised training for teachers in special education settings and the development of specialist provision, including therapeutic disciplines.

Segregated educational provision remained largely unchallenged until the 1960s.
In the 1960s the civil rights movement in the United States and the normalisation movement in Scandinavia challenged the societal attitudes and approaches to disenfranchised and marginalised groups.
Disability groups followed minority ethnic groups that challenged the barriers preventing their full participation in society.
This marked the beginning towards dismantling institutional segregated provision.

## More integrated provision in the second part of the twentieth century

The second part of the 20th century was marked by efforts to establish more integrated special educational provision.

According to normalisation principles, disabled people should be enabled to participate in mainstream society. The practice of segregated educational provision was challenged as it appeared to violate these normalisation principles. Education needed to be reoriented towards an integration framework designed to ensure that disabled students could participate to the greatest extent possible in their communities.

The United States enacted legislation to respond to the serious issues raised by the civil rights movement and the critique of existing special educational provision.
In 1975, the Education for All Handicapped Children Act was passed to guarantee equal access to public education for children with disabilities. This federal law introduced the concept of the 'least restrictive environment', where their educational needs could be appropriately met. It marked a breakthrough in the shift away from segregated provision towards more integrated settings where disabled children and young people could be enabled to learn alongside their peers.

In the United Kingdom, the Warnock Report of 1978 provided a national review of special educational provision. The Warnock Report challenged the traditional practice of identifying the child according to a category of handicaps and assigning the child to a special disability-specific school.  It concluded that this approach to education for disabled children and young people was inappropriate.
Identifying children according to disability categories often stigmatised them and provided limited relevant information about their actual educational needs. In fact, children with the same disability label were treated as a homogeneous group with broadly similar educational needs, yet in practice, these needs often varied widely.
The Report challenged the practice of placing groups in society in special schools or classes for students learning difficulties instead of making the assessment of their special needs in education and provide them with adjustments in educational provision.

The Report decided to replace the existing multiple categories of disability with the generic term 'special educational need'. This term applied to any pupil who required additional educational support, focussed on specific aspects of learning or more generally across many subjects.

The Warnock Report marked a significant shift away from the traditional notions of an educational difficulty being primarily rooted and fixed within the individual student. Its concept of a special educational need was more concerned with the interaction between the student and the learning contexts which the student experiences.

It did not refute that within-student factors can have a significant impact on learning. Therefore, groups are likely to need to attend a special school at least for a period. Some of them may, after intensive help in a special school, be able to continue their education in an ordinary school. Others may need to attend a special school for their entire education.
Enabling disabled students to participate fully in the educational system became a question of how committed governments were to develop more equitable systems of educational provision that valued diversity.
More equitable implementation should reduce the marginalisation and stigmatisation experienced by disabled students and their families.
 Provision in the United Kingdom spanned a continuum from greater levels to lesser forms of integration.

Addressing the issue of equity for disabled students and their families would contribute to the development of more tolerant societies capable of responding appropriately to diversity.
The Warnock Committee identified three main types of integration: locational, social and functional.
- Locational integration was characterised by the placement of disabled students within a mainstream setting, though often in a special unit or class with little interaction between disabled pupils and their same-age peers.
- Social integration focused on enabling disabled students to interact socially with their same-age peers, though not necessarily in shared classrooms.
- Functional integration was epitomised by the participation of disabled students in mainstream classrooms alongside their same-age peers.

The legislation in the United States and the Warnock Report marked significant turning points in the thinking about students with disabilities and special educational needs and the organisation and delivery of special educational provisions.

Disability was redefined. The medical model sees the disabled person as the problem. It looks at what is 'wrong' with the student and not what the student needs. Under the medical model, students with disabilities should adapt themselves to fit into the educational environment around them.

The social model of disability says that disability is caused by the way society is organised. The social model of disability focuses on how the needs of students with disabilities can be

met by society including schools and how to remove both physical and attitudinal barriers to the full participation of students with disabilities.[17]

Unfortunately, the medical model does still prevail in education in many countries today while the social model is not universally applied. The educational environment mistreats students with disabilities by prejudices and by its failure to meet their needs created by the disability and by denying their personal experience of disability.
Instead, students with disabilities should be perceived as the active agents with full entitlements to their right to education who are capable of exercising autonomy over their educational choices and take control of their own education. This requires educational systems to facilitate the active participation of students with disabilities in educational decision-making.

| The Medical model asks: | The Social model asks: |
|---|---|
| What is wrong with you? | What is wrong with society? What social, economic, political and/or environmental conditions need to be changed to facilitate the full enjoyment of all rights by all people with disabilities? |
| Are your difficulties in understanding people mainly due to a hearing problem? | Are your difficulties in understanding people mainly a result of their inability to communicate with you? |
| Did you move here because of your health problem? | What deficiencies in your housing caused you to move here? |
| Does your health problem / disability prevent you from going out as often or as far as you would like? | Are there any transport or financial problems preventing you from going out as often or as far as you would like?[12] |

https://www.coe.int/en/web/compass/disability-and-disablism
referring to Oliver Michael, *Understanding Disability: From theory to practice*, Macmillan: Basingstoke, 1996

When barriers are removed, disabled students can be independent and equal in society, with choice and control over their own lives.
Developing integrated educational provision involved all participants and stakeholders in education. Increased funding was made available, legislation was enacted, and parents became more active participants in the decision-making processes around the education of their children.

Policy options regarding integration vary across countries, and three broad policy options in integration practices can now be identified: separate educational provision, flexible and responsive systems of provision.

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[17] https://www.coe.int/en/web/compass/disability-and-disablism

- 'Two-track' integration policies were evident in the Netherlands, Belgium, and Germany, where the two parallel school systems existed and worked independently of each other.
- Denmark, England, Wales and the United States, followed 'multi-track' policies where a flexible system of educational provision was devised, and a continuum of services was made available to disabled students.
- In countries such as Italy and Sweden, a 'one-track' integration policy operated where disabled students were educated in mainstream schools alongside their same age peers to the greatest possible extent.

By the 1990s, progress towards inclusion appeared to be stalling. Integrated provisions tended to be conceptualised in placement terms rather than considering the support infrastructure required to deliver effective inclusive educational provision for disabled students.

Whereas the belief that learning difficulties arose from individual student deficits resulted in an emphasis on separate educational provision, flexible and responsive systems of provision became associated with the belief that learning difficulties are caused by a combination of individual and environmental factors.

With the Convention on the Rights of Persons with Disabilities (CRPD), the focus shifted to the structural, social, political, and cultural shortcomings in society being significant barriers to the inclusion and full participation and development of persons with disabilities. The Convention recognises the right to inclusive education for all persons with disabilities.

## Summary

The concept of educational inclusion has now been firmly established within policy and legislation in many countries throughout the world.
However, it is equally evident that many contrasting, and, in some cases, conflicting interpretations of how educational inclusion should be implemented in practice exist.

As noted by the Grand Chamber in the case of Roma students in the Czech Republic[18], we should not underestimate the enduring strength and influence of traditional conceptualisations of special education that continue to exert a hold over current procedures through the emphasis on defining educational needs according to traditional categories of disability and allocating resources on this basis.

In addition, the increasing marketisation of education with accompanying competition between schools for status and resources can produce a hostile environment quite unsympathetic to the inclusion agenda.

To realize inclusive education, support should be provided to teachers and school personnel in developing appropriate responses to any student experiencing difficulties in school and to challenge exclusionary procedures within schools and the education system. A human rights

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[18] ECHR, D.H. and Others v. the Czech Republic, no. 57325/00, Judgment 13.11.2007, https://hudoc.echr.coe.int/fre#%7B%22itemid%22:[%22002-2439%22]%7D

approach to educational inclusion demands that exclusionary practices at all levels within the education system are challenged.

Achieving educational inclusion is a process that challenges societies at a fundamental level to demonstrate who is really valued within society and how the human rights of all students can be realised within education systems.

## Questions

1. Explain the concept of exclusion, segregation, integration, and inclusion in the historical context.
2. What influenced the development of disability rights in the USA and the UK?
3. Explain how disability law reflects evolving social and cultural perspectives.

## Tasks[19]

1. Students give examples of the social model of disability. What would under the social model be a solution for a wheelchair user wanting to get into a building with a step at the entrance? How is that different when using the medical model?
2. What would under the social model be a solution for a teenager with a learning difficulty wanting to work towards living independently in his/her own home but unsure how to pay the rent? How is that different when using the medical model?
3. What would under the social model be a solution for a child with a visual impairment wanting to read the latest best-selling book to chat about with their sighted friends? How is that different under the medical model?

## Resource for teachers: timeline

The teacher uses a history timeline to discuss the factors influencing institutional, societal and policy changes with regards to disability rights in the world and in the country.

| Period | Developments | Factors |
|---|---|---|
| 19th century | Exclusion of young people with disabilities | |
| Early 20th century | Institutionalization of young people with disabilities | |
| Second part of the 20th century | The fight for equality, legal protections for people with disabilities | |
| 21st century | CRPD, disability rights and advocacy | |

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[19] Based on examples given at http://www.disabilitynottinghamshire.org.uk/index.php/about/social-model-vs-medical-model-of-disability/

# 3. Barriers to Inclusion in Education[20]

## Learning objectives

In this chapter, students learn about the main barriers to inclusive education.
Without education, children and adults with disabilities and special needs will lack the tools they need to live a meaningful life and remain on the margins of society. Awareness raising activities about the barriers to inclusion for students with special needs in education have an important role to play in protecting their rights and encouraging policymakers to take action to break down barriers to inclusive education for all.

## The main barriers to inclusive education

Many students with disabilities face barriers to inclusive education:

- schools that do not wish to enrol students with disabilities and special needs, sometimes deny them access to mainstream schools and classroom learning
- schools that do not wish to enrol students with disabilities and special needs with - for example - disability related problem behaviour, sometimes exclude these students
- many students with disabilities remain segregated in self-contained classrooms or in separate schools, with limited or no opportunities to participate in general education classrooms and school activities
- moreover, many do not have access to the same academic and extracurricular activities and services provided to other students
- caregivers may reject and fail to meet the critical needs of a child with disabilities and special needs.
- many students with disabilities and special needs are simply unable to attend school because of the inaccessibility of the schools and classrooms or adequate sanitation facilities. School buildings sometimes pose problems to the realisation of the educational goals of the government
- many students with disabilities are simply unable to attend school because of the unavailability of accessible transportation to and from school. Without accessible transportation, a student who uses a wheelchair cannot go to school
- of those students with disabilities who do attend school, many of them are subjected to inferior education in separate schools or classrooms
- poor teacher recruitment and teacher training programmes are identified as additional barriers to inclusive education
- students with disabilities are sometimes not provided with the services or accommodations they may need to learn. "Without a sign language interpreter, a

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[20] Online tutorial at: https://www.youtube.com/watch?v=II5SCdoWUV4
For further reading the textbook editors refer students to the article used for writing this chapter of Arlene Kanter, "*The Right to Inclusive Education for Students with Disabilities under International Human Rights Law*", in: Gauthier de Beco and others (eds.), *The Right to Inclusive Education in International Human Rights Law*, Cambridge University Press 2019, 15-57 and the sources listed there. In her article, Arlene Kanter explores inter alia the barriers but also the potential for realising the right to inclusive education since the adoption of the Convention on the Rights of People with Disabilities by the United Nations.

deaf student cannot understand or speak with teachers or classmates. Without books and assignment in braille, large-print texts or access to text-to-speech software, a student with vision impairments cannot complete assignments. Without extra time on tests or the assistance of an aide, notetaking, tutoring or other modifications, a student with a learning or other cognitive or developmental disability is effectively denied the opportunity to receive any education at all"[21]

- children with less severe disabilities, such as learning disabilities, may even not be considered 'disabled' in many countries at all, thereby denying them support
- the lack of qualified teachers either untrained or unwilling to include students with disabilities in their classrooms, the lack of teaching materials, as well as lack of awareness and negative attitudes in the school environment towards disabled people and inclusive education, makes the realisation of the goals of integrating students with disabilities into regular classrooms with children without disabilities difficult.

The UNESCO publication "Addressing Exclusion in Education: A Guide to Assessing Education Systems towards More Inclusive and Just Societies"[22] also mentions tuition costs, lack of proximity to schools, stringent entrance examinations, lack of access to basic learning materials (e.g. books, notebooks, pencils) as additional barriers to education.

In any classroom, students have a range of learning abilities, and teachers need to have the skills to encourage all students to learn and develop. Expanding teacher training to include how to build inclusive classrooms and inclusive teaching strategies would go a long way towards mitigating some of the problems of exclusion and mastering the skills to encourage all students with disabilities to learn in regular classrooms with students without disabilities.

Prejudices should be combated to overcome the path towards an inclusive education system. There are still millions of children with disabilities throughout the world who are "hidden at home or prevented from attending school by their own families who are so ashamed of their children's disabilities that they are reluctant to let their children leave their homes, thereby 'inhibiting them from fulfilling their potential, obtaining access to education and leading independent lives".[23]

## Summary

There are still millions of children with disabilities throughout the world who are never even enrolled in school.
Policies and practices of (in)direct discrimination, segregation, exclusion, neglect, inaccessibility, unavailability of equipment, unavailability of transport, students with

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[21] Hisayo Katsu and others, "*Questioning Human Rights: The Case of Education for Children and Youth in Ethiopia*": in Shaun Grech and Karen Soldatic (eds.), *Disability in the Global South:The Critical Handbook,*Springer 2016,189-190,cited by Arlene Kanter in: Gauthier de Beco and others (eds.), 2019, 20.

[22] UNESCO, *Addressing Exclusion in Education: A Guide to Assessing Education Systems towards More Inclusive and Just Societies*, ED/BLS/BAS/2012/PI/1, downloaded https://unesdoc.unesco.org/ark:/48223/pf0000217073

[23] UNICEF, *The State of the World's Children* 2006: *Excluded and Invisible,* UNICEF 2006, downloaded https://www.unicef.org/media/84806/file/SOWC-2006.pdf

disabilities and special needs are denied access to mainstream schools and classroom learning.'[24]

A disability increases the risk of poverty, while living in poverty increases the risk of developing or worsening a disabling condition.[25]
Therefore, the poorer the children are, the greater their risk of developing disabling impairments that will prevent them from attending and benefitting from school is. Despite these many barriers to education, education provides the most direct route out of poverty. It also increases a person's value as a participating and contributing member of society.

The elephant in the room, of course, is enforcement. How can we ensure the realisation of the important right to inclusive education for all children and adults with disabilities?

## Questions

1.      What are the main barriers to inclusive education?
2.      What is the link between poverty and disability? Is it a cause or a consequence? How do disability and poverty reinforce each other?
3.      How can teacher training contribute to protect the right to inclusive education of students with disabilities?

## Tasks

1.      Students watch the UNICEF video on students with disabilities in education and discuss the content with their teacher and peers.
2.      Students discuss the barriers for inclusive education in their institution, region, province, country with their teacher and peers.

## Resource for teachers: online video stories

The teacher selects some online video stories of students with disabilities and special needs to explore with students their understanding of barriers to inclusive education of students with disabilities
https://www.advocatesforchildren.org/who_we_are_afc/success_stories/students_with_disabilities


The teacher download the latest UNICEF's report on "the state of the world's children: children with disability", to explore with students their understanding of barriers to inclusive education of students with disabilities and the issues affecting students with disabilities' right to education.
https://www.right-to-education.org/issue-page/marginalised-groups/persons-disabilities

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[24] Arlene Kanter, in: Gauthier de Beco, 2019, 15
[25] Jill Hanass-Hancock and Sophie Mitra, "Livelihoods and Disability: The Complexities of Work in the Global South", in: Shaun Grech and Karen Soldatic (eds), *Disability in the Global South: The Critical Handbook,* Springer 2016, 138, cited by Arlene Kanter in: Gauthier de Beco and others (eds.), 2019, 20.

# 4. Reasonable accommodation and inclusive education[26]

## Learning objectives

In this chapter, students explore the obligations for States Parties to provide reasonable accommodation.

The chapter focuses on reasonable accommodation and includes:
- the definition of reasonable accommodation
- the scope of reasonable accommodation
- the addressees of reasonable accommodation
- the elements of reasonable accommodation.

## The definition of reasonable accommodation

Reasonable accommodation means making necessary and appropriate modifications and adjustments but not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others, of all human rights and fundamental freedoms.

The duty to accommodate is a legal obligation as is evident from the definition of discrimination contained in Article 2 of the Convention.

"Reasonable accommodation" is an important concept in disability discrimination law and a novelty in United Nations human rights conventions.

Denial of reasonable accommodation is a form of discrimination.

How to realise the right to inclusive education?

Articles 24(2) and 24(5) impose a duty to provide reasonable accommodation.

Article 24(2) obliges States Parties to realise the right to inclusive education.

It contains a general prohibition on excluding people on the 'basis of disability' from an inclusive education system.

It guarantees access on an equal basis with other members of the community.

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[26] Online tutorial at: https://www.youtube.com/watch?v=pBlWLBwnhlA&t=679s
For further reading the textbook editors refer students to the article of Sarah Arduin, "The Expressive Dimension of the Right to Inclusive Education", in: Gauthier de Beco and others (eds.), The Right to Inclusive Education in International Human Rights Law, Cambridge University Press 2019, 141-165 and the sources listed there. Sarah Arduin has references for further analysis on the provision of reasonable accommodation in the context of disability in footnote 97 and 101 to the contributions of Michael Ashley Stein, Lisa Waddington, Mark Bell, Aart Hendriks, Grainne de Burca, Anna Lawson, Andrea Broderick,

It provides effective individualised support measures, and it ensures that persons with disabilities receive the necessary support to 'facilitate their effective education'.

Article 24(2)(c) states that States Parties must ensure that 'reasonable accommodation of the individual's requirements is provided.'

The onus is on States Parties to ensure that the education provided is in an inclusive setting.

The tools deemed necessary to assist in accessing that right include the provision of reasonable accommodation.

## The scope of reasonable accommodation

Who must provide reasonable accommodation?
Traditionally, human rights treaties are addressed to States Parties and require States Parties to undertake actions to enforce or to enhance the human rights of a particular group.

A notable element of the imposition of a duty to provide reasonable accommodation within the Convention (CRPD) is that private actors are also engaged in the enforcement of the Convention.

The various state and non-state education providers will thus ALL have to establish reasonable accommodation for persons with disabilities.

Article 24(5) of the Convention (CRPD) specifies the right to access 'general tertiary education, vocational training, adult education, and lifelong learning'.

There is therefore a duty on all education providers to deliver reasonable accommodation for learners with disabilities.

A legislative basis is also required to oblige private actors to provide reasonable accommodation for learners with disabilities.

In practice, providing reasonable accommodation for students with disabilities is a collaborative effort.

## The addressees of reasonable accommodation

The right to reasonable accommodation in education does not cease at the attainment of majority.
The addressees of the right to education in the Convention are 'persons' with disabilities and not only children with disabilities.

## The elements of reasonable accommodation

The Committee on the Rights of Persons with Disabilities notes that the Convention (CRPD) imposes extensive obligations on States Parties including a duty to legislate 'to ensure that reasonable accommodation provisions are enshrined in law as an immediately enforceable right in all areas of law and policy.'

Such laws should ensure that the definition of reasonable accommodation is recognised 'and punishable as a form of discrimination'.

The duty to provide reasonable accommodation can be broken down into two constituent parts.

In the first instance, there is a duty to provide a 'modification' or an 'adjustment' that is 'necessary and appropriate' where it is required 'in a particular case'.

It imposes positive obligations to identify barriers in the way of a disabled person's enjoyment of their human rights and to take appropriate steps to remove them.

The second part of the duty to provide reasonable accommodation provides that any required accommodation should not impose a 'disproportionate or undue burden' on the duty-bearer.

The duty to provide reasonable accommodation is, mainly, an individualised duty in that it must respond to the specific circumstances of the individual disabled person as well as to the needs of the duty-bearer concerned.

Article 24(2)(c) requires reasonable accommodation of the 'individual's requirements'.

People with disabilities do not form a homogenous group.

Consequently, any adjustment or modification will depend entirely on the individual needs of the person in question.

For example, two students with visual impairments may have different accommodation needs if the barrier to equal participation is a difficulty or an inability to access the reading materials for the course.

The educational institution should identify the necessary modification or adjustment to allow both students to participate on an equal basis.

The nature of the visual impairments may vary, and it may be that one of the students could be accommodated using large print while the other student may require braille text.

The accommodation or adjustment necessary must be what is required for that individual in a 'particular case'.

According to General comment No. 4 paragraph 30, on the right to inclusive education of the Committee on the Rights of Persons with Disabilities, the definition of what is proportionate will necessarily vary according to context.

The availability of accommodations should be considered with respect to a larger pool of educational resources available in the education system and not limited to resources available at the academic institution in question.

The transfer of resources within the system should be possible.

There is no formula for reasonable accommodation, as different students with the same impairment may require different accommodations.

The duty to provide accommodation is not an unbounded obligation.

It is limited by the need to avoid imposing a 'disproportionate and undue burden' on the duty-bearer.

Several factors need to be considered to determine what amounts to a 'disproportionate or undue burden',
including the cost, disruption, and potential benefit of any proposed accommodation.

If the analysis of a proposed accommodation determines that such an accommodation does impose a disproportionate or undue burden on a duty-bearer, then it is determined that they are no longer bound by the duty to provide reasonable accommodation.

The interactive dialogue is the natural consequence of the principle of good faith and the recognition of the dignity of the person with disability.

For example, where a student with a mobility impairment wishes to attend a university's open day, a brief conversation notifying the university of his or her intention to attend should suffice.

The university may hold the open day in an accessible venue or provide a removable ramp to ensure that the venue is accessible on that day.

In contrast, where a relationship is ongoing or long term, such as the relationship between a student and a school, the dialogue may be 'formal and extensive'.

As education is a process, and the accommodation needs for a student with disability are not necessarily static or fixed as they may vary or change over time, the accommodation provided could 'be ended, modified, expanded or replaced, as needed', which gives rise to the necessity for ongoing dialogue.

The duty-bearer can deny a reasonable accommodation without incurring discrimination because of disability by demonstrating that either it is not feasible, relevant or proportional.

The first element of the objective justification process is feasibility.

When providing reasonable accommodation, the institution cannot breach the law.

Moreover, the institution can only provide accommodations that exist and are available.

The second element of the objective justification process is relevant accommodation.
The third element of the objective justification process is proportionality.
This requires an assessment of the relationship between the means employed (time, cost, duration, and impact) and the aim (which is the enjoyment of the right concerned).

Financial feasibility focuses on the possible financial options for the requested party.

Economic feasibility looks at the overall assets rather than the cash flow alone.

The last element is confidentiality.

## Summary

This slide provides an overview of the characteristics of reasonable accommodation.

The CRPD is the first international human rights convention to explicitly hold that the failure to provide reasonable accommodation amounts to an act of discrimination.

'Reasonable accommodation' is an important concept in the CRPD. Governments could issue enforcement guidance on how to best comply with accommodation requests.

## Questions

1.   What is reasonable accommodation?
2.   What is the scope of reasonable accommodation in education?
3.   Can a student with a disability request any change to the educational environment that is needed to enable him/her to get access and study or undertake training in the mainstream educational institution where he/she lives?
4.   Who are the addressees of reasonable accommodation? Can any student with a disability request reasonable accommodation measure?
5.   Describe the elements of reasonable accommodation.
6.   What are the limitations on a schools' obligation to provide 'reasonable accommodation' to students with disabilities?

## Tasks

1.   Students take the regulations of their own school and check to which activities does the right to reasonable accommodation extend (e.g., to all study-related activities, from the application process to get access to the school through examinations, to study conditions).

2.  Students discuss types of reasonable accommodation at their schools and examples (technical solutions, study and exam arrangements, training measures, awareness-raising measures).
3.  Students discuss which awareness-raising measures to create an inclusive school culture are taken by their school, so that students can study in mainstream schools regardless of their disability.

## Resource for teachers: putting reasonable accommodation into practice

The teacher asks students to describe a situation when they would apply a particular reasonable accommodation measure to neutralise the effect of an inaccessible environment with which a disabled student is confronted.

Examples:[27]
- to provide a student with a special stethoscope with an amplifier
  Answer: a student is impaired hearing and studying to become a nurse or doctor. The hospital where she is doing her traineeship provides her with a special stethoscope with an amplifier.
- to allow a student to take the exam in a quiet exam room
  Answer: a student with ADHD is studying at HEIs. The student is easily distracted by outside stimuli. By allowing the student to take the exam in a quiet exam room, the student will have as little distraction as possible.
- to provide the assistance of a sign language interpreter
  Answer: a deaf student is a witness to an accident at school. Due to the assistance of a sign language interpreter, he is able to submit a detailed witness statement.

| SITUATION | EXAMPLE |
|---|---|
| to speak aloud hear instructions | |
| to record a lesson | |
| to use visual presentations of verbal material | |
| to prepare a written list of instructions | |
| to change the presentation of tests and training materials | |
| to provide or adjust equipment, software | |

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[27] Examples are taken from: https://www.understood.org/en/articles/what-to-do-if-your-child-is-losing-services
https://www.unia.be/en/areas-of-action/education-1/what-are-reasonable-accommodations

| | |
|---|---|
| to provide communication tools of nonspeaking students | |
| to provide tablets with communication apps | |
| to listen to forms of non-verbal communication | |
| to spend time teaching nonverbal communication methods (such as picture cards or using a tablet) | |
| to provide assistive technology, sensory tools, comfort objects, or other accessibility aids/coping mechanism | |
| to let the student with disabilities go to in-school services (e.g. speech or occupational therapy, or mental health counselling) | |
| to prohibit the use of name-calling, being sworn at, and mocking of students with disabilities | |

# 5. Implementation of Article 24 CRPD and General Comment Nr.4[28]

## Learning objectives

In this chapter, students get acquainted with the work of the Committee on the Rights of Persons with Disabilities which oversees the implementation of the CRPD.

Students download and read General Comment No. 4 of 2016 on the Right to inclusive education, from the website of the United Nations Human Rights Treaty Body Database and the OHCHR Thematic report on the right of persons with disabilities to education.[29]

## Article 24 CRPD and General Comment Nr. 4

As of July 2021, 182 countries have ratified the CRPD, and 96 countries have moreover ratified the Optional Protocol. A country that ratified the CRPD must submit a report to the CRPD Committee within two years and, thereafter, every four years (Article 35).

Article 34, 1 and 2 of the CRPD establishes the CRPD Committee as an independent body of eighteen experts that monitors the implementation of the CRPD.

The CRPD Committee reviews the report submitted by a country. In the Concluding Observations, it responds and gives recommendations on how to better enforce and implement the provisions of the CRPD (Article 36).

Civil society organisations are involved in the monitoring report (Article 33).  The Committee reviews their so-called shadow reports.

In the Concluding Observations, the CRPD Committee summarizes its assessment of the progress and deficiencies  in e.g. the implementation of Article 24 by a particular country and provides recommendations on how that country can improve its implementation of the CRPD and ensure compliance with e.g. Article 24 of the CRPD.

All the countries that have ratified the CRPD must enforce Article 24, which ensures to all an inclusive education system at all levels and lifelong learning directed to the full development of their potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity.

The CRPD Committee has made a comprehensive analysis of Article 24 in General Comment No. 4.[30] It highlights the importance of Article 24 given that "Despite the progress achieved, (…) profound challenges persist. Many millions of persons with disabilities continue to be denied the right to education."

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[28] Online tutorial at: https://www.youtube.com/watch?v=hhdilC2CXBo&t=19s
[29] OHCHR, Thematic report on the right of persons with disabilities to education, 18 December 2013, presented to the HRC at its 25th session on 19 March 2014
[30] https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-4-article-24-right-inclusive

In General Comment No. 4, the CRPD Committee refers to other normative frameworks. The Thematic Study on the Rights of Persons with Disabilities to Education[31] declares that only inclusive education can provide both quality education and social development for persons with disabilities.

*'68. Inclusive education is essential to achieving universality of the right to education, including for persons with disabilities. Only inclusive education systems can provide both quality of education and social development for persons with disabilities. Inclusive education implies more than placing students with disabilities in mainstream schools; it means making them feel welcome, respected, and valued. Inclusive education is built on values that enhance a person's ability to achieve their goals and embrace diversity as an opportunity to learn. Students with disabilities need adequate support to participate on equal terms with others in the education system. Mainstream schools must provide for an environment that maximizes academic and social development.'*

It also guarantees universality and non-discrimination in the right to education.

*'69. Persons with disabilities face various forms of discrimination in educational settings. The most serious barriers to participation in schools arise from prejudice and misconceptions that lead to deliberate exclusion and segregation. Students with disabilities are stigmatized as people who cannot be educated in regular schools, or at all. This results in education systems in which persons with disabilities are denied the right to education as enshrined in article 24 of the Convention on the Rights of Persons with Disabilities.*

*70. The Convention provides for two-pronged implementation of that right: firstly, non-discrimination in mainstream schools for students with disabilities, reinforcing this right with reasonable accommodation; secondly, a systemic change that requires progressive realization and a transformation plan to counter exclusion and segregation. Meaningful implementation is based upon a complex change process that requires a transformation of the existing legislative and policy framework and the full involvement of all relevant stakeholders, particularly persons with disabilities and their representative organizations.'*

General Comment No. 4 explains the meaning and scope of inclusive education. Inclusive education is the right of the individual learner. Inclusive education is not the right of a parent or caregiver. The education system must adapt to the needs of individuals, not the other way round.

Inclusive education is a means of realizing other human rights. *'Importantly, inclusive education helps people with disabilities take their place as equal members of society. It is a vital step towards greater independence, improved social skills and opportunities to take*

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[31] OHCHR, Thematic report on the right of persons with disabilities to education, 18 December 2013, presented to the HRC at its 25th session on 19 March 2014

*part in the economy and society as a whole. This in turn reduces isolation, poverty, the risk of exploitation and dependence on others.'*

Inclusive education is also a means through which societies achieve inclusivity: *'States should work towards societies where everyone is fully included, and resolve any problems that prevent this.'*

General Comment No. 4 also differentiates inclusion from exclusion, segregation and integration: *'In this way, inclusive education differs from exclusion, segregation and integration. This is where students with disabilities might be denied their right to education altogether, have to learn in separate schools or classrooms, or be placed in mainstream classrooms without the right support.'*

Inclusive education requires systemic reforms with changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers in order to accommodate all students in the relevant age range with an equitable and participatory learning experience and environment.

Placing students with disabilities within mainstream classes without accompanying structural changes to, for example, organisation, curriculum and teaching and learning strategies, does not constitute inclusion. *'51. (…) Placing students in mainstream schools is not enough; adequate support is needed and effective participation too. For example, deaf students must have access to signing communities to communicate properly. All students in mainstream schools should have access to sign-language education to improve inclusion of the deaf community. At the same time, students with visual or other impairments require accessibility measures and support appropriate to their needs.'[32]*

General Comment No. 4 contains guidelines on how to include all students in inclusive education and the nature of schooling and accessibility, communication, access, and the need for teacher training to ensure education for all students with all types of disabilities.

Article 24 will only be realised with coordination and collaboration among many levels of governments and with leadership by people with disabilities themselves, the involvement of families and of the students with disabilities themselves.

Providing reasonable accommodations, adaptations and modifications that some students with disabilities need  to learn and participate in mainstream schools include full and equal access to services, materials, information, activities and classroom learning,  access to buildings, programmes and transportation to and from school. This involves working with

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[32] OHCHR, Thematic report on the right of persons with disabilities to education, 18 December 2013, presented to the HRC at its 25th session on 19 March 2014

teachers and school principals, providing teachers with resources and training, adapting course materials and methods of teaching, and adapt existing buildings, domestic laws, and enforcement mechanisms.

To succeed, awareness raising campaigns are necessary to change attitudes about people with disabilities. Educational systems have to shift their focus away from what a student cannot do towards what a student can do and what supports are necessary for the student to realise his/her goals.

## Summary

Changing educational systems that for decades have excluded children and adults with disabilities from mainstream schools as well as in society requires major shifts
in the thinking of governments, teachers, education authorities, school principals, parents, students with disabilities and their peers.

## Questions

1.      What is inclusive education?
2.      Why is inclusive education important?
3.      What does the Convention say about inclusive education?
4.      What should States do immediately?
5.      How inclusive education relates to other rights in the Convention?

## Tasks

1.      Students engage in research about how commitment, values and skills to teach in an inclusive way can be introduced into teacher training at their university and practiced in local mainstream schools.
2.      Students discuss with the lecturer what kind of ongoing support and education teachers should receive
3.      Students invite teachers with disabilities to speak about equal rights for students with disabilities and how they provide an important role model in their school.

## Resource for teachers: list of aims and instruments in the CRPD

The teacher uses this list of tasks of States to explore with students their understanding of working as quickly as possible towards a full inclusive education system:

| Non-discrimination = removing any forms of discrimination that stop people with disabilities from getting an education | Examples |
|---|---|
| | |

| | |
|---|---|
| Reasonable accommodations<br>= making adjustments to meet individual needs | |
| Compulsory, free primary education for all children with disabilities | |
| Implementing a national education strategy that covers all levels of education | |

The teacher uses this list of tasks of States to discuss how inclusive education relates to other rights in the Convention and how their own country or education authorities in their region work towards societies where everyone is fully included and resolve any problems that prevent inclusive education relates to other rights in the Convention

| | |
|---|---|
| making sure people with disabilities are not discriminated against and have equal protection from the law | |
| respect for the rights of people with disabilities | |
| accessibility | |
| ensuring equal access to education for women and girls with disabilities and ending discrimination and violence against them | |
| considering what is best for the child at all times | |
| ensuring children with disabilities have a voice, are listened to and taken seriously – children should get the support they need with this | |
| making sure children can have a say in all aspects of their education, and that there is an easy way to complain if they do not get their education rights | |
| raising awareness of disability and challenging harmful beliefs and practices | |
| stopping all forms of violence and abuse against people with disabilities, including corporal punishment and bullying. Involving all students in developing discipline and bullying policies | |
| protecting the right of people with disabilities to community and family life through moving people out of long-stay institutions into the community | |
| ensuring people with disabilities can travel independently, through the use of transport, mobility aids or other support and training | |
| providing good healthcare, including accessible health, hygiene, nutrition and sex education programmes to ensure students are not held back by poor health or lack of suitable care | |
| providing rehabilitation and habilitation services early on, to support students' independence and wellbeing | |
| equipping people with disabilities with the skills and confidence to get a job and participate in public and political life | |
| ensuring that people with disabilities are not excluded from any cultural, leisure, sports or play activities | |

| | |
|---|---|
| working with other countries and making inclusive education part of all international plans and programmes. This should include training, support, the sharing of good practices, research, funding and access to assistive technologies (equipment or resources that can help people learn and join in) | |

# 6. Nature and purpose of inclusive education[33]
## Learning objectives

In this chapter, students explore the nature and purpose of inclusive education.
In the first part, they learn about the aim of inclusion in the preamble of the Convention.
In the second part, they analyse the aim of inclusive education in the first paragraph of Article 24 of the Convention.
In the third and last part, they proceed with the nature of inclusive education in the second paragraph of Article 24 of the Convention.

Students download and read Article 24 CRPD and General Comment No. 4 of 2016 on the Right to inclusive education, from the website of the United Nations Human Rights Treaty Body Database.

## The preamble of the Convention: the aim of inclusion

Students with disabilities are more likely to suffer disadvantages in education than non-disabled students. General comment Number 6 refers to the substantial disadvantage that the members of one group experience relative to the members of the other group in society.

Paragraph k of the preamble acknowledges the persistence of barriers faced by persons with disabilities and the violation of their human rights.
Paragraph p of the preamble acknowledges multiple and aggravated forms of discrimination.

The purpose of a norm of discrimination law and a norm of inclusive education, is to protect individuals with disabilities from disadvantages based on personal characteristics to promote and secure their individual dignity and self-worth.

Article 24.1.a aims at promoting, protecting, and fulfilling the 'full development of human potential and sense of dignity and self-worth' of persons with disabilities. It thus clarifies that the non-discriminatory right of access to mainstream education based on equal opportunity is directed at the full development of persons with disabilities, at promoting their well-being, and at their effective participation in society.

The right to inclusive education seeks not only to "combat discrimination, including harmful stereotypes" (General comment No. 4 of Article 24 - the right to inclusive education) based on disability, it also identifies how the individual well-being of students with special needs can be achieved.

Article 24.1.b aims at promoting, protecting, and fulfilling the development of their personality, talents, and creativity, as well as their mental and physical abilities, to their fullest potential. A student with special needs should be guaranteed education on the basis

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[33] Online tutorial at: https://www.youtube.com/watch?v=fiHrcB4HGRQ&t=36s

of equal opportunity as well as more complex activities aimed at the nurturing of his/her individual talents.

Article 24.1.c aims at promoting, protecting, and fulfilling their full participation in society. Preventing students with disabilities from accessing and participating in education in the local school community is discriminatory and endangers their well-being.

## The nature of inclusive education in the second paragraph of Article 24 CRPD

Article 24.2.a applies to every person with a disability and aims at protecting all students from discrimination based on their disability.

Article 24.2.a read together with Article 24.1 CRPD imposes a duty on States parties to ensure that persons with disabilities are not excluded from the general education system based on their disability.
Article 24.1, however, does not impose a duty on States parties to ensure that every person with a disability is educated in the general schooling system.

Persons with disabilities are thus entitled to the right to learn in a mainstream school. States should promote a learner-friendly general education system that enhances the effective education of students with disabilities in the general education system and promote their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential.

Article 7.2 CRPD provides that in all actions concerning children with disabilities, the best interest of the child shall be a primary consideration.
Historically, persons with disabilities have suffered substantive barriers to access several goods and services based on their personal characteristics, including education.
Schools in the general education system have a duty to provide reasonable accommodation, adapted according to the individual needs of the student.

Article 24.2.b applies to some members of the group, as opposed to the entire group of students with disabilities. 'Can access' the local mainstream schooling system, means that students with disabilities have a choice. They may choose whether or not to attend their local mainstream school. It imposes a duty on States parties to remove barriers that prevent a student with disability from accessing and participating in his/her local mainstream school. Within the general education system, schools have a duty to provide reasonable accommodation, adapted according to the individual needs of the student.

The principle of inclusive education is prima facie concerned with the best interests of the student and the ideal of their individual well-being. When reasonable accommodation is not effective for reasons outside financial constraints, alternative forms of education should be provided to the individual student on a temporary basis and with regular reviews of his/her situation.

Article 24.2.e provides for 'individualized support measures' in 'environments that maximize academic and social development, consistent with the goal of full inclusion'.

It obliges schools to provide for reasonable accommodation, the denial of which is a form of discrimination.

The right to inclusive education is realised through the provision of necessary and appropriate modifications and adjustments which do not impose a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms.
It is an individualised obligation, relative to the needs of the individual student.

However, the duty to make reasonable accommodation is not absolute. Reasonable accommodation should not be 'disproportionate' or impose an 'undue burden' that would result from making the accommodation.

Article 24.2.d refers to instruments to achieve the right to inclusive education consisting of providing support in the general education system.

Article 24.2.c,d and e all refer to reasonable accommodation but are distinct from each other.
Reasonable accommodation is contained in Article 24.2.c
Article 24.2.d contains the general obligation to provide reasonable accommodation of the individual's requirements.
Article 24.2.e contains the obligation to provide effective individualized support measures, not only in mainstream schools but as well in settings that are different from schools provided in the general education system. The alternative educational provisions are complementary instruments to achieve the aim of promoting the well-being of students with disabilities and the development of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential in educational settings.

## Summary

Inclusive education is interpreted by states in different ways. Some states will place a student with special needs into a mainstream school with a common curriculum. Other states focus on to the individual needs of a student with special needs and provide alternative educational setting if required.

## Questions

1.      Explain the nature and purpose of inclusive education in the CRPD.
2.      What is the aim of inclusion according to the preamble of the Convention?
3.      Explain the first paragraph of Article 24 CRPD.
4.      Explain the second paragraph of Article 24 CRPD.
5.      Explain the third paragraph of Article 24 CRPD.

## Tasks

Students download the CRPD documents on Mongolia (core document, concluding observations) and analyse the remarks made by the Committee about the implementation of Article 24 CRPD in Mongolia.

## Resource for teachers: list of aims and instruments in the CRPD

The teacher uses this list of aims and instruments to explore with students their understanding of Article 24 of the Convention on the Rights of Persons with Disabilities and General Comment Nr. 4

| | |
|---|---|
| AIM | 1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:<br><br>a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity; |
| | 1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:<br><br>b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential; |
| | 1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:<br><br>c. Enabling persons with disabilities to participate effectively in a free society. |
| INSTRUMENTS | 2. In realizing this right, States Parties shall ensure that:<br><br>a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of a disability; |

| | |
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| | 2. In realizing this right, States Parties shall ensure that:<br><br>b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live; |
| | 2. In realizing this right, States Parties shall ensure that:<br><br>c) Reasonable accommodation of the individual's requirements is provided; |
| | 2. In realizing this right, States Parties shall ensure that:<br><br>d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education; |
| | 2. In realizing this right, States Parties shall ensure that:<br><br>e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion. |
| | 3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:<br><br>a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring; |
| | 3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:<br><br>b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; |
| | 3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:<br><br>c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate |

| | languages and modes and means of communication for the individual, and in environments which maximize academic and social development. |
|---|---|
| TEACHER TRAINING | 4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities. |
| TERTIARY EDUCATION, VOCATIONAL TRAINING, ADULT EDUCATION | 5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities. |

https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html

# 7. Inclusive education in Flanders (at the end of 2020)[34]

## Learning objectives

In this chapter, students explore the 'duty of care continuum' of all teachers and the transition from special schools to inclusive schools in Flanders.

The purpose of this chapter is to sketch the development in the last decade from a segregated education system to an inclusive care-continuum approach system in mainstream education for all students. It traces the policies on inclusive education for all pupils in the Flemish Community of Belgium, which is the northern Dutch-speaking part of Belgium (education policy in Belgium has been regionalised) and the challenges teachers and schools must overcome. How is it different from the past? How are teachers in mainstream schools going to be able to do right by all their students?

The chapter is divided into 3 parts:
- first how the law has been used to promote inclusive education will briefly be discussed
- then it will look at the implementation of special needs legislation and policies through creating learning environments that not only focus on academic knowledge and skills but also on the social and emotional competences and the well-being of all students through the implementation of the care continuum approach in mainstream schools
- finally, it will conclude with the challenges the new care continuum approach in inclusive education has to address and overcome to make it effective.

## How has the law been used to promote inclusive education in Flanders?

There has been a long tradition in the education system in Flanders of segregating  pupils with disability in special education schools. Regrettably, the law has buttressed it. Consequently, the experience of many students with a disability in Flanders has been one of exclusion from mainstream education. It was towards the end of the 20th century, the law started to be amended somewhat by enacting anti-discrimination and equal education opportunities legislation to safeguard the rights of students with disabilities.

In 2009, the Flemish Parliament ratified the CRPD. Following a long debate, it legislated for the integration and inclusion of all students from special needs schools into mainstream schools. The measures-decree on pupils with special educational needs of March 2014 became fully operational in September 2015.
It reinforced the right of students with special education needs to be enrolled in mainstream schools if the requested adaptations for their integration are reasonable.

Today every child with special education needs in Flanders has the right to enrol in a mainstream school on the condition that reasonable adaptations can be made.

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[34] Online tutorial at: https://www.youtube.com/watch?v=6GWpF_D7U3Y&t=461s

Inclusive education is the first option and less pupils are referred to special schools. Qualitative special schools are available for those pupils for whom no reasonable adaptations can be made by a mainstream school.

The measures-decree obliged schools in the Flemish Community to take measures to include pupils with special education needs who, due to disabilities, cannot simply attend classes in a mainstream school without special measures to accommodate their needs.
In cooperation with the teachers, the parents and the pupil guidance centre, the school adopts reasonable adaptations to support a pupil with specific education needs to allow him to follow the lessons in a regular school.
The student can follow the common curriculum if he meets the admission requirements for regular education and if he has a motivated report.
Another option is that he can follow an individually adapted curriculum if he has a report for access to special education.
Support is provided by teachers and paramedical staff from special schools.
Reasonable adaptations can consist of providing special equipment, such as specific software for students with dyslexia or employing a sign language interpreter for deaf students.

The aim of reasonable adaptations is to remove the barriers that students face with special education needs in a mainstream environment. There is no list of what is "reasonable" and what is not. That consideration is made by the school in cooperation with the teachers, the parents and the pupil guidance centre. They decide for each individual student the measures that should be applied in a particular case.

Mainstream schools can only refer a student to special education if all such reasonable adaptations have been tried and have proven to be unsuccessful. The decree describes the refusal to provide reasonable adaptations as prohibited discrimination. In the end, it is for the judge to assess what constitutes reasonable adaptations in a particular case.
Today, access to education institutions for pupils with special needs disputes focus typically on such questions as whether the mandatory requirement of consultation with the parents was followed, what are reasonable adaptations for students with special needs, why the school considers reasonable adaptations for students with special needs not pedagogically feasible, whether the pedagogical-based standard have been met, why requirements by the parents are educationally not necessary, and whether the alternative proposed by the school is an equally feasible alternative.

## Contribution of special needs legislation and action plans to the care continuum approach in mainstream education

In 2018, the Flemish Parliament approved the Decree on Student Support.
Each school has to develop an appropriate care policy for all the pupils. Schools must develop a care continuum of three stages to provide pupils with the support they need: basic care, increased care and expansion of care. If basic care and increased care are not sufficient and expansion of care is required or if a pupil follows an individually adapted curriculum, a mainstream school can obtain extra expertise for the guidance of pupils with special educational needs through cooperation with schools for special education.

The school team develops a qualitative policy for student support and care continuum with the support of the pedagogical counselling service.

Schools must also sign a cooperation agreement with a pupil guidance centre. The pupil guidance centre identifies potential problematic situations at the school. The school can then appeal to the pedagogical counselling service to adjust its student counselling and care continuum policy.

A care continuum consists of 3 layers:
- phase zero is the broad basic care offered to all students
- phase one is increased care. The school takes extra measures to ensure that the student can continue to follow the common curriculum
- phase two is expansion of care. The pupil guidance centre is actively involved in investigating the support to be provided to the pupil, teachers and parents, and prepares a motivated report for an expansion of care.

With the report, the school can approach an external support network or experts from a special school. If phases zero to two have been completed and if it is not feasible to follow the common curriculum with reasonable adaptations, the pupil guidance centre prepares a report for access to a special school or for an individually adapted curriculum in mainstream education. To be admitted in special education schools, the pupil needs to submit the report of the pupil guidance centre.

## Challenges the care continuum approach has to address and overcome to make it an effective policy of inclusive schools

The worldwide movement towards the integration of all children into mainstream schools is apparent. Legislation is just the beginning. But it requires political will to make it happen. The challenges to be addressed are complex and require significant resources to implement the targeted strategies in the field of education.

Through the 2018 Decree on student support, mainstream schools are obliged to identify students with problems and give them extra care and support. The number of students who are legally entitled to specific help, has increased significantly. More funds are needed for educating students with special needs in mainstream schools. The numbers of students with special needs in mainstream schools have increased, partly because technology has allowed more students with disabilities to be supported in mainstream schools.

Generating awareness and the capacity of teachers is paramount. Students with special education needs, from dyslexia through behaviour dysfunction to severe medical conditions, are now educated in mainstream classrooms rather than in special schools. However, teachers are not trained for the widening range of conditions defined as educational disabilities. A growing number of pupils are autistic or have behavioural problems and hence are disruptive. Teachers who are not trained in special needs are struggling to help children with disabilities including pupils with learning problems. What should be avoided is that pupils with special needs are suspended from mainstream schools in the first place.

In March 2019, a letter of a teacher in the third year of primary education in a Flemish journal attracted a lot of attention. She described the composition of her class and the need for training to provide adequate care to the pupils in a mainstream school.

Maxim has attention deficit and hyperactivity disorder (ADHD).
Henri and Renzo have developmental coordination disorders (DCD) and both have a remedial DCD plan: all worksheets and tests must be copied in A3 format, the agenda must be completed under supervision, tests must be taken orally, and so on.
Brent and Janne also have developmental coordination disorders (DCD) but in a slightly different form and have a remedial DCD plan providing for adapted writing material, an adapted chair and table, work with headphones, help with organizing their place and bags.
Lien was diagnosed with dyslexia and has a remedial DCD plan with spelling and reading measures including reading comprehension texts to be done beforehand at home, adaptation of the sentence dictation to an interpretation dictation, and use of the speech therapist's tools for writing assignments,
Marie has autism spectrum disorder and needs a lot of structure.
Habiba has a serious concentration problem due to a very difficult home situation with a contact ban because of radicalization risks.
Tim has low self-esteem and comes to school almost every morning with stomach aches and needs a lot of positive feedback to feel good.
Ilyano, Marco and Demi are very strong and smart children, who sometimes get bored and need challenges.
Luna is highly sensitive.
Arne also has a very difficult home situation due to the fighting of his divorced parents.
Three students are repeating the year.
Nico has a genetic disorder and is regularly absent during the winter months and therefore needs to get assistance again and again when he returns.
The teacher receives support from a care coordinator and the network support staff who all need a feedback email during the weekend to allow them to prepare for the coming week.
This class situation has become the rule, not the exception in Flanders.
Teachers feel that "running" a class requires training in special education needs, in order to avoid a feeling of "trying to keep all heads above water" because of the lack of adequate training.

Teachers are supported in various ways. The pedagogical counselling services employ competence counsellors who help teachers to broaden their competences to deal with students with specific education needs. They encourage cooperation with experts and support networks.

For pupils with specific education needs and a motivated report in a school for mainstream education, the school can apply for support from a special education school. The school can apply for resources for special teaching materials for students with a functional disability.

The integration and inclusion of students with special needs into schools also require the involvement of parents. Students with physical disabilities or milder learning problems can thrive in mainstream schools. Others are unhappy, especially at the secondary level and prefer special schools. Redefined inclusion like in Italy could be a solution.

The whole care continuum approach requires political support. From the first of September 2022, a new decree on "learning aid and support" will regulate the support of students with special needs in mainstream schools in Flanders.

## Summary

The chapter explored the development and the factors of the development from a segregated education system into a care-continuum approach system in the Flemish Community of Belgium and the challenges it has to address.

Laws and action plans have been used to promote first inclusive education, and then a care continuum approach for all students. This has not been done without challenges. If teachers are trained and supported, if parents of disabled students and the pupils with disabilities are well informed and supported, if support structures are well-funded and are closely cooperating with schools and teachers, and if they get political support, the implementation of the inclusive and care continuum approach could be effective.

There are a lot of things we need to do to support our teachers and then hope they will in their turn give ALL their pupils the best education in mainstream schools.

## Questions

1. How does the 'duty of care continuum' in the Flemish Community of Belgium work for students who have a disability or special needs?
2. What policies and what practices do schools in the Flemish Community of Belgium apply in relation to students with special needs and disabilities?
3. How does the school orientation process work for students who have a disability or special needs?
4. Who is responsible for reasonable accommodation measures for students who have a disability or special needs?
5. What are the chief challenges when implementing the 'duty of care continuum' in the Flemish Community of Belgium ?

## Tasks

Students will be asked to describe the efforts of the Flemish Community of Belgium towards bringing inclusive education. They will try to answer the following questions:

1. What is/was the context in which the action of the Flemish Community of Belgium takes/took place and is of particular relevance for students with special needs or disabilities?
2. How does/did legislation affect students with disabilities and special needs in education?
3. Why do you think the Flemish system and policies are worthy examples for the present day and  future policymakers of Mongolia?

## Resources for teachers

UNIA, Diversity Barometer Education in the Flemish Community (Study about equal opportunities in the schools in Belgium), 2018
https://www.unia.be/nl/publicaties-statistieken/publicaties/diversiteitsbarometer-onderwijs

# 8. Strengthening Inclusive Education in Poland[35]

By Anna Drabarz[36]

## Learning objectives

In this chapter, students explore the development of the rights in education of children with disabilities in Poland.

The tutorial:
- discusses the Polish legislative framework
- the development of integration and inclusion policies
- and challenges to overcome and decisions on the necessary measures to be taken.

With all the changes going on in the country, getting the disability systems changed in Poland can be difficult to achieve. It started with the establishment of the 1997 current constitution. A powerful stimulus for legal reforms, was the accession of Poland to the European Union in 2004. In 2012 Poland ratified the Convention on the Rights of Persons with Disabilities.

How is the performance of Poland measured in terms of disability policies?
The OECD clusters countries against detailed indicators describing their disability policies and draw a distinction between integration policies and compensation policies.
The integration score is a composite indicator of legal provisions to enhance labour market integration and access to rehabilitation services. For the integration score, 50 points indicate highly developed and accessible rehabilitation services.
On the other hand, the compensation score is a composite indicator of rules of access to and level of cash transfers. A compensation score of 50 points indicates very generous provisions that are likely to reduce incentives to work.

## The Polish legislative framework

Article 70 of the 1997 Constitution of the Republic of Poland guarantees everyone the right to education. Education in public schools is free. Parents have the right to choose schools other than public for their children. Citizens and institutions shall have the right to establish schools. Public authorities shall ensure universal and equal access to education.

The main laws concerning school education in Poland, covering all levels from pre-primary to post-secondary non-tertiary education, are:
- the Law on School Education and the Provisions introducing the Law on School Education of 2016
- the School Education Act of 1991
- the Teachers' Charter of 1982.

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Who are considered students with special educational needs under Polish law?
- the first group are students with a special education certificate. A special education certificate is delivered to students with disabilities and students at risk of social maladjustment and socially maladjusted
- the second group are students with a certificate recommending individual learning paths whose health condition makes it difficult or impossible to attend school
- the third group are students with special needs but without a special education certificate. This group includes: specially gifted students, students who are chronically ill, students facing a crisis or traumatic event, students who failed to succeed in education, students affected by neglected environments, and students adapting to a new environment.

"Special educational needs" is used both in relation to students who need special conditions while learning, corresponding to their individual abilities and limitations, and highly gifted students and their needs that differ from those of children with developmental disabilities.

The Regulation of 2017 contains the principles for organising and providing psychological and pedagogical assistance in public kindergartens, schools and institutions.
The Regulation establishes Counselling and Guidance Centres (CGCs). These centres aim at helping teachers to identify the individual needs and abilities of learners, providing support for teachers in solving learners' educational and behavioural problems, providing activities to prevent addictions and other problems for children and young people, bringing mental health education for children and young people, parents and teachers, providing support for teachers through co-operation with teacher training institutions and pedagogical libraries.

Compulsory primary and secondary education in Poland runs from ages 5 to 18, 19, or 20. For children with special educational needs, compulsory education starts from age 7 up to age 24 with individual learning paths.

Psychological and educational support comprises: classes to develop aptitudes, learning skills or emotional and social competences, corrective and compensatory or remedial classes,  speech therapy classes, individual learning paths or programmes or individual teaching at home for learners who cannot attend school due to their health.

Special education schools are established for children and young people holding a special education certificate.

The decision on special education and the delivery of a special education certificate, is issued by a counselling and guidance centre and provided to:
- children with a mild, moderate or severe intellectual disability
- deaf and with hearing impairment
- blind and with visual impairment
- with a physical or motor disability, including aphasia
- with autism, including Asperger's syndrome
- with multiple disabilities
- socially maladjusted children and young people

- children and young people at risk of social maladjustment.

## Moving from integration to inclusion in Poland

Inclusive education is central to the UNESCO's Education For All movement and to the European Union Agenda for Change. 'Beyond Integration' reveals steps taken towards inclusive education.

Students with disabilities study in mainstream environments. Inclusion gives students the right to a high-quality education. While in integrated settings, students need to adapt to the existing curriculum and are at risk for marginalization if they cannot adapt, in inclusive settings, the curriculum is adapted to respond to student diversity making use of for example Universal Design for Learning. UDL views learning differences as variabilities rather than disabilities. It provides multiple means of representation to optimize understanding for all students, multiple means of expression to allow students to demonstrate what they know, and multiple means of engagement to appeal to different learning-styles and motivational preferences of students.

Progressing from an integrated to an inclusive education system for students with disabilities requires a transformation of special education from an integration concept to an inclusive concept. In inclusive education, students with disabilities and special needs spend all their time in general education classes.

The situation in Poland can be summarized as follows. Inclusive education is seen as contingent, that is, students with disabilities are educated in mainstream schools if certain conditions are met. Special education serves as an auxiliary and is applicable in those situations when students with disabilities cannot attend public schools. Special education refers to types and degrees of disability, as well as other variables to determine the functioning of the student. Special education is designed for pupils with moderate and severe intellectual disabilities and those with profound and multiple disabilities, including students with mental illness and with aggressive behaviour. Most educators share the opinion, that the possibility of inclusion is also determined by other personal factors such as the level of physical, emotional development, the level of psychological resilience, cognitive abilities, and motivation.

Within the Education for All movement the role of psychological-educational counselling centres and special schools is strengthened. Comprehensive assistance for each child and student - especially students with disabilities - and their families should be provided. An innovative formula of support was developed by experts and practitioners. Standards for the employment of a psychologist in schools and institutions are defined. Standards of employing a psychologist, special educator, vocational counsellor and speech therapist in schools and institutions is established.

The specialised inclusive education centres in Poland started piloting their activities in September 2021 at 16 centres across Poland, located at special schools and:
- support schools in establishing a better organisation to enhance inclusive education
- provide training and counselling for teachers and parents

- support teachers in choosing methods of working with students with special educational needs
- provide specialised activities with children using resources of special schools
- support students in obtaining adapted textbooks, learning materials and equipment adapted to their needs
- provide parents with opportunities for consultation, counselling, support groups and even therapeutic classes.

## Further changes that are needed in Poland

Over 2 million students (approximately 34%) are identified by psychological and pedagogical assistance. Every year the number of pupils diagnosed with the need for special education is increasing. Currently the number is more than 200,000, i.e., almost 4% of the school population. 80% of persons with autism examined by the Polish Supreme Audit Office (NIK) do not find employment.

## Summary

The conclusion is that there is still a need in Poland to ensure that disabled students have access to quality education and are prepared for adulthood, for work and for independent living.

## Questions

1. Describe how Poland is progressing from an integrated to an inclusive education system for students with disabilities and special needs.
2. What does it mean that "in Poland, inclusive education is seen as contingent"?
3. What is the role of psychological-educational counselling centres in Poland?
4. What is the role of specialised inclusive education centres in Poland?

## Tasks

Students will be asked to describe the efforts of Poland towards bringing inclusive education. They will try to answer the following questions:

1. What is/was the context in which the action of Poland takes/took place and is of relevance for students with special needs or disabilities.
2. How does/did legislation affect students with disabilities and special needs in education?
3. Why do you think the Polish system and policies are worthy examples for the present day and future policymakers of Mongolia?

## Resources for teachers

Drabarz Anna, When social meets economic: the case of the European Accessibility
Act : remarks from Poland's perspective, in: Przegląd
Ustawodawstwa Gospodarczego 2021 nr 9 p. 2-9

Drabarz Anna, Aksjologiczne i prawne aspekty
niepełnosprawności, Białystok : Wydawnictwo Temida 2, 2020, p. 245 ,

Drabarz Anna, Harmonising accessibility in the EU single market: challenges for making the
European Accessibility Act Work, Review of European and Comparative Law, 2020 t. 43 nr
4 p. 83-102

# 9. Inclusive Education in Russia[37]

By Elena Yurievna Shinkareva[38]

## Learning objectives

In this chapter, students explore the development of inclusive education in the Russian Federation.

The tutorial covers:
- the Education Act of 1992
- the rights of students with disabilities in the Education Act
- and the challenges to the goal of inclusive education and tasks to be performed in the Russian Federation.

## Education Act of 1992

The Education Act of 1992 contains guarantees for the right to education of citizens with developmental disabilities and states:
- The state creates conditions for their education, correction of developmental disabilities and social adaptation by means of special pedagogical methods.
- For students with developmental disabilities, the agencies of educational administration set up special educational institutions, classrooms, or groups, and guarantee their treatment, education and instruction, and enhance their social adaptation and integration in society. The norms for financing such institutions are higher than the average ones.
- To realize the right to education, the federal authorities, the authorities of the subjects of the Russian Federation and the local governments create the necessary conditions to deliver quality education to persons with disabilities without discrimination, and for the correction of developmental disabilities and social adaptation.
- They provide early correctional assistance based on special pedagogical approaches and languages, methods and means of communication and the conditions most conducive to education at a certain level and in a certain direction, and the social developments of these persons, in particular by means of the organization of inclusive education of persons with disabilities.
- Special conditions for the education of children with disabilities include financial support for regular schools providing education to children with disabilities.
- The state supports the system of special schools and educational institutions including kindergartens, professional institutions, boarding institutions, particularly as resource centres.

Parents have the right to choose a regular or a special school for their child with disabilities. The state provides professional support for teachers including in-service training.

## The rights of students with disabilities in the Education Act of 1992

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Students with disabilities have a right to special support measures. The state provides conditions for training, considering the peculiarities of their developmental and physical development and health, including the provision of social, educational, and psychological assistance, free psychological, medical, and pedagogical correction.

Special conditions for the education of students with disabilities (Art. 79) include:
- provision of special education programs and methods of training
- special textbooks, tutorials, and teaching materials
- special technical means of training
- assistant services, providing the necessary technical assistance
- group and individual correctional lessons
- access to buildings
- and other conditions, without which it is impossible or difficult to master the educational program.

The Psychological-Medical-Pedagogical Consultation (PMPK) assists parents in choosing a school or kindergarten.
The aim of assessment of the child should be for the purposes of determining the support and reasonable accommodations the child needs to be able to go to school or kindergarten.
Special conditions for the education of students with disabilities include sign language, access to Braille books and literature, and special libraries to be run by the regional authorities.

## The challenges to the goal of inclusive education in Russia

The right to participate equally in afterschool activities and supplementary education to develop creativity and individual talents remains difficult for students with disabilities.
 Accessible school transport is another problem.
There also continues to be significant uncertainty about the legal status of assistants of students with disabilities in educational institutions.
Interagency cooperation between the departments of education, health, and social welfare has proved challenging.

## Summary: tasks to be performed

The first task is to implement Article 7 of the Convention on the Rights of Persons with Disabilities that asserts that, in all actions, the best interests of the child shall be a primary consideration.

The best interests of the child is a concept aimed at ensuring the full and effective enjoyment by the child of all human rights and the child's holistic development.

Any determination of the best interests of a child with a disability must consider the child's own views and individual identity, the preservation of his family, care, protection and safety of the child, any vulnerability, and the child's right to health and education.

The second task is to implement Article 7 of the Convention on the Rights of Persons with Disabilities that asserts that children with disabilities have the right to express their views and

the latter be given due weight on all matters affecting them, according to their age and maturity on an equal basis with other children, and that they must be provided with disability and age-appropriate assistance.

Guaranteeing the right of children to participate in their education must be applied equally to children with disabilities, to participate in their own learning and individualized education plans, within the classroom pedagogy through school councils, and to participate in the development of school policies and systems, and in the development of wider educational policy.

The third task is to engage in monitoring of the process of making decisions and of the adequate fulfilment of recommendations on special measures to ensure the realization of reasonable accommodation and inclusive education.

## Questions

1. Describe how Russia is progressing to an inclusive education system for students with disabilities and special needs.
2. What is the role of the centre for Psychological-Medical-Pedagogical Consultation (PMPK) in Russia?
3. What rights do students with disabilities have in the Education Act of 1992

## Tasks

Students will be asked to describe the efforts of Russia towards bringing inclusive education. They will try to answer the following questions:

1. What is/was the context in which the action of Russia takes/took place and is of relevance for students with special needs or disabilities.
2. How does/did legislation affect students with disabilities and special needs in education?
3. Why do you think the Russian system and policies are worthy examples for the present day and future policymakers of Mongolia?

## Resources for teachers

Elena Shinkareva, "Development of Law on Protection from Disability-Based Discrimination in Russia", in: Białostockie Studia Prawnicze, 2018

Gracienne Lauwers (Editor), A new framework of special education in the Russian Federation, Garant, 242p.

## 10. Inclusive Education in Mongolia[39]

By Odgerel Dandii[40]

### Learning objectives

In this chapter, students explore the current situation and further trends of inclusive education in Mongolia

The tutorial covers the questions:
- What is the conceptual framework of inclusive education in Mongolia?
- Which law reforms and policy developments took place to implement the rights of persons with disabilities in Mongolia?
- What research on the Mongolian situation is carried out? What are the outputs?
- What are the further perspectives on disability policies?
- What is the significance of the introduction of a course on inclusive education?

### The conceptual framework of inclusive education in Mongolia

Mongolia ratified the Convention on the Rights of Persons with Disabilities in 2008. The implementation of inclusive education requires changes in education policies, attitudes, learning environments, teacher training methods and attitudes to accommodate the needs of students with special needs and eliminate barriers impeding their right to education.

An inclusive education environment is an accessible environment that welcomes all students in regular classes in their own neighbourhood schools. It provides support and adapts to their learning difficulties. It enables students with disabilities to contribute and participate in all aspects of school life. The school environment should be designed to foster inclusion of students with disabilities. The entire education environment must be accessible, including buildings and classrooms. Curricula must be updated and include a course on inclusive education. Teaching methods should be adapted, etc.

### Law reforms and policy developments in Mongolia

In 2017, the Government adopted resolution Number 46 'On some measures to implement the Law on Human Rights of Persons with Disabilities.'

The state policy on education from 2014 to 2025 develops a forward-looking educational system. The national program on supporting citizens with disability rights, their participation and development from 2018 to 2022 supports the implementation of the Regulation.

The Mongolian education policy constitutes a commitment to the implementation of Education 2030, the so-called Incheon Declaration and Framework for Action Towards inclusive and equitable quality education and lifelong learning for all.

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[39] Online tutorial at: https://www.youtube.com/watch?v=kRprPGxYi5E&t=390s
[40] Dr. Odgerel Dandii, Director of the Child Development Support Centre at Mongolian National University of Education

The Constitution of Mongolia recognizes the right to education of each citizen.

The Law on Education of 2006 regulates the educational system. Article 13.3 of the Law on Primary and Secondary Education states that 'All secondary schools should provide conditions for educating children with disabilities'. Article 13.12 of the Law on Primary and Secondary Education states that 'Teachers and social workers working at secondary schools should have knowledge of special needs education and knowledge of teaching methods and strategies for teaching and supporting students with disabilities.

According to Article 9.9 of the Law on Pre-school Education
"In a regular kindergarten, the number of children with a mild type of disability may not exceed two in one group."

The Law on the Rights of Persons with Disabilities of 2016 makes special education and teaching methods and strategies for teaching and supporting students with disabilities mandatory in curricula of teacher training at universities and colleges.

The MESCS order and statement A/155 regulates the 'Model for the Individual Education Plan and the Procedures for its Development'.
The MESCS order and statement A/292 regulates 'Inclusive education of children with disabilities at regular schools'.
The MESCS order and statement A/425 regulates 'Procedures for the assessment of students and the quality of achievements of students in General Education'.

## Research on the Mongolian situation and the outputs

The research project *'Supporting Inclusive education'* aimed at identifying the difficulties and needs when creating conditions for inclusive education for children with disabilities.

The Needs Assessment Survey *'Supporting every child for Inclusive Education Principle in Mongolia'* analysed the legal documents on inclusive education, and the differences in understanding the content and concepts among professionals, teachers, and parents.

The *'Enrolment Policy Index' showed* a high rate of school enrolment, however, low levels of flexibility and adjustment in education. Inter-agency cooperation and support between the parties was insufficient.

The survey *'Supporting Children with Special Needs'* dealt with the questions about what special support and attention a student with special needs gets and what was the impact on the development of the child.

The comparative study of child development assessment systems and the survey '*Supporting every child for Inclusive Education principle in Mongolia'* found that children with special educational needs need support and that a further nation-wide study should be conducted.

There is an urgent need to raise awareness and improve the knowledge about special needs with teachers and parents and how children with special needs in education should be provided support.

## Perspectives on disability policies

Policy documents should be updated and clarified in terms of inclusive education principles and values.

A new law on special needs and inclusive education should be adopted and other legal provisions should be amended.

Training programs should be updated and include pre- and in-service teachers training in inclusive education.

For each program methodology textbooks and guidebooks on inclusive education should be developed or translated and practice should be provided within each course.

The development of the child should be assessed in accordance with international standard methodologies by a Child Development Support Centre.

A survey on the prevalence of children with special educational needs in Mongolia should be conducted.

The legal status of special needs teachers to work at regular schools should be elaborated.

## The significance of the introduction of an inclusive education course

The project aims to update the curriculum of teacher training in Mongolian universities through the introduction of a modular course on 'Inclusive Education'.

It provides online training content and video tutorials and conducts face-to-face and online trainings, and it establishes SEN centres for counselling and providing services for students with special needs in education and their families.

The Mongolian National University of Education will introduce modules on inclusive education in several programs. It will also operate the SEN counselling centre and provide advice and support to students with special needs in education and to their families in the central part of Mongolia.

Dornod University will introduce modules on inclusive education in several programs. It will also operate the SEN counselling centre and provide advice and support to students with special needs in education and to their families in the eastern part of Mongolia.

Khovd University will introduce modules on inclusive education in the Bachelor of Pedagogy and in the Master of Pedagogy. It will also introduce a mandatory short-term in-service teacher training course and an elective short-term training for secondary school teachers in the region. It will also operate the SEN counselling centre and provide advice and support to students with special needs in education and to their families in the western part of Mongolia.

## Questions

1. Describe how Mongolia is progressing to an inclusive education system for students with disabilities and special needs.
2. What rights do students with disabilities have in Mongolian legislation?

## Tasks

Students will be asked to describe the efforts of Mongolia towards bringing inclusive education. They will try to answer the following questions:

1. What is/was the context in which the action of Mongolia takes/took place and is of relevance for students with special needs or disabilities.
2. How does/did legislation affect students with disabilities and special needs in education?

## Resources for teachers

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=982&Lang=en
- Concluding Observations, CRPD/C/MNG/CO/1
- OHCHR, UN Committee on the Rights of Persons with Disabilities to review Germany, Croatia, Czech Republic, Turkmenistan, Dominican Republic, Mongolia, Cook Islands, 13 Session (25 Mar 2015 - 17 Apr 2015)
  - Initial reports of Mongolia CRPD/C/MNG/1, 2011,
- Committee on the Rights of Persons with Disabilities, Consideration of reports submitted by Mongolia under article 35 of the Convention, 3 July 2013
  - Common core document forming part of the reports of States parties (Mongolia), HRI/CORE/MNG/2013
- Committee on the Rights of Persons with Disabilities, List of issues in relation to the initial report of Mongolia, CRPD/C/MNG/Q/1
- Reply to List of Issues, CRPD/C/MNG/Q/1/Add.1
- Submission to the CRPD Committee of the response to the list of issues on Mongolia by Disabled People's Organizations of Mongolia, January 2015

Students discuss together with their peers and the lecturer the implementation of the CRPD in Mongolia

| | |
|---|---|
| Equality and non-discrimination (Article 5) | Personal mobility (Article 20) |
| Women with disabilities (Article 6) | Freedom of expression and opinion, and access to information (Article 21) |
| Children with disabilities (Article 7) | Respect for home and family (Article 23) |
| Awareness-raising (Article 8) | Education (Article 24) |
| Accessibility (Article 9) | Health (Article 25) |
| Equal recognition before the law (Article 12) | Habilitation and rehabilitation (Article 26) |
| Access to justice (Article 13) | Work and employment (Article 27) |
| Liberty and security of the person (Article 14) | Adequate standard of living and social protection (Article 28) |

| | |
|---|---|
| Freedom from torture or cruel, inhuman or degrading treatment or punishment (Article 15) | Participation in political and social life (Article 29) |
| Freedom from exploitation, violence and abuse (Article 16) | Participation in cultural life, recreation, leisure and sport (Article 30) |
| Protecting the integrity of the person (Article 17) | National implementation and monitoring (Article 33) |
| Living independently and being included in the community (Article 19) | |

# 11. Principles of Inclusive education[41]

By Wioleta Danilewicz[42] and Tomasz Kasprzak[43]

## Learning objectives

In this chapter, students learn the principles of inclusive pedagogy.

The module consists of three parts:
- part 1 is an introduction to inclusive pedagogy
- part 2 discusses the challenges to the competences of the teacher
- part 3 deals with the methods to deliver inclusive education.

## The basics and values of inclusive education

Inclusive education is a school project that does not exclude students because of any of their characteristics. It is based on the understanding that all children are provided the support they need for their harmonious and sustainable development.
 "Inclusive education aims to remove all obstacles and barriers that stand in the way of all children learning together"

The first basic assumption of inclusive education is that all students have the right to education and a right to access education that is responsive to their needs.
The second basic assumption of inclusive education is that relationships of trust and respect should be developed with all students, regardless of their age, gender, origin, or disability.
The third basic assumption of inclusive education is that efforts should be made to know the needs of the pupil and a student's specific needs and should be met using a modern teaching methodology.

Education prepares specialists in the field of support and guidance of the development of children with special educational needs, in accordance with their development potential, in mainstream education.
Inclusive education:
- values the diversity of learners. Differences between students are seen as an advantage and not as an obstacle in working with a group.
- supports all students. All students have to make progress in their learning
- requires a cooperative attitude. This reflects a shared responsibility for the learning outcomes of students, readiness to exchange experiences, as a team that solves potential problems, cooperation between teachers as well as cooperation of teachers with parents and with the management staff
- requires individual professional development and teachers engaging in the process of lifelong learning as a way to meet the needs of their students
- requires individualised teaching practices.

For teachers to individualise teaching practices, they:
- get a comprehensive knowledge of the psychophysical abilities of a student
- prepare the class to get students to accept and work with a student with special needs
- develop their organizational skills
- introduce changes to their work style and introduce innovative solutions
- analyse and adapt the core curriculum to the individual needs and abilities of a student with special needs
- provide specialist and therapeutic classes
- cooperate with parents
- adapt techniques, methods and forms of work to overcome the limitations and dysfunctions of students with special needs
- adapt the pace of work to the psychophysical abilities of the students
- individualize the education process
- enable collaborative learning
- take into account the needs of each student.

First, special educational needs are identified. Then, the educational conditions of instructing students with special educational needs are identified. Finally, to diagnose a learning disability requires knowledge and skills to use reliable tools.

A student has special educational needs, if he or she has:
- an intellectual disability, visual and hearing impairment, the presence of chronic disease, multiple disabilities
- social maladjustment
- school failures
- adaptation difficulties related to cultural and religious differences
- talents, outstanding abilities of students
- and any other that may arise in educational situations temporarily or permanently, including building a focus on the diagnosis of non-specific needs.


## Road map to overcome the challenges to become an inclusive teacher

Inclusive mainstream schools need to develop individual educational programs as well as individual educational and therapeutic and upbringing programs. This includes formulating goals, determining educational and therapeutic requirements, support areas, program evaluation, monitoring their implementation and modifying work in a diverse group.

Step 1 is identifying a student as possibly needing special education and related services taking into account their ways of functioning in the class and their environment such as difficult family situations.

This requires teachers to:
- develop good communication skills to build trust, strengthen relationships and make students feel at ease

- have knowledge of different learning styles which is essential for inclusive teachers. Teachers need to apply specific strategies to design their classroom to create an appropriate and effective learning environment and for developing an optimal classroom climate for all students
- know how to foster positive attitudes towards learning
- know conventional and non-conventional teaching strategies allowing teachers to effectively teach the class
- know how to apply various organizational forms
- adapt the curricula and educational content to the needs and abilities of their students. During the course of instruction, teachers create opportunities for students to use multiple practices in developing a particular content
- develop assessment skills discerning the abilities of students, maintaining motivation, and building an adequate but also positive self-assessment of students.
- cooperate with specialists, parents, principals and services of pedagogical supervision
- know how to help students who show symptoms of emerging educational and didactic problems and how to develop prophylactic programs and redress
- bring educational programs to life for all students thereby focusing on the needs of the student, the class, and the school community.

## Strategies to deliver inclusive education

Inclusive education methodology recognizes that all pupils have the right to education that is responsive to their special needs.
But how is inclusive education delivered in practice?

Principal one: assessment that facilitates opportunities for personalised learning.
Assessment aims at supporting the learning process and is done without stigmatizing students or have negative consequences for students.
All students should be assessed equally and fairly.
Clear requirements tailored to the needs and capabilities of students are set.
Students are given a sense of security by accepting mistakes, which are treated as an important stage in the learning process.

Principal two: learning through cooperation with others.
This means that students seek to help each other in different ways, with flexible and well-thought-out division of students into appropriate groups.
Inclusion requires teachers to acquire critical knowledge about learning strategies in order to select strategies for the diverse needs of students.
Inclusive teachers need the skills to become a guide for the student in their educational process.
Inclusive teachers encourage, support and provide feedback to the students to support and motivate them all.

Principle 3: problem solving based on cooperation with others.
This means systematically providing efficient management of activities of students during and after classes.

In an inclusive education environment, the teacher cooperates with students and their parents and institutions that can support the teacher in improving work with students with various needs in education.

An inclusive education supports the learning process of each student at their individual pace to allow all students to grow and learn.

The teacher gets accurate information on the environmental situation of students, the problems of their families, and can actively seek support for students which over time raises awareness about a positive school culture.

Principle 4: teaching based on cooperation with others.

According to this principle, the teacher develops a team system of activities involving the students themselves, their parents, peers, and other teachers.

It includes knowledge and practical use of assistive and alternative methods of communication, monitoring the development of students and the effectiveness of their own interactions, flexible approaches to teaching, adapting curricula and education content to the needs and capabilities of students.

## Summary

In inclusive education, special education teachers come into the classroom in mainstream education instead of students with special needs being pulled out of mainstream school and sent to special schools.

Teachers must be trained how to introduce an inclusive education environment into their classroom. To do so means challenging the status quo and establishing goals which determine how to serve all students equitably and developing strategies to consider how to design an inclusive learning environment.

General education teachers must work together with specialists to provide instruction in the same learning environment for all students and have to offer additional resources and support to students with special needs in mainstream education.

This support should result in academic success and greater academic gains for all students.

## Questions

1. What are pedagogical strategies required for inclusive education?
2. Are specific changes in curriculum, pedagogy, and assessment practices inclusive education? Explain
3. Is placing a student on the autism spectrum in a busy classroom with a pair of noise-cancelling headphones inclusive education? Explain.

## Tasks

Students and their teacher discuss how they could address the needs of students with physical, sensory, and intellectual disabilities, with mental health issues in inclusive education. They make use of examples in articles or in books on inclusive education (e.g. Linda Graham, Inclusive Education for the 21st Century, Theory, policy and practice, Taylor and Francis, 2020) and critically evaluate the realities of practically implementing inclusive education objectives in the article they selected.

## Resources for teachers

Jennifer Grisham-Brown, Mary Louise Hemmeter, Kristie Pretti-Frontczak, Blended Practices for Teaching Young Children in Inclusive Settings, Brookes Publishing, 2017

Linda Graham, Inclusive Education for the 21st Century, Theory, policy and practice, Taylor and Francis, 2020

## 12. Working with Students with Aggressive Behaviour[44]
By Beata Mirucka[45]

### Learning objectives

In this chapter, students learn how to deal with pupils who display aggressive behaviour in the school environment, both towards the teacher and other students.

The module consists of two parts.
The first part deals with preventative actions such as minimizing stress.
The second part describes some concrete procedures of dealing with a student's aggressive behaviour.

### Actions of a preventive character

The key to effective education, and above all, effective educational activities is a good relationship between the teacher and students.

The positive nature of a good relationship between the teacher and students is demonstrated by mutual trust, kindness and respect.

It is the teacher who plays the leading role in the formation of such a relationship even if the student behaves in an aggressive way.

How can the teacher build a good relationship with the pupil?

First of all, by looking for and finding individual possibilities and potentialities of the student.

Also, by having faith in the student, in his good intentions and respect the student even if he behaves in an aggressive way.

An important principle in working with emotional students is to be careful not to elicit their strong emotions.

Since stress is the most common reason for strong negative emotions to surface in students, the teacher's first priority is to minimize stress.

The teacher will achieve this goal by:
not asking surprise questions,
not forcing students to answer,
not comparing students with one another,
not engaging in humiliating criticism of students,
not assuming a position of superiority toward students,
and not formulating vague or impossible expectations.

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[44] Online tutorial at: https://www.youtube.com/watch?v=QcVEbAkE_SM&t=165s
[45] dr hab. Beata Mirucka, John Paul II Catholic University of Lublin (Katolicki Uniwersytet Lubelski Jana Pawła II), Department of Psychotherapy and Health Psychology

What if, despite attempts to reduce stress, a teacher is confronted with a student's aggressive behaviour?

Before taking any specific corrective action, it is worthwhile for the teacher to realize that his priority is to ensure the safety of the students and himself.

At the same time, the teacher must not break the good relationship with the student by withdrawing the respect due to the student.

## Procedure to be applied when aggressive behaviour is displayed.

Let's now turn to the procedure to be applied when aggressive behaviour is displayed.

It consists of seven steps.

### First step

The first step is to become aware of one's own feelings
that have arisen in response to the student's aggressive behaviour.

The precondition for the correct execution of this step is to concentrate on one's own emotions as soon as possible.

Postponing the identification of one's own emotional state is unhelpful.

Therefore, immediately after the student's aggressive behaviour,

try to answer honestly the question: "What is going on inside me? What feelings am I struggling with?"

### Second step

Step two is about preventing the escalation of aggressive actions.

It is imperative that the teacher rejects the urge to take revenge and use power.

Although the natural reaction to aggression seems to be aggression, stop it.

Do not allow forceful actions, such as, "I will show you!"

This is a powerful trap. Be sure to engage your curiosity.

Try to face the question: "What is the student trying to tell me through this aggressive behaviour?"

### Third step

The teacher can move on to step three when the danger of revenge has been overcome.

This involves performing an emotional flip-flop.

Although teachers already know their own feeling, including anger, perhaps rage or helplessness, they will now treat these feelings as if they are not theirs.

It has come to them from a student and is information about him, not about the teacher.

### Fourth step

Step four is to read the information contained in the aggressive behaviour of a student.

The anger and helplessness the teacher is experiencing is the anger and helplessness of the student.

Because the student cannot cope with these feelings, they explode in the form of aggressive behaviour.

This expression probably gives him temporary relief.

### Fifth step

The fifth step is to develop increasing curiosity and investigation about the information in the list.

The teacher helps himself with questions such as:
What is the student talking about?
What does he need?
For what purpose is he acting so aggressively?

The teacher develops a sincere preoccupation with the meaning of the student's behaviour.

### Sixth step

Step six is to absolutely reject ineffective, deceptive solutions.

When the teacher is curious about the meanings of a student's behaviour, he will not pretend that nothing happened.

Since not reacting is a manifestation of the passivity and helplessness of the teacher,

this attitude will most likely encourage the student to reinforce his aggressive behaviour.

Neither will the teacher enter into a discussion with a student

when his emotions have a very strong force.

The teacher rejects any form of violence against the student.

He will refrain from physical, verbal, as well as emotional aggression.

The teacher will not use his authority as a teacher to intimidate a student nor threaten him with consequences that he cannot carry out.

 The teacher will not take offense at him, demonstrating his resentment.

When the teacher focuses on himself and not on the student, he will lose the opportunity to read the meaning of the information that
the student wants to convey to the teacher.

## Seventh step

The final seventh step deals with constructive and thus educationally effective solutions.

The teacher can take these successfully as long as he follows the previous six steps thoroughly.

So, first, when a student's aggression threatens others, the teacher should definitely take him out of the classroom and give him time to calm down.

His emotions will settle, he will cool down, and only then can the teacher have a respectful dialogue with the student.

Second, the teacher can try to turn anger into distress by using the following examples:

"I can see that you are having a hard time for some reason."

"I'd be happy to talk to you about it, but right now it is important that you let me and others enjoy the lesson."

The teacher can also set a time for a "one on one" conversation, in which he expresses his concern for the student.

It is important that the teacher sets clear rules for behaviour and a consequence for not following them.

Finally, the teacher should reward any behaviour he considers desirable and indicate beneficial change.

## Summary

And do not forget: appreciate any attempt to make an effort and show good intentions.

## Questions

1. What are the specific strategies for preventing aggression and violence in the classroom?
2. What are the seven immediate, nonaggressive steps a teacher should use when faced with an incident of aggression and violence in the classroom?

## Tasks

1. Role play: students rehearse the steps to follow during an aggressive or violent incident until they become automatic, so that when a student shows signs of impending loss of control, the steps in the procedure can be followed precisely without hesitation.
2. Students explain during the role play why they apply the steps they carry out. E.g., play the role of calm (because acting in this manner helps the teacher and the student(s) to remain calm). E.g., communicate expectations verbally and nonverbally (the teacher should be assertive and directive but not aggressive) …

## Reading resource for teachers and students

Kauffman J., Pullen P., Mostert M., Trent S., Managing classroom behaviour: A reflective case-based approach, Pearson Education, 2010

# 13. Working with students with attention deficit hyperactivity disorder[46]

By Ursula Bielecka[47]

## Learning objectives

In this chapter, students learn about inclusive education for students with attention deficit hyperactivity disorder (ADHD).

This tutorial consists of 3 parts: a short introduction, the main symptoms of ADHD, and typical situations that can often occur during lessons and ways of coping with them at school.

## False ADHD misconceptions

ADHD is the most prevalent behavioural disorder among children and adolescents, especially among school-age students.
It is a persistent and chronic pattern of inattention and/or hyperactivity-impulsivity that interferes with functioning at school, at home, and in the community.

Often at school, teachers or parents have the following false opinions about ADHD:
The first false opinion is that ADHD does not exist.
ADHD is a real medical condition.  Research shows that ADHD is hereditary. Moreover, studies show differences in brain development between children with ADHD and children who do not have it.

The second false opinion is that ADHD is a problem of laziness.
ADHD is not a problem of motivation. Telling people with ADHD to "just focus" or "try better" is like asking someone who's near-sighted to just see farther. The reason they struggle with attention has nothing to do with attitude. ADHD students do not have a lack of attention, instead they have trouble regulating their attention (focus, planning, prioritising, managing frustration, or self-regulation)

The third false opinion is that all children with ADHD are hyperactive and the stereotype of kids with ADHD being that they cannot stop moving. But not all kids with ADHD have hyperactivity as a symptom. One of the ADHD subtypes is that with a predominance of inattention. It is more common in girls and often goes untreated because such a child is "polite" and does not disturb the environment. Unfortunately, the label "capable but lazy" is often synonymous with students with ADHD.

The fourth false opinion is that ADHD is the scientific name for naughtiness and that ADHD is the result of poor parenting. ADHD is caused by neurodevelopmental differences in the

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[46] Online tutorial at: https://www.youtube.com/watch?v=hvfARhdcrkg&t=1s
[47] dr. Ursula Bielecka, Faculty of Pedagogy and Psychology, Department of General and Clinical Psychology, University of Białystok

brain. But if adults do not support the child with ADHD or punish the child for symptoms, then it can interfere with the functioning of a child and form a vicious circle: punishing for ADHD symptoms leads to weakening self-esteem, and finally to the secondary intensification of disordered behaviours.

## The main symptoms of ADHD

ADHD has two broad symptom clusters.
The first is inattention, which includes behaviours such as being easily disorganized, lost, and forgetful.
The second is hyperactivity and impulsivity, which means behaviours like reacting without reflection, having difficulty sitting still, or having difficulty waiting for a turn.

The student with concentration difficulties often fails to pay close attention to details, makes careless mistakes, has trouble maintaining attention on tasks or play activities, does not seem to listen when spoken to directly, does not follow through on instruction, fails to finish schoolwork, has difficulties organizing tasks and activities, avoids, dislikes, or is reluctant to do tasks that require mental effort over a long period and loses things necessary for tasks and activities.
To sum up, the student with inattention symptoms is easily distracted and forgetful in daily activities.

Hyperactive and impulsive students are often physically restless. They fidget with, or tap their hands or feet, or squirm in their seats. They leave their seats in situations when the teacher expects them to remain seated, run about, or climb in situations where it is not appropriate, are unable to play or take part in leisure activities quietly, are "on the go" acting as if "driven by a motor", talk excessively, blurt out an answer before a question is completed, have trouble waiting for a turn, or frequently interrupt others.

The symptoms of ADHD pose a great educational challenge. The method of teaching must be adapted to the student's abilities. Otherwise, children may manifest serious additional educational problems. They could also disrupt the lessons of the whole class. It is important to support them to learn, play, contribute and participate in all social aspects of life at school.

## Ways of coping with situations occurring during lessons and at school

The four areas of functioning, in which it is crucial to assist students with ADHD are support focus, support proper behaviours, support social interactions among all students in class and support their positive self-esteem.

When inattention is the main symptom, it is important for the student with ADHD to avoid distractions.
There are many ways of supporting a child's focus:
- it is necessary to limit the number of stimuli in the classroom. The range of distractors should be attuned to the students' ability to process information from the environment. If the student is easily distracted by a peers' activities, it can be

helpful to choose the right place in the classroom: away from the window, close to the teacher, and with a calm student.
- providing short breaks between tasks can also be very helpful to stay focused
- preventing a student with ADHD from getting bored. Because of that, the most effective method of support is to use all kinds of instruments to interest the child with the educational material. These may include using interactive teaching methods, involving a student in lesson presentation, telling a joke at the end of a lesson, using various tools like audiobooks, computer programs, or phone applications.
- asking the student to plan activities. This can develop the ability to pay attention to task organizing. The teacher can ask: What are you going to do now? Perhaps in the future, the same student will ask himself: What should I do?
- finding out what are the so-called islands of competence. These are the areas of the student's functioning, which are a source of personal satisfaction. Examples are: using the student's area of interest in reading exercises, preparation of presentations about interesting topics, using hip-hop songs to learn foreign languages, and carrying out a physical education warm-up.

## How to support focus and how to regain the ability to concentrate?

The teacher can focus the already distracted attention of the student by frequent recalling, pointing, making short comments, encouraging the student with a private signal, providing something tactile and giving quiet to support focus.

## How to support behaviours?

The teacher can develop a system of rules, target behaviours and reward and verbal praise. Students with ADHD require clear and consistent rules, precise time management, clear formulation of expectations they must meet and have to know and expected consequences in correcting their behaviour.

The teacher can ignore impulsive and hyperactive behaviour that does not disrupt teaching, anticipate, and prevent the possibility of impulsive and hyperactive behaviour occurring by frequently reviewing  the rules system in place, especially when undesirable behaviour occurs.
Target behaviours are the appropriate concrete behaviours the teacher wants the student to practice.
They are listed in a simple and positive way.
For example, rather than "no running in the halls" the teacher might simply use "walk" as a target behaviour.

The behaviours will vary depending on the student's abilities and expectations.
Some students may need a system set up for one behaviour, while others may have a checklist of things they are working on throughout the day.

It is important that the target behaviour is clearly established.
It is disadvantageous to reward the student's random behaviour.

The following list includes some examples of target behaviours:

- turn work in on time
- complete work
- raise your hand
- follow directions.

The teacher should try to always provide a reward for a student with ADHD.
This should be
- an attractive reward to the student
- the rewards system should be applied to the entire class
- the reward should be adjusted to the individual student,
- the reward is given when the target behaviour occurs.

What can also be a reward?
- Any small reward in freedom from learning, granting the privilege for a short time and small material rewards.
- Verbal praise is very simple and specific praise which is delivered as soon as possible or even while the expected behaviour is ongoing.
  - "You finished your whole task, great job."
  - "You waited for your turn, great!"
  - "I like the way you listen to others."
- It includes the description of the behaviour and name of the feature:
  - "Books on the bench - this is called preparation!"
  - "You wrote down the topic - that's called accuracy!"

The teacher supports social interactions and class integration.
- The teacher can create a set of rules with students that will govern everyday life in the classroom, discuss and establish the rights of the students' team, rules regarding respect and acceptance in everyday contacts, and the range of tolerance towards different behaviours, develop mutual understanding and trust, establish group rules that regulate conflict situations, organize group classes aimed at getting to know each other among children, communicating, and creating opportunities for positive relationships, organize class meetings with established rules aimed at considering problems currently occurring in the class, provide support to students who cannot cope with various school situations.
- The teacher can strengthen the position of a student with ADHD in a class team and create opportunities for students with ADHD in the role of a classroom expert, assign special responsibilities to the student in the  presence of a peer group, create situations where students can accumulate positive social experiences, hold a group meeting about how peers can support the student with ADHD and discuss possible causes of improper behaviour and ideas for supporting students with ADHD while the student with ADHD gives suggestions for peer actions that could help correct improper behaviour.

How to support a positive self-image?

The teacher engages in
- complimenting positive behaviour and schoolwork
- giving opportunity to act in a leadership role
- building confidence as experts
- allowing their peers to see the student with ADHD as successful
- providing regular opportunities for students with ADHD to demonstrate and utilize strengths and talents.

## Summary

Creating an educational environment friendly to students with ADHD can be guaranteed if their teacher understands their psychosocial situation at school and
is aware of the need to support them, is open and empathetic, and can perceive and appreciate the achievements, abilities, and talents of the students.

It is vital for setting norms and standards, to allow the social and educational functioning of students with ADHD in the school environment, while at the same time respecting the safety regulations for the whole class.

In practice that means matching the educational methods and forms of teaching to the actual abilities of the students with ADHD and realizing their full potential.

## Questions

1. What are the core characteristics of ADHD? inattention, impulsivity, hyperactivity
2. What are the types of ADHD?
3. What are common ADHD triggers?
4. How does ADHD affect focus and impair planning, prioritizing, and the ability of a student to sustain effort toward a goal?

## Tasks

1. Students and their teacher discuss how symptoms of ADHD interfere with the life of the student and what the teacher can do about it, distinguishing between (1) what the teacher can do to make learning easier for students with ADHD, (2) the methods the teacher uses in teaching, (3) methods to head off behaviours that disrupt concentration or distract other students.[48]

## Reading resource for teachers

Brown T., Attention Deficit Disorder: The Unfocused Mind in Children and Adults, Yale University Press, 2006

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[48] https://www.helpguide.org/articles/add-adhd/teaching-students-with-adhd-attention-deficit-disorder.htm

# 14. Supporting a student with autism spectrum disorder in school[49]

By Beata Mirucka[50]

## Learning objectives

In this chapter, students learn how to help students with autism spectrum disorder succeed in mainstream education.

The tutorial consists of three sections:
- the characteristics often associated with autism
- the importance of identifying students with autism spectrum disorder
- and challenges in teaching a student with autism spectrum disorder and some strategies.

## Characteristics often associated with autism

Autism is a spectrum of many different behaviours. No two children on the spectrum are alike. It is a developmental disability.

The characteristics often associated with autism are:
- significantly affected verbal and nonverbal communication and social interaction skills
- engagement in repetitive activities and stereotyped movements
- resistance to environmental change or change in daily routines
- and unusual responses to sensory experiences.

## Identifying students with autism spectrum disorder

It is important to identify students with autism spectrum disorder in the classroom.
If a student is not developing at the same rate as the peers, the teacher can start collecting information on the student, use stages learning materials and other evidence to support concerns.
The teacher should communicate this with parents and transmit the information about concerns to the school psychologist and the special education teacher. Together with the parents, the team will make a comprehensive evaluation.
Social skills, communication skills, restricted interests and repetitive behaviours should be assessed because these are hallmarks of an autism spectrum disorder.

The plan of action considers the strengths and concerns of the student and provides support to address the individual needs of the student.

## Challenges in teaching a student with autism spectrum disorder and strategies

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[49] Online tutorial at: https://www.youtube.com/watch?v=WzonVZzSamw
[50] dr hab. Beata Mirucka, John Paul II Catholic University of Lublin (Katolicki Uniwersytet Lubelski Jana Pawła II), Department of Psychotherapy and Health Psychology

Which strategies to change the environment to meet the needs of the student with autism can the teacher apply?

Most students with autism need more time to complete a task, gather materials, and move from one task to another.

Any change in the environment of a student with autism can increase anxiety, trigger challenging behaviours, or aggression. The teacher should try to ensure that events are consistent with the daily schedule and avoid abrupt changes, warn the student about unexpected changes as early as possible, create a visual schedule of the day timeline that includes the daily activities of the student, monitor sections of the daily schedule of classes and activities and restructure as needed, and make sure the student with autism understands that sometimes planned activities can be changed, cancelled, or postponed. Failure to understand this relationship is the cause of many conflicts, misunderstandings, and escalating challenging behaviours.

Students with autism have difficulty understanding abstract concepts, interpreting facial expressions, or specifying their own and others' feelings.

The teacher should keep communication language simple and concise, speak slowly and at an appropriate pace, be clear and precise when giving instructions.

The teacher should find an opportunity to praise the student for a job well done or good behaviour, also praise the student for attempting a task as trying is part of success, be precise in praise so that the student knows exactly what he is praised for, and not express disapproval if the student does not try or does not do the task correctly.

The parents of a student with autism are the best source of information about the student. The parents provide the teacher with information about the behaviour of the student and daily activities, meetings with parents should begin before the start of the school year, it is important to establish a mutual routine and schedule regular meetings throughout the school year and keep a diary of communication with parents to ensure the daily exchange of information.

Adequate classroom preparation is key to making a student with autism spectrum disorder feel comfortable in the classroom. By learning about the specific sensitivities and individual characteristics of the student with autism, the teacher has the information to organize the classroom for that student.

Students with autism have many difficulties in their relationships with others which make it extremely difficult for them to make friends. With the right help, these students can interact with their peers and establish mutually enjoyable and lasting relationships. The teacher should support peer relationships. This is a very important part of working with a student with autism in school. The teacher should not only focus on academic achievement but also focus on relationships and choose sensitive, empathetic students who can model appropriate social behaviour and protect a student with autism from teasing or bullying.

A mainstream school is an extremely stressful environment for a student with autism. Often trivial academic and social situations can trigger challenging behaviour, tension and aggression. When difficult behaviour occurs, the teacher should always make observations of

the environment and events and analyse the situation that could be the cause of the escalation of the behaviour. This will make it possible to avoid a similar problem in the future.

The teacher should help the student with autism to deal with his emotions and teach him how to express his needs and desires in an appropriate way. This will allow the teacher to model difficult behaviour and prevent it from happening again.

The attitude of the teacher towards the student with autism is the key to being effective in teaching and in dealing with difficult behaviour. The assets of a teacher working with a student with autism are authenticity, acceptance, flexibility, and attitude. The teacher should believe in the student with autism, respect the fact that the student is trying his best despite the enormous difficulties, and assume good intentions on the part of the student with autism, be supportive, and approach supervisors and express the need for further education on autism.

## Summary

The inclusion of students with autism in mainstream education can contribute to minimizing the stigma of autism while the students in the same classroom will learn how to work with one another.
In inclusive education, the students with autism can observe and practise interacting with their peers, and their peers are more likely to respond in a socially appropriate way and develop better cognitive and adaptive characteristics.

## Questions

1. Why is it important for (1) teachers, (2) principals, (3) students and (4) parents to know about autism spectrum disorder?
2. What are the characteristics often associated with autism?
3. Who should be involved in identifying the condition of autism?
4. Explain some of the social, communication and learning challenges in teaching students with autism.
5. How can teachers support a student with autism?

## Tasks

Students and the teacher discuss behavioural strategies to implement with students with autism in the classroom including:[51]
  - teaching time management
  - setting realistic expectations
  - reinforcing positive behaviours
  - giving choices for non-preferred activities
  - using visuals and social stories
  - teaching coping skills and calming strategies
  - practicing transitions

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[51] https://www.appliedbehavioranalysisprograms.com/lists/5-easy-to-implement-behavior-strategies-for-children-with-autism/

- being consistent each day
- considering sensory needs
- teaching self-monitoring and emotion regulation

Students and the teacher discuss strategies that can be used to help students with autism handle transitions including:
- giving advance notice before a transition is going to occur
- using visual supports
- using structure and consistency
- using reduced language
- providing light praise for good transitions.

## Resource for teachers

The teacher Chloe Silverman, Understanding Autism: Parents, Doctors, and the History of a Disorder, Princeton University Press, 2011

Sue Fletcher-Watson, Francesca Happé, Autism: A New Introduction to Psychological Theory and Current Debate, Taylor and Francis, 2019

Brenda Scheuermann, Jo Webber, Russell Lang, Autism: Teaching Makes a Difference, Cengage Learning EMEA, 2018

# 15. Introduction to Universal Design for Learning[52]

By Marta Kowalczzuk-Walędziak

## Learning objectives

In this chapter, students learn about Universal Design for Learning (UDL), its principles and guidelines to incorporate the UDL principles in course design to enhance the learning experience of all students.

The tutorial consists of the following parts:
- What is UDL?
- For whom is UDL intended?
- How is the UDL framework organised?

It than proceeds with the 3 UDL principles and their guidelines used as a tool in the implementation of Universal Design for Learning:
- multiple ways of representing knowledge,
- multiple means of action and expression
- and multiple means of engagement.

## What is UDL?

UDL is an educational framework offering a set of tangible principles helping teachers to design and deliver flexible approaches to teaching and learning processes that address the needs of all students within diverse classrooms.

UDL was developed by the Centre for Applied Special Technology (CAST).
It contests the traditional 'one-size-fits-all' curriculum and draws teachers' attention to the fact that: "Students are no longer thought of as disabled or unable to learn, but rather the curriculum is understood to inhibit some students from accessing and learning content".

## For whom is UDL intended?

Universal Design for Learning is a way of thinking about teaching and learning that helps all students of all ages, experiences, backgrounds, interests, learning styles, and abilities.

## How is the UDL framework organised?

With full credit to CAST for creating the UDL the framework, we can say that the UDL framework is organised into 3 broad principles, 9 guidelines, and 31 checkpoints.
 When taken together, these elements form a coherent and meaningful set of guidelines for specific, research-based practices that can support diverse learners.

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[52] Online tutorial at: https://www.youtube.com/watch?v=jSAq5u6plVM&t=120s. This chapter is based on UDL of the Centre for Applied Special Technology (CAST)

## Multiple ways of representing knowledge

The first UDL principle and guidelines consist of multiple ways of representing knowledge.

Teachers should offer multiple ways of representing knowledge.
As learners differ in the ways that they perceive and comprehend the information that is presented to them, teachers should provide options for perception via tangible methods and measures,
- such as displaying information in a flexible format
- offering alternatives to exclusively auditory information
- offering alternatives for exclusively visual information.

Teachers have a responsibility to provide diverse, practical options for understanding and processing the language and symbols that they use in their delivery of course material via methods such as:
- clarifying vocabulary and symbols,
- clarifying syntax and structure,
- supporting students in the process of decoding text, mathematical notation, and symbols,
- promoting understanding across and between languages and culture,
- illustrating points through multiple media forms.

Teachers should provide options for comprehension via:
- activating and supplying students' background knowledge,
- highlighting patterns, critical features, big ideas, and relationships,
- guiding information processing and visualisation,
- maximising transfer and generalisation.

## Multiple ways of action and expression

The second UDL principle and guidelines consist of multiple means of action and expression.

Learners differ in the ways that they navigate learning environments and express what they know:
- teachers should provide options for physical action via varying options for students' response to and navigation of course materials, optimising access to tools and assistive technologies.
- teachers should provide options for expression and communication using multiple media, using multiple tools for construction and composition, building fluencies with graduated levels of support for students' practice and performance.
- teachers should provide options for executive functions via guiding appropriate goal-setting, supporting planning and strategy development, facilitating the management of information and resources, and enhancing students' capacity for monitoring progress.

## Multiple means of engagement

The third UDL principle and guidelines consist of multiple means of engagement.

Learners differ significantly in what attracts their attention and engages their interest. Therefore, teachers should provide:
- diverse options for attracting students' interest via optimising individual choice and autonomy, optimising the relevance, value, and authenticity of information sources, minimising distractions
- options for sustaining students' effort and persistence via highlighting goals and objectives, varying demands, and resources to offer challenges, fostering collaboration and community, increasing mastery-oriented feedback
- options for self-regulation via promoting students' expectations and beliefs in ways that optimise motivation, facilitating personal coping skills, mechanisms, and strategies, developing students' self-assessment and reflection skills.

## Summary

In this way, an UDL approach can better meet the needs of a wider range of students, increase student engagement, and enhance academic success for all students.

## Questions

1. What is the goal of UDL?
2. Who are the UDL guidelines for?
3. What are the principles that guide UDL as the design of learning experiences to proactively meet the needs of all learners?
4. How are the UDL guidelines organized?
5. How can parents support UDL at home?

## Tasks

The teacher and the students watch an online video of what UDL looks like in the classroom (at e.g. the www.understood.org website) and discuss how they can use the three principles of UDL in their classrooms.
https://www.understood.org/en/articles/understanding-universal-design-for-learning

## Resources for the teacher

The UDL pages on the Cast website
https://udlguidelines.cast.org

# 16. ICT to support students with additional support needs in education[53]

By Marta Kowalczzuk-Walędziak

## Learning objectives

In this chapter, students learn about the use of ICT to support students with additional support needs in education.

It consists of three parts:
- how can teachers select ICT to maximise benefits for students with additional support needs (ASN) and disabilities
- how to find, evaluate, and integrate ICT to best support students with additional support needs and disabilities to learn in their classroom in mainstream schools.
- what does the research say about technology to support students with additional support needs and disabilities?

## Selection of ICT by teachers

Technology developers create new products such as apps, software, and devices to support students with additional support needs and disabilities.

However, using technology for the sake of using technology, without careful consideration of the match between the end user's individualised needs and the functionality of the technology is an all-too-common mistake.

Online teaching materials should be accessible to all learners to offer equal opportunities. Moreover, teachers must be able to choose the best teaching resources that meet their students' needs.

Having in mind all these challenges, what are the qualities of an application that a teacher should consider when selecting ICT to use with the students with ASN in their classes?

When selecting ICT for students with ASN, it is essential to ensure that it is suitable for the intended users and their environment, inexpensive and easy to purchase and easy to use. To take full advantage of ICT teachers should be guided on how to make informed choices. Common principles include:
- ICT should fit the students' needs, teachers' capabilities, and expected learning outcomes
- teachers should examine the choices available, then carefully decide what ICT to use
- create opportunities to integrate technology with other non-technological activities

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[53] Online tutorial at: https://www.youtube.com/watch?v=QeQeaDt3To4&t=267s

- take responsibility for the implementation of ICT in the classroom, then monitor its true impact on student learning.

## Finding and evaluating ICT for learning

Although the following chapter refers to apps, it could be easily applied to devices and other types of software.
Teachers should:
- find apps relevant to their target area, using iTunes, Google Play, or Top 10 lists education apps
- evaluate the app
- use the app themselves and check quality and relevance to the students' educational needs and goals as well as their own pedagogical approach
- evaluate the app from a curricular perspective
- evaluate whether students will be able to navigate the features of the app independently
- investigate the interface of the app
- reflect on the motor skills required to interact with the app
- consider the progress monitoring capacities of the app
- and reflect honestly on how their students would feel about the app, software, or device.

## Research about technology to support ASN students

According to UNESCO's report on technology for inclusion of 2020, technology supports different thinking styles and perceptual processes. It also improves various academic skills such as reading, writing, and literacy.

Using ICT with students with ASN brings many benefits, including:
- making learning more fun and attractive than traditional approaches,
- increasing students' autonomy and counteracting challenges particular to students' personal ASN,
- individualising students' learning,
- reducing the amount of cognitive processing required for learning,
- facilitating a creative, cooperative, and inclusive learning environment,
- enhancing motivation towards and engagement in learning,
- and improving vocational, independence, and social skills.

The technical challenges and concerns teachers experience when integrating technology in their classroom are:
- the high costs of devices and software
- insufficient technical knowledge and skills on the part of teachers
- logistical issues
- the rapid pace of devices and software becoming obsolete
- lack of concrete connections to local or national curricula, or to the specific learning challenges individual students face

- increasing physical and academic inclusion but potentially at the expense of social inclusion
- safety and security issues
- the lengthy, challenging process of attempting to select the best device or software option and potentially disruptive qualities.

## Summary

ICT can support students with additional support needs and disabilities in education. How the students feel about software and devices is the single most vital deciding factor in choosing ICT.

## Questions

1. What is the goal of ICT in education?
2. How might a teacher make accommodations that do not leave students struggling to use certain technology tools?

## Tasks

1. The teacher discusses with the students how a technology tool they are considering (1) empowers students to help them to think and learn more deeply (2) helps teachers to differentiate instruction to help each and every student (3) can be used solely for information gathering or be used to help students create (Bloom's Taxonomy).

## Resources for the teacher

Hersh Marion, Technology for inclusion, Background paper prepared for the 2020 Global education monitoring report: Inclusion and education, UNESCO, 2020

Watkins Amanda, Model policy for inclusive ICTs in education for persons with disabilities, European Agency for Special Needs and Inclusive Education, Global Initiative for Inclusive Information and Communication Technologies, UNESCO, 2014
https://www.european-agency.org/sites/default/files/icts_in_education_for_people_with_disabilities.pdf