

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT **C**
CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS

Constitutional Affairs	
Justice, Freedom and Security	
Gender Equality	
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Inclusive education for learners with disabilities

STUDY FOR THE PETI COMMITTEE



DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT C: CITIZENS' RIGHTS AND
CONSTITUTIONAL AFFAIRS

PETITIONS

**Inclusive education for learners with
disabilities**

STUDY

Abstract

This study, commissioned by the Policy Department for Citizens' Rights and Constitutional Affairs at the request of the Committee on Petitions, has been prepared to examine the issue of inclusive education for learners with disabilities. It provides an overview of definitions for and background to inclusive education, and of the role of international organisations and the European Union in this issue. The study also looks into the situation of inclusive education in the EU Member States and the main perspectives for the future.

ABOUT THE PUBLICATION

This research paper was requested by the European Parliament's Committee on Petitions and was commissioned, overseen and published by the Policy Department for Citizens' Rights and Constitutional Affairs.

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Original: EN

Manuscript completed in September 2017

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CONTENTS

LIST OF ABBREVIATIONS	4
LIST OF FIGURES	5
INTRODUCTION	6
1. DEFINITIONS AND BACKGROUND	7
1.1. Inclusive education: combining performance and equity to respond to increasingly complex societies	7
1.1.1. Inclusive education: a new approach to schools	7
1.2. From enrolment in mainstream settings, to implementing the right to education	8
1.2.1. Inclusive education as placement in education	8
1.2.2. Inclusive education as a process towards equal learning opportunities	8
1.2.3. Inclusive education towards equal achievement opportunities	8
1.2.4. Inclusive education towards equal citizenship opportunities	9
2. THE ROLE OF INTERNATIONAL BODIES	10
2.1. The role of the United Nations	10
2.1.1. The United Nations Convention on the Rights of Persons with Disabilities	11
2.1.2. The roles of UNESCO and UNICEF	12
2.2. The role of the OECD	15
3. ACTIONS AT EUROPEAN UNION LEVEL	17
4. THE SITUATION IN THE EU MEMBER STATES	21
5. PERSPECTIVES AND TRENDS	35
5.1. A trend towards inclusive education rooted in an inclusive education agenda	35
5.2. A trend towards inclusive education rooted in the development of systems for inclusive education	36
5.3. A trend towards inclusive education rooted in the development of personalised learning and flexible teaching	37
5.4. A trend towards inclusive education rooted in a preventive approach to inclusive education	38
5.5. A trend towards inclusive education rooted in the enabling effect of capacity-building mechanisms	38
5.6. A trend towards inclusive education rooted in effective governance and accountability mechanisms	39
6. CONCLUDING COMMENTS	40
REFERENCES	41

LIST OF ABBREVIATIONS

CEECIS	Central and Eastern Europe and the Commonwealth of Independent States
CRPD	Committee on the Rights of Persons with Disabilities
EASIE	European Agency Statistics on Inclusive Education
EDF	European Disability Forum
European Agency	European Agency for Special Needs and Inclusive Education
FFA	Education 2030 Framework for Action
IEP	Individual education plan
ISCED	International Standard Classification of Education
NESSE	Network of Experts in Social Sciences of Education and Training
OECD	Organisation for Economic Co-operation and Development
PISA	Programme for International Student Assessment
PMLD	Profound and multiple learning disabilities
SEN	Special educational needs
SNE	Special needs education
TALIS	Teaching and Learning International Survey
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNESCO-UIS	UNESCO Institute for Statistics
UNICEF	United Nations Children's Fund

LIST OF FIGURES

FIGURE 1		
Enrolment rate in mainstream education		24
FIGURE 2		
Enrolment rate in inclusive education		25
FIGURE 3		
Percentage of learners with an official decision of SEN, based on the enrolled school population		26
FIGURE 4		
Gender breakdown of learners with an official decision of SEN		27
FIGURE 5		
Breakdown of learners with an official decision of SEN at ISCED levels 1 and 2		28
FIGURE 6		
Percentage of learners with an official decision of SEN in inclusive education, based on the enrolled school population		29
FIGURE 7		
Percentage of learners with an official decision of SEN in inclusive education, based on the population of learners with an official decision of SEN		30
FIGURE 8		
Percentage of learners with an official decision of SEN in special schools, based on the enrolled school population		31
FIGURE 9		
Gender breakdown of learners with an official decision of SEN in special schools		32
FIGURE 10		
ISCED breakdown of learners with an official decision of SEN in special schools, based on the enrolled school population		32
FIGURE 11		
Percentage of learners with an official decision of SEN in special classes, based on the enrolled school population		33
FIGURE 12		
Percentage of learners with an official decision of SEN in fully separate educational settings, based on the enrolled school population		34
FIGURE 13		
Resource allocation mechanisms for supporting learners in need		37

INTRODUCTION

Although there is currently no internationally agreed definition regarding what inclusive education is, the concept of 'inclusion' has been debated for many years. The concept was originally used in relation to disability. This was the case in the 1990s, when talking about combating the discrimination or segregation that learners with special educational needs (SEN) due to disability faced in gaining full access to and participation in mainstream educational provision.

Inclusive education supposes a real change at both policy and practice levels regarding education. Learners are placed at the centre of a system that needs to be able to recognise, accept and respond to learner diversity. Inclusive education aims to respond to the principles of efficiency, equality and equity, where diversity is perceived as an asset. Learners also need to be prepared to engage in society, to access meaningful citizenship and to acknowledge the values of human rights, freedom, tolerance and non-discrimination.

Inclusive education requires three key considerations – mainly at the national level, but also at European and international levels:

- *Political will.* Inclusive education needs to be supported, pursued and implemented at policy level. Clear commitment at European and international levels will play a key role in supporting decision-makers at national level. Decision-makers will be responsible for putting in place the required measures to ensure that learners' rights to education are respected, protected and fulfilled. Decision-makers at national level need to consider what type of legislation and policy measures are required to ensure the effective implementation of inclusive education systems at both national and local level.
- *An in-depth systemic change in the focus on education to increase the capacity of the education system.* Inclusive education aims to provide high-quality education for all learners in mainstream settings. Special attention needs to be devoted to learners at risk of marginalisation, exclusion and underachievement, by actively seeking to support them and responding flexibly to their circumstances and needs. Decision-makers need to reflect on how to ensure that inclusive education benefits all, and that no learner is forgotten or left behind.
- *A reflection on, re-definition and re-organisation of the existing and required human and financial resources.* Inclusive education aims to ensure a whole-school approach, providing the necessary measures to enable schools to become more inclusive. Inclusive education needs to be part of the general funding allocated to schools for the education of all learners. It also includes additional funding to schools, if required, to provide intensified support for learners at risk of failure. In addition, it provides, if required, extra financial resources targeted at learners in need of the most intensive support.

This study aims to identify the extent to which these three considerations are taken into account at international, European and national levels.

1. DEFINITIONS AND BACKGROUND

KEY FINDINGS

- Inclusive education combines performance, quality and equity.
- Enrolment in mainstream education and implementing the right to inclusive education for all learners requires a learning environment which is accessible and adapted to each learner's needs.
- A right to education should be connected with social inclusion and citizenship.

1.1. Inclusive education: combining performance and equity to respond to increasingly complex societies

There is currently no internationally agreed definition of inclusive education (Dyssegaard and Larsen, 2013). While originally used to combat discrimination faced by learners with disabilities and/or special needs, inclusive education goes far beyond the issue of disability (OECD, 2004; Booth and Ainscow, 2002). Nowadays, it is seen as a response to increasingly complex and diverse societies. It treats diversity as an asset which helps prepare individuals for life and active citizenship in increasingly complex, demanding, multi-cultural and integrated societies.

Inclusive education aims to promote citizenship and the common values of human rights, freedom, tolerance and non-discrimination through education. It builds on innovative approaches and practices developed for the education of people with disabilities to design effective and equitable education systems for all learners in a lifelong perspective covering all aspects of education.

1.1.1. Inclusive education: a new approach to schools

As the European Agency's position paper states: 'The ultimate vision for inclusive education systems is to ensure that all learners of any age are provided with meaningful, high-quality educational opportunities in their local community, alongside their friends and peers' (European Agency, 2015, p. 1). Such a goal requires changing the educational culture in teaching and support practices. It requires moving away from a 'one-size-fits-all' education model, towards a tailored approach to education that aims to increase the system's ability to respond to learners' diverse needs without the need to categorise and label them.

Inclusive education therefore means attributing learners' difficulties to schools' inability to compensate for different starting positions, rather than to individual weaknesses (UNESCO, 1994). It builds on schools developing a learner-centred approach (Rouse and Florian, 1996; OECD, 1999; Booth and Ainscow, 2002), engaging the whole school community to act as a supportive learning community. This community aims to support the weakest, while encouraging the strongest to achieve their best, and ensures all members feel respected, valued and are enabled to fully participate in the school community. Instead of seeking to fix learners or provide 'compensatory' support to learners who are different to fit them into existing arrangements, schools are invited to develop inclusive learning environments that are both universally accessible and adapted to each learner's needs.

1.2. From enrolment in mainstream settings, to implementing the right to education

However, in recent years the concept of inclusive education has evolved and expanded towards the concept of the right to high-quality education for all learners, regardless of any individual or social characteristic. This right is multi-faceted, includes both individual and collective dimensions and builds on the combination of different components of inclusive education.

1.2.1. Inclusive education as placement in education

Inclusive education supports the right to equal access opportunities to education. It rejects any type of segregation or exclusion of learners for whatever reason and refers to placement in education. It relates to the social outcomes of education and the protective effect of mainstream education. The latter increases employment opportunities and allows for better community participation and closer personal relationships than segregated settings (Newman et al., 2009). It increases individuals' employment opportunities, social and civic engagement and life satisfaction and reduces the level of exposure to poverty, to crime and to drugs (Ebersold, 2017).

1.2.2. Inclusive education as a process towards equal learning opportunities

Placement in education does not necessarily guarantee high quality in education. Implementing the right to education involves providing learners with equal learning opportunities. Inclusive education may therefore be seen as a process which takes into account social, cultural and learning diversities and builds on factors that help to identify and remove barriers to learning and participation in education.

Such barriers may be related to schools' ability to stimulate creativity and problem-solving and democratic forms of governance support, for example civic and social engagement (Schulz et al., 2010). Barriers may also refer to the forms of teaching provided: school anxiety decreases by 5% when teachers adapt the lesson to the class' needs and knowledge and by 4% when teachers provide individual help to learners having difficulties in understanding a topic or task (OECD, 2016).

Barriers also involve teacher-learner relations. For example, positive relationships between teachers and learners increase the social and emotional well-being of disadvantaged learners (OECD, 2016). They also refer to the various forms of evaluation and assessment ensuring that different forms of learning are accounted for.

1.2.3. Inclusive education towards equal achievement opportunities

High-quality education for all also includes equal achievement opportunities. The concept of inclusive education refers to the system's ability to combine performance and equity and to the enabling effect of teaching practices and support in terms of outcomes. Outcomes may be related to academic achievements and existing data suggests that learners with SEN are less likely to have the same academic achievements, despite existing support (OECD, 2007).

Outcomes can refer to skills that help to prevent poverty and exclusion. Data suggests that learners with SEN are more likely to be exposed to poverty (European Agency, 2016a; Grammenos, 2013).

Outcomes may also refer to learning across the curriculum and to progression opportunities learners have within their school career. Existing data suggests that learners with SEN are more likely to drop out.

Outcomes may also result in reduced prejudice towards disability when learners' achievements demonstrate their ability to have the same achievements as their non-disabled peers (Ebersold, 2011; 2012).

1.2.4. Inclusive education towards equal citizenship opportunities

While inclusion builds on inclusive education, it is not synonymous with it. Implementing the right to education therefore implies considering learners' access to equal citizenship opportunities. The concept of inclusive education relates to social inclusion and individuals' ability to be recognised as citizens and to act as such. Beyond participation in employment, it includes skills enabling learners to envision a future, be self-determined, to self-advocate, to live independently and to take and assume responsibilities that are associated with one's rights. It also refers to active social engagement, and democratic forms of governance are a key lever in this area (Schulz et al., 2010). Inclusive education is also related to tolerance. Courses including civic knowledge have a positive impact on attitudes towards gender and cultural diversity (ibid.).

All the principles mentioned above, mainly resulting from research, aim to clarify, justify and support why changes are needed at policy level. The next chapters will introduce the 'support' role international and European bodies play in promoting inclusive education within countries.

2. THE ROLE OF INTERNATIONAL BODIES

KEY FINDINGS

- The United Nations, as well as its bodies, such as UNESCO and UNICEF, have a clear role in supporting and promoting the rights of all learners – children, young people and adults – to inclusive education.
- The United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) supports the shift – in the disability field – from a charity model to a human rights-based model. Article 24 of the UNCRPD is devoted to education: the right of people with disabilities to education without discrimination and with equal opportunities is paramount.

2.1. The role of the United Nations

Under the auspices of the UN, a number of international bodies and agencies work in different ways to improve educational opportunities for learners with disabilities. These include: the Department of Economic and Social Affairs (UN DESA), the World Bank, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF). The work of all these bodies operates within the framework of the various international standard instruments (binding and non-binding legal instruments), as well as programmes and action plans.¹

In relation to education, the work of all these bodies is geared towards attaining Sustainable Development Goal (SDG) 4: 'Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all' (UN, 2015). The SDG 4 targets and indicators aim for 'inclusive and effective learning environments for all' (ibid.). As such, they focus on equity and quality and take a broad view of inclusion, i.e. reducing disparities for people with disabilities, men and women, members of minority, indigenous and rural communities.

This focus on quality in inclusive education for all learners was reinforced during the 2015 World Education Forum. The resulting *Incheon Declaration* states that inclusion is both a principle and a process: 'Inclusion and equity in and through education is the cornerstone of a transformative education agenda (...) No education target should be considered met unless met by all' (World Education Forum, 2015, p. 2).

The work of all the UN bodies also operates within a clear framework of international instruments outlining all learners' rights to education and the rights of some learners who are at risk of exclusion or marginalisation (including those with disabilities) to inclusive education.² In 1999, Bengt Lindqvist, the then UN Special Rapporteur on Disability, eloquently described the rights-based approach to education: 'All children and young

¹ International standard-setting instruments can be divided into two categories: binding instruments, also called 'hard law', and non-binding documents, also called 'soft law'. The first category, comprising Treaties (which can have different titles such as Conventions, Covenants, Pacts and Agreements), confers legal obligations upon States Parties to these instruments. The second category, mainly comprising Declarations and Recommendations provides, as a rule, guidelines and principles and imposes moral obligations. Both binding and non-binding instruments can have a regional or sub-regional scope.

² For a comprehensive overview of international instruments on the right to education, please refer to: www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/RTE_International_Instruments_Right_to_Education_2014.pdf

people of the world, with their individual strengths and weaknesses, with their hopes and expectations, have the right to education. It is not our education systems that have a right to certain types of children. Therefore, it is the school system of a country that must be adjusted to meet the needs of all children' (Lindqvist, 1999, p. 7).

Two UN Conventions are pivotal to this rights-based approach: the Convention on the Rights of the Child (UNCRC), 1989, and the Convention on the Rights of Persons with Disabilities (UNCRPD), 2006. Article 23 of the UNCRC addresses the right of children with disabilities to assistance to ensure that they are able to access education in a manner that promotes their social inclusion. The Committee on the Rights of the Child, in a general comment on children with disabilities, has further stressed that inclusive education must be the goal for educating children with disabilities.

While these Conventions are not necessarily mandatory for signatory countries, it is clear that they are encouraging governments to be more accountable for policy and practice concerning the education of learners with disabilities. The UNCRC and UNCRPD provide a framework for a rights-based approach for all learners, ensuring that learners with disabilities in particular are not marginalised or excluded from mainstream education (European Agency, 2016b).

2.1.1. The United Nations Convention on the Rights of Persons with Disabilities

The UN Convention and its Optional Protocol, adopted in December 2006, deserve special attention.

The Convention is an international human rights treaty of the UN, intended to protect the rights and dignity of people with disabilities. It supports the shift, in the field of disability and special needs, from a charity model, to a human rights-based one. The Convention views people with disabilities as 'subjects' with rights, making decisions for their lives and being active members of society.

All EU countries have signed the Convention; very few of them have not yet ratified it. Most EU countries have signed the Optional Protocol, although its ratification is more limited.³ In addition, for the first time an international organisation – the European Union – has signed and ratified the Convention.

There is a reason for countries to take time before signing or ratifying such a treaty. By signing the Convention or the Optional Protocol, countries commit themselves to taking steps to be bound by the treaty at a later date. Ratification legally binds a country to implement the Convention and/or Optional Protocol, 'subject to valid reservations, understandings and declarations' (UN, no date). As soon as ratification takes place, countries need to work to amend existing national legislation to avoid any conflicting obligations or provisions between the Convention and their existing legislation.

The Optional Protocol goes one step further. It is a side-agreement to the Convention which allows its parties to recognise the competence of the Committee on the Rights of Persons with Disabilities (CRPD)⁴ to examine individual complaints in case of countries contravening the Convention.

³ By July 2017, Ireland was the only EU Member State not to have ratified the Convention. Regarding the Optional Protocol, Ireland, the Netherlands and Poland have not yet signed or ratified it (treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-15-a&chapter=4&clang=en).

⁴ The CRPD is the body of independent experts which monitors implementation of the Convention by the States Parties. All States Parties are obliged to submit regular reports to the CRPD on how the rights are being implemented. States must report initially within two years of accepting the Convention and thereafter every four years. The CRPD examines each report and shall make such suggestions and general recommendations on the report as it may consider appropriate and shall forward these to the State Party concerned (www.ohchr.org).

Article 24 of the Convention is devoted to education. This is relevant, as education is solely a national competence as far as the European countries are concerned. Article 24 asks countries to: '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. (...) 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' (UN, 2006).

Article 24 highlights three important elements that countries need to consider and seek to implement in their education systems. They are:

- the right to inclusive education for all learners in all stages of their education;
- the provision of reasonable accommodation to enable inclusive education;
- the provision of the required support measures.

The General Comments on Article 24 by the CRPD (2016), following the situation in the countries as reflected in their reports, highlight the need for countries to fulfil the objectives stated in the article. The General Comments said that inclusive education can be understood as:

- a fundamental human right of all learners;
- a means of realising other human rights;
- a principle that values the well-being of all learners;
- a process that necessitates a continuing and pro-active commitment to eliminating barriers that impede the right to education.

The General Comments explicitly mention that barriers still exist, as well as discrimination towards learners with disabilities. Disaggregated data is lacking and funding mechanisms are inadequate.

By signing the UNCRPD, the EU and its Member States have committed to creating a barrier-free Europe. The EU Treaties provide a framework to combat discrimination against people with disabilities and the Charter of Fundamental Rights refers to their right to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community. The core elements of the EU disability strategy – which combines anti-discrimination, equal opportunities and active inclusion measures – are reflected in the Convention.

The CRPD has issued comments on the report provided at EU level; these mainly concern the efforts required to facilitate access to inclusive education, as well as to include a specific indicator in EU 2020. A specific concern has been expressed regarding the inclusiveness of the European Schools.

Although these comments list a clear pace for improvement, relevant changes are taking place in education in Europe. These changes will be presented in the next chapters.

2.1.2. The roles of UNESCO and UNICEF

Across all global regions, enforcing a rights-based approach to education for all learners remains a major challenge (UNICEF/UNESCO, 2007). Two UN agencies are particularly facing this challenge: UNESCO and UNICEF, both of which work in all global regions,

including the industrialised nations of Europe. Their specific focus with respect to inclusive education for learners with disabilities is outlined below.

UNESCO is responsible for 'coordinating international cooperation in education, science, culture and communication'. One of its core missions is to ensure that all citizens have: '... access to quality education; a basic human right and an indispensable prerequisite for sustainable development' (UNESCO, no date-a).

Ensuring that all citizens have equal opportunities for educational progress remains a challenge worldwide. UNESCO leads the way in achieving this goal through the Education 2030 Framework for Action (FFA), agreed at the World Education Forum in Incheon, South Korea, in 2015. The FFA clearly emphasises inclusion and equity as the foundations for quality education.

UNESCO's work with member states promotes inclusive education systems that remove barriers limiting the participation and achievement of all learners, respect diverse needs, abilities and characteristics and eliminate all forms of discrimination in the learning environment: 'UNESCO works with governments and partners to address exclusion from, and inequality in, education. Among marginalized and vulnerable groups, UNESCO pays special attention to children with disabilities as they are overrepresented in the population of those who are not in education. Indigenous people also continue to experience exclusion within and from education' (UNESCO, no date-b).

UNESCO and its institutes (notably the International Bureau of Education, based in Geneva⁵) have published widely on the topic of inclusive education as an approach for all learners, including those with disabilities.⁶ This focus took shape within the *Salamanca Statement and Framework for Action on Special Needs Education*, adopted by the World Conference on Special Needs Education: Access and Quality in 1994. The Salamanca Statement argues that: 'schools should accommodate all children regardless of their physical, intellectual, social, emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children, children from remote or nomadic populations, children from linguistic, ethnic or cultural minorities and children from other disadvantaged or marginalized areas or groups' (UNESCO, 1994, p. 6).

The UNESCO *Policy Guidelines on Inclusion in Education* argue that: '(...) inclusive education is not a marginal issue but is central to the achievement of high quality education for all learners and the development of more inclusive societies. Inclusive education is essential to achieve social equity and is a constituent element of lifelong learning' (UNESCO, 2009, p. 4).

They further argue that: 'Inclusive education is a process of strengthening the capacity of the education system to reach out to all learners (...). An "inclusive" education system can only be created if ordinary schools become more inclusive – in other words, if they become better at educating all children in their communities' (UNESCO, 2009, p. 8).

UNESCO has most recently considered the vision that all schools should have the capacity to accommodate the needs of all learners in their community – including those with disabilities – in its 2017 publication, *A guide for ensuring inclusion and equity in education*. It stresses the need for a systemic, capacity-building approach to developing inclusive education systems: 'Implementing changes effectively and monitoring them for impact, recognizing that building inclusion and equity in education is an on-going process, rather than a one-time effort' (UNESCO, 2017, p. 13).

⁵ UNESCO International Bureau of Education: www.ibe.unesco.org

⁶ A useful overview of key UNESCO publications in this area is available on: <http://en.unesco.org/themes/inclusion-in-education/disabilities/resources>

The starting point for the 2017 guide is as follows: 'The central message is simple: every learner matters and matters equally' (ibid., p. 12). This clear message underpins UNESCO's work in supporting all countries to embed inclusion and equity in their educational policy and practice, as a means to 'create system-wide change for overcoming barriers to quality educational access, participation, learning processes and outcomes' (ibid., p. 10) for all learners.

UNICEF works on several focus areas that are in line with SDG 4; the provision of basic education and gender equality issues are two such areas. One of the stated priorities within education that UNICEF is working towards is equitable access. Increasingly, the right to education of children with disabilities is a concern. Whereas UNESCO works mainly with policy-makers and focuses on policy initiatives and developments, UNICEF's work is more geared towards supporting initiatives and programmes at 'grassroots' or the practitioner level. UNICEF does work with policy-makers at national and regional levels in countries, but targets much of its work directly at practitioners at school and educational centre level, as well as at non-governmental organisations.

UNICEF's work in ensuring the equal right of all learners with disabilities to education highlights that four essential rights must be understood as general principles to be applied in realising all other rights:

1. non-discrimination;
2. the child's best interests;
3. the child's optimum development;
4. the child's right 'to be heard and taken seriously in accordance with age and maturity' (UNICEF, 2012, p. 24).

It is argued that these principles must underpin all actions to promote the right of learners with disabilities to education. In addition, it is argued that measures must be implemented to:

- reduce barriers to education;
- 'provide early assessment and access to early-years provision';
- 'tackle prejudice and discrimination';
- protect from violence;
- 'develop appropriate support and services for families' (ibid.).

Every year, UNICEF publishes a global thematic report on The State of the World's Children.⁷ In 2013, the report focused on children with disabilities and in 2014, it focused on data, including data on children with disabilities. In 2012, the UNICEF Regional Office for Central and Eastern Europe and the Commonwealth of Independent States (CEECIS) published a position paper on the right of children with disabilities to education. It proposes a conceptual framework on the issues that affect the inclusion of children with disabilities in CEECIS countries. This report highlights a concern in the CEECIS region that is also apparent in other global regions: 'Children with disabilities form a significant proportion of the out-of-school population (...) their right to access quality education is too often violated. Children with disabilities are here presented as a priority group for UNICEF in the region, one that is subject to severe discrimination, segregation and exclusion from all social aspects of life' (UNICEF, 2012, p. 3).

⁷ Refer to: www.unicef.org/sowc

The situation of learners with disabilities within the framework of the Global Initiative on Out-of-School Children⁸ is a key focus of both UNESCO's and UNICEF's work globally, as well as within European countries.

2.2. The role of the OECD

While the OECD's work does not focus explicitly on inclusive education, it has the potential to provide information about its implementation and to address specific issues relating to inclusive education in connection with other types of data provided, for example, by the European Agency.

Data provided on education systems in publications such as *Education at a Glance*, as well as those resulting from project specific reports, provide an insight into the functioning of education systems and into general outcomes in terms of investment, governance, performance and equity.

This type of data may be complemented by more specific work, such as TALIS and PISA. For example, the TALIS survey provides information about:

- the type and level of diversity teachers face in classrooms. According to the survey, 19.6% of lower-secondary teachers are working in schools where over 30% of the learners are from a low socioeconomic background, 25.5% are working in schools where over 10% of the learners have SEN and 21.3% are working in schools where more than 10% of learners have a first language other than the national language (OECD, 2013);
- the need for teacher training on inclusive education. According to TALIS (OECD, 2009), over 30% of lower-secondary teachers indicate a need for training on special learning needs. On average, about 50% of school leaders report that a lack of teachers with competences in teaching learners with SEN hinders their school's capacity to provide quality instruction (OECD, 2013);
- inclusiveness of teachers' practices. On average, nearly 50% of teachers at European level state that they frequently, in all or nearly all lessons give different work to learners who have difficulties in learning and to those who can advance faster (OECD, 2013);
- the impact of teacher training or support. On average, less than 10% of lower-secondary teachers report that professional development in teaching to learners with SEN had a positive precise impact on their teaching to such learners. Nearly 50% of them report a moderate or a large positive change in their methods for teaching learners with SEN after they received feedback on their work at school (OECD, 2013).

Finally, PISA has the potential to provide information about dimensions related to inclusive education by, inter alia, providing data on:

- the ability of education systems to combine performance and equity in relation to socioeconomic background, gender and immigrant background;
- the impact of teachers' practices on the success opportunities of learners, as well as on their level of anxiety and well-being.

⁸ Refer to: <http://unesdoc.unesco.org/images/0024/002478/247861e.pdf>

There is no doubt about the valuable support these well-known international organisations are providing in implementing the UNCRPD. Since the 1990s, countries have clearly not just been encouraged but requested to improve their education systems towards inclusive educational policies and practices.

The next chapter will describe the role that the European organisations play in this respect.

3. ACTIONS AT EUROPEAN UNION LEVEL

KEY FINDINGS

- EU countries have main responsibility in the field of education. There are no legally binding documents at EU level concerning education.
- EU actions can only complement and support national efforts through specific mechanisms for cooperation at EU level.
- Official documents reflect the evolution and change in thinking about inclusive education that has taken place in the different education systems over the last 30 years.
- The role and impact of inclusive education is part of the EU agenda.

As has been mentioned in the previous chapter, the EU countries have main responsibility in the field of education. It might seem that there is a limited impact at country level – and this is somewhat true – but the main official documents reflect some important changes. These changes concern the move from:

- exclusion to the right to education;
- integration to inclusion;
- a charity or medical model to a rights-based model;
- homogeneous models of education to personalised ones.

This chapter will only focus on the main messages provided by the official documents at EU level regarding education and addressed to the Ministries of Education and the extent to which they support changes at policy level. There is no mention of the direct participation of learners with disabilities in the different programmes of education. This question merits a totally different type of study, due to the complexity and difficulties related to collecting precise and reliable information and data. However, it needs to be mentioned that learners with special needs have always been welcomed and supported to participate within the framework of programmes such as the Lifelong Learning Programme and Erasmus+.

Mainstream education for learners with disabilities has been the focus since the 1990s. Originally, education policies aimed to encourage countries to enrol learners with disabilities in mainstream education. This was the case with the Council Resolution on integration of children and young people with disabilities into ordinary systems of education.⁹ The resolution aimed in quite a general way to encourage countries to integrate learners with disabilities as much as possible, taking into account the respective national education policies (Council of the European Union, 1990). The concept of integration has been evolving, and is more precise in several later official documents. A resolution from 2003¹⁰ encourages countries to:

- provide equal opportunities for learners with disabilities in education and training;

⁹ Council of the European Union, 'Resolution of the Council and the Ministers for Education meeting within the Council of 31 May 1990 concerning integration of children and young people with disabilities into ordinary systems of education', 90/C 162/02.

¹⁰ Council of the European Union, 'Council resolution of 5 May 2003 on equal opportunities for pupils and students with disabilities in education and training', 2003/C 134/04.

- support their full integration in society;
- recognise the key role that teacher training plays in supporting integration (Council of the European Union, 2003).

From 2009 on, the term 'inclusion' is mentioned in further official documents highlighting and recognising the value and impact of inclusive education. Terms such as 'social inclusion', 'equity', 'social cohesion', 'active citizenship' and 'non-discrimination' start being used more at European level. At the same time, inclusion is addressed not just to learners with disabilities or special needs, but to all learners regardless of any individual or social characteristics.

In 2009, the Council of the European Union issued the strategic framework for European cooperation in education and training (ET 2020) up to 2020.¹¹ It is a key reference concerning countries' agreement on cooperation in the field of education at European level. The framework's main aim is to support Member States in further developing their education and training systems. These systems should improve the provision of means for all citizens to realise their potential, as well as ensure sustainable economic prosperity and employability. The framework considers the whole spectrum of education and training systems from a lifelong learning perspective, covering all levels and contexts (including non-formal and informal learning).

Four strategic objectives have been set:

- making lifelong learning and mobility a reality;
- improving the quality and efficiency of education and training;
- promoting equity, social cohesion and active citizenship;
- enhancing creativity and innovation (Council of the European Union, 2009).

Promoting inclusive education is perceived as an adequate means to address needs and to ensure that all learners – particularly learners from disadvantaged backgrounds, those with special needs and migrants – complete their education. Numerous indicators and benchmarks have been agreed to measure progress. However, there is no indicator or benchmark specifically related to disability or special needs.

The third strategic objective – promoting equity, social cohesion and active citizenship – has been more developed and elaborated in further official documents. In 2010, the Council expressed that education and training systems across the EU need to ensure both equity and excellence.¹² The role of education and training in a lifelong learning perspective was perceived as crucial. Some important messages were addressed to countries for their consideration and action: 'Improving educational attainment and providing key competences for all are crucial not only to economic growth and competitiveness, but also to reducing poverty and fostering social inclusion. Social inclusion through education and training should ensure equal opportunities for access to quality education, as well as equity in treatment, including by adapting provision to individuals' needs' (Council of the European Union, 2010, p. 5).

The Council also considered that the varying degrees of social inclusion achieved by the Member States illustrates that there is still significant scope to reduce inequalities and

¹¹ Council of the European Union, 'Council conclusions of 12 May 2009 on a strategic framework for European cooperation in education and training ('ET 2020')', 2009/C 119/02.

¹² Council of the European Union, *The social dimension of education and training – Adoption of Council conclusions*, 8260/10 EDUC 62 SOC 244, 29 April 2010, Brussels.

exclusion in the EU. This can be through structural changes, as well as additional support for learners at risk of social exclusion. It also mentioned that schools with a large proportion of pupils from disadvantaged backgrounds need additional support. Finally, the Council considered that 'Creating the conditions required for the successful inclusion of pupils with special needs in mainstream settings benefits all learners' (ibid., p. 8). Some of the conditions listed were: 'increasing the use of personalised approaches, including individualised learning plans and harnessing assessment to support the learning process', 'providing teachers with skills to manage and benefit from diversity; promoting the use of co-operative teaching and learning' and 'widening access and participation' (ibid.).

The Joint Report on the implementation of ET 2020¹³ included among the new priorities for European cooperation in education and training 'inclusive education, equality, equity, non-discrimination and the promotion of civic competences' (Council of the European Union and European Commission, 2015, p. 2). Inclusive education focused on 'learners with special needs, newly arrived migrants, people with a migrant background and Roma' (ibid., p. 4). The Paris Declaration of March 2015¹⁴ reinforced the idea of inclusive education as a means to combat racism and discrimination (European Union Education Ministers, 2015).

The European Disability Strategy 2010-2020¹⁵ is a comprehensive framework that commits the Commission to empowering people with disabilities to enjoy their full rights and to removing everyday barriers. Although the Strategy has a broad perspective and covers all areas related to disability, there is a particular chapter referring to ET 2020. It mentions supporting national efforts to remove legal and organisational barriers, as well as supporting inclusive education and providing adequate training support to professionals involved in all levels of education. The Strategy also supports and takes into account the implementation of the UN Convention on the Rights of Persons with Disabilities by the Member States (European Commission, 2010).

Inclusive education (including the increasing diversity of learners), equality, non-discrimination and the promotion of civic competences (e.g. mutual understanding and democratic values) is one of the six new priorities for the 2016–2020 period of ET 2020 (Council of the European Union and European Commission, 2015). It is also the mandate of the Working Group on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education. This corresponds to a request expressed at European level to promote inclusive education as the most effective means for preventing social exclusion and supporting responsiveness to diversity.

Inclusive education is mentioned in official EU documents from 2016 and 2017, very much related to social inclusion and social cohesion. Quality education for all learners and developing schools to increase their capacity to respond to diversity are mentioned more often and more precisely as an essential aim to achieve real inclusion.

This is the purpose of the Conclusions in 2017¹⁶, which clearly express: 'ensuring inclusive high quality education should be seen in a life-long perspective covering all aspects of

¹³ Council of the European Union and European Commission, '2015 Joint Report of the Council and the Commission on the implementation of the strategic framework for European cooperation in education and training (ET 2020): New priorities for European cooperation in education and training', 2015/C 417/04.

¹⁴ European Union Education Ministers, *Declaration on Promoting citizenship and the common values of freedom, tolerance and non-discrimination through education, Informal meeting of European Union Education Ministers, Paris, Tuesday 17 March, 2015.*

¹⁵ European Commission, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe*, /* COM/2010/0636 final */.

¹⁶ Council of the European Union, 'Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on Inclusion in Diversity to achieve a High Quality Education for All', 2017/C 62/02.

education. It should be available and accessible to all learners of all ages, including those facing challenges, such as those with special needs or who have a disability, those originating from disadvantaged socioeconomic backgrounds, migrant backgrounds or geographically depressed areas or war-torn zones, regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation' (Council of the European Union, 2017, p. 3). 'Inclusive education addresses and responds to different needs of all learners in formal, non-formal and informal settings with the objective of encouraging participation of all in high quality education' (ibid.).

The Conclusions acknowledge that: 'equality and equity are not identical and that education systems must move away from the traditional "one-size-fits all" mentality. Equal opportunities for all are crucial, but not sufficient: there is a need to pursue "equity" in the aims, content, teaching methods and forms of learning being provided for by education and training systems to achieve a high quality education for all' (ibid., p. 4).

Finally, the European Parliament has provided several documents focusing on people with disabilities. It has supported numerous activities, such as seminars and conferences promoting the full access of people with disabilities in society. The work of the Disability Inter-Group needs to be highlighted as an important 'defender' of the voices of people with disabilities. The valuable support to and cooperation with the European Disability Forum (EDF) has always played a key role. Among several documents, two concerning education are very relevant. A written declaration on promoting inclusive education was submitted in 2015.¹⁷ The declaration was addressed to EU countries to pursue efforts for implementing inclusive education systems characterised by: 'early detection'; 'qualified personalised support; accessibility of universal curricula, ICT, learning materials and support services'; participation of learners with SEN in their education; and 'mechanisms for the transition from special to mainstream' settings (European Parliament, 2015, p. 2). It said that: 'Access and permanence in the education system enhance equal opportunities for all, social inclusion and employment opportunities' (ibid.).

The resolution adopted in plenary session in July 2016¹⁸ is especially relevant. It highlights the CRPD's comments regarding the existing barriers impeding effective access to education and training for learners with disabilities. It encourages the Commission and the EU Member States to provide the necessary support measures to respond adequately to learners' diverse needs. It supports learners to fully enjoy a high-quality inclusive education and highlights the need to combat, at all levels, rejection and discrimination towards learners with disabilities (European Parliament, 2016).

As can be seen, a significant number of official documents have been approved at European level since the 1990s, reflecting the situation at international level. Inclusive education has been increasingly focused on since 2000. These official documents are not always binding, but aim to provide a 'legal' reference framework to encourage and support changes at national level. They also constitute a basis for cooperation among the different countries at European level.

¹⁷ European Parliament, *Written declaration submitted under Rule 136 of the Rules of Procedure on promoting inclusive education systems*, 0029/2015

¹⁸ European Parliament, *European Parliament Resolution of 7 July 2016 on the implementation of the UN Convention on the Rights of Persons with Disabilities, with special regard to the Concluding Observations of the UN CRPD Committee*, (2015/2258(INI))

4. THE SITUATION IN THE EU MEMBER STATES

KEY FINDINGS

- Inclusive education is a policy vision for all European countries, but they are implementing this vision in different ways.
- In all countries, learners with disabilities are considered as having special educational needs that require additional support and resources to be made available for them. However, most countries identify different groups of learners as having SEN.
- None of the countries has a fully inclusive system where 100% of learners attend mainstream schools and are educated with their peers for 100% of the time. All countries use different forms of separate specialist provision of education. However, the role of specialist provision is increasingly shifting towards supporting mainstream schools.
- The rate of placement in separate provisions differs across countries, due to their differing policies and the established educational support systems. However, in all countries, almost twice as many boys as girls are identified as having a special educational need.
- The situation of 'out-of-school' children is unclear in many countries and may require further examination, as data is often limited or missing.

At the policy vision level, all European countries agree that the key European and international statements and resolutions for special needs and inclusive education provide the main principles regarding equity in education that they are aiming for. As has been previously noted (please refer to Chapters 2 and 3), these international and European standardised instruments underpin national policies and provide a frame of reference for national-level work across all sectors (public and private) and levels of education (pre-school through to post-compulsory), in most European countries.

In relation to the education of all learners generally and the education of learners with disabilities specifically, these guidelines highlight that:

- policy should be guided by the principle of learners' rights to education and to an inclusive education; and
- practice should be guided by the principle of promoting wider access to learning experiences which respect individual differences and quality education for all, focused on personal strengths rather than weaknesses.

However, there is great variation in how these key principles are translated into national-level policies that directs practice for teaching and learning in inclusive settings in European countries (Meijer and Watkins, 2016). Each of the Member States has its own laws, policies and systems for all aspects of society, but most notably education. At least six European countries – Austria, Belgium, Germany, Spain, Switzerland and the United Kingdom – can be described as federal in nature. They are composed of smaller regions, or even countries, which to different degrees have their own legislative and decision-making powers (again including education).

The present education systems (both policies and practice) in European countries have evolved over a relatively long period of time, within very specific contexts and are therefore

highly individual (European Agency, 1999; 2003). These systems are very much embedded in national-level cultures, traditions and debates relating to education generally and inclusive education specifically.

Systems for inclusive education that determine the educational experiences of learners with disabilities are directed – to a greater or lesser degree – by both general and (often separate) SNE frameworks of legislation and provision that exist in individual countries (European Agency, 2014). In addition, in many countries, there are also frameworks of social welfare or health legislation (and subsequent provision) that impact on the educational experiences of learners with disabilities.

Any examination of the implementation of policy for the education of learners with disabilities in any country needs to consider the context of wider social, health and educational legislative reforms occurring in that country (Meijer and Watkins, op. cit.). Inclusive education systems that effectively cater for learners with disabilities are far more complex than the general education system and they have various additional policy and provision components which must be considered when examining the educational experiences offered to learners with disabilities (European Agency, 2016c).

Policy conceptions – that is, interpretations and understanding – of inclusion and inclusive education vary greatly among countries (European Agency, 2014). These interpretations often reflect underlying attitudes towards or understandings of disability and SEN. The use of terms and words – for example, the term 'disability' or its translation – can be seen to reflect particular models or approaches for understanding disability, in particular medical as opposed to social models of disability.

It is important to be clear that there is no agreed interpretation of terms such as 'special need' or 'disability' across countries (except for the definition of disability within the UNCRPD for those countries that have ratified the Optional Protocol). In addition, the terminology used in EU and various national-level policy statements may not always be in alignment. There are various on-going debates at policy-making levels regarding the use of the words 'special needs' and 'inclusion' (and their respective translations into the official languages of the EU). At the European level, official policy statements have only relatively recently referred to 'inclusion' and 'inclusive education', rather than 'integration' and 'special educational needs'.

In all European Agency¹⁹ member countries' legislation, learners with different forms of disabilities are included within the wider group of learners with special and/or additional needs (European Agency, 2012; 2017). Special educational needs (SEN) is a construction that countries usually define within their legislation.²⁰ These definitions are then used to identify, assess and make provision for learners with different needs – including recognised disabilities – in different ways (Watkins et al., 2014). Rouse²¹ argues that special or 'additional' needs should not be seen as the result of 'in-child' factors, but rather 'a discrepancy between what a system of schooling ordinarily provides and what the child needs to support their learning' (2008, p. 6).

There are no specific, externally generated definitions relating to disability, SEN or SNE in use within countries' education legislation. Similarly, there are no universally accepted definitions of inclusive education and/or SEN available to compare work across European

¹⁹ The European Agency member countries are all EU Member States – except Romania – and Iceland, Norway and Switzerland. Serbia participates in European Agency work as an observer country.

²⁰ For details of these legislative definitions, please refer to the Background Information provided by each country: www.european-agency.org/data/country-data-and-background-information

²¹ Rouse, M., 2008. 'Developing Inclusive Practice: A Role for Teachers and Teacher Education?', *Education in the North*, 16 (1), 2008, pp. 6–13

countries (European Agency, 2016d). In summary, the fact that some countries 'identify' more learners as having a special need or disability than other countries is linked to administrative, financial and procedural regulations, rather than reflecting variations in the incidence and the types of SEN in countries (European Agency, 2003; Meijer and Watkins, 2016).

As a result of these differences in policy positions and interpretations across EU Member States, national-level data on the educational situation, experiences and outcomes for learners with disabilities is not directly comparable. National-level data relating to the situation of learners with disabilities in inclusive and separate, special education is collected only within the very specific educational contexts and systems (European Agency, 2016d). Therefore, the identification of cross-national 'models' of policy and provision is highly problematic.

That said, there is a policy imperative to have reliable data: 'Because children don't count if they are not counted, the capacity building of education systems to improve their data on children at risk of exclusion and marginalisation is an important policy issue internationally' (European Agency, 2011a, p. 17).

Through reaching agreements with member countries on a number of data provision parameters, the European Agency Statistics on Inclusive Education (EASIE) provide some initial data that informs debates on equity and access to education, as well as data and relevant background information that informs issues of learners' rights to education and inclusive education (European Agency, 2017).

EASIE involves working with all European Agency member countries to provide quantitative and qualitative data to inform the development of policy for inclusive education. The data provided by participating countries essentially relates to inclusive education in terms of access to and placement in education for learners who are officially recognised as having a special educational need.²² In all countries, learners with SEN include those learners identified as having disabilities, and additional support and resources are allocated accordingly. However, for most countries, the 'label' of special needs also includes other groups of learners (European Agency, 2016c).

Data provided by countries is in line with the operational definition of an inclusive setting agreed with the ministerial representatives of European Agency member countries: 'an inclusive setting refers to education where the pupil with SEN follows education in mainstream classes alongside their mainstream peers for the largest part – 80% or more – of the school week' (European Agency, 2016d, p. 13). However, very few countries can provide actual data on this placement benchmark. Therefore, most countries provide data linked to 'proxy' indicators for the 80% placement benchmark.²³

The data available focuses on equity issues in terms of:

1. Access to mainstream education – do all learners (including those with disabilities) go to their local school?
2. Access to inclusive education – do all learners (including those with disabilities) spend the majority of their time with their peers in mainstream classrooms?

²² The EASIE work has an agreed operational definition of an official decision of SEN: 'An official decision leads to a pupil being recognised as eligible for additional educational support to meet their learning needs'. An official decision meets the following criteria: there has been an educational assessment procedure involving a multi-disciplinary team; the multi-disciplinary team includes members from within and external to the pupil's school; there is a legal document which describes the support the pupil is eligible to receive and which is used as the basis for planning; the official decision is subject to a formal, regular review process.

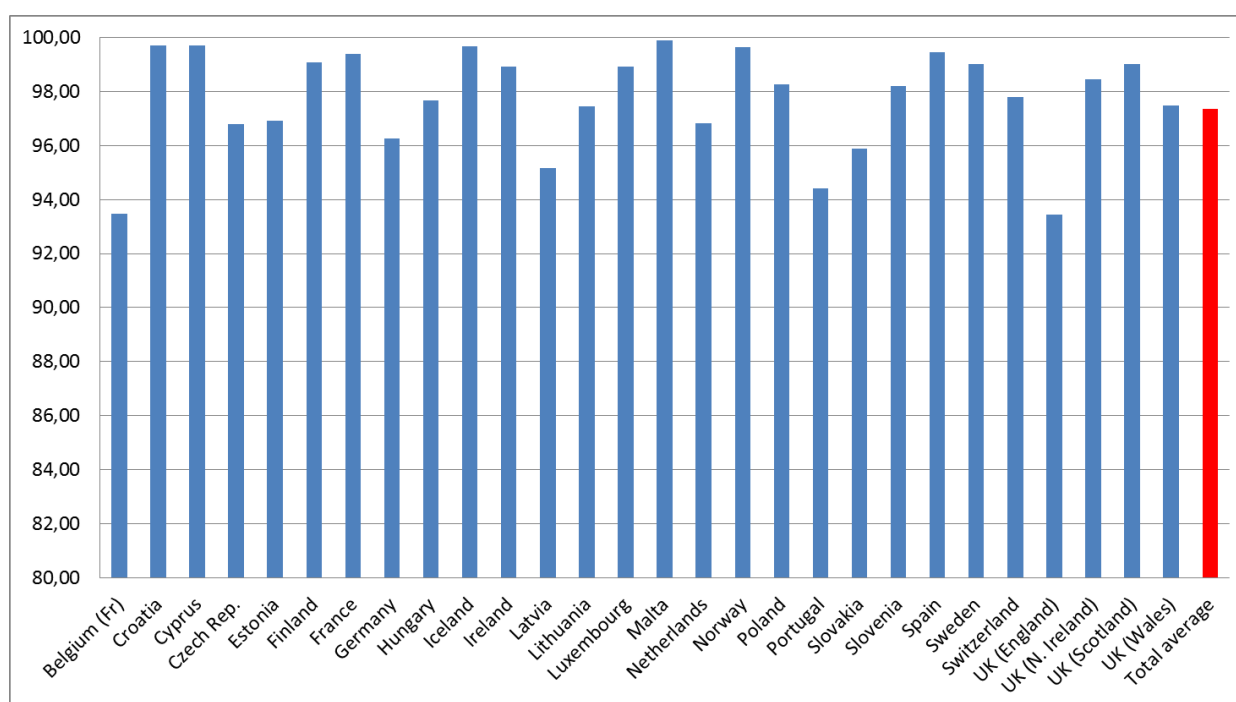
²³ Please refer to: www.european-agency.org/data

3. Gender issues – are there differences in the numbers and rates of identification of SEN for girls and boys?
4. Age-appropriate education – are all learners (including those with disabilities) studying programmes that are appropriate for their ages?

The sections below explore each of these issues. The data in the figures below is based on the 2014 EASIE dataset (available in full from: www.european-agency.org/data). The dataset covers the 2012/2013 school year and both public and private sector education. It uses the entire school population at ISCED levels 1 and 2 as the basis for calculating enrolment rates in different forms of education placements and for different groups (European Agency, 2017).

Data on the enrolment rate in mainstream education is available from 28 countries, as Figure 1 below shows.

Figure 1: Enrolment rate in mainstream education



Source: European Agency, 2017

In most countries, enrolment in mainstream education implies placement in a mainstream class, or placement in a separate special class within a mainstream school.

Across the 28 countries, the enrolment rate in mainstream education ranges from 93.44% to 99.88%; the total average for the 28 countries is 97.36%.

Across countries, a range of non-mainstream educational provision is apparent:

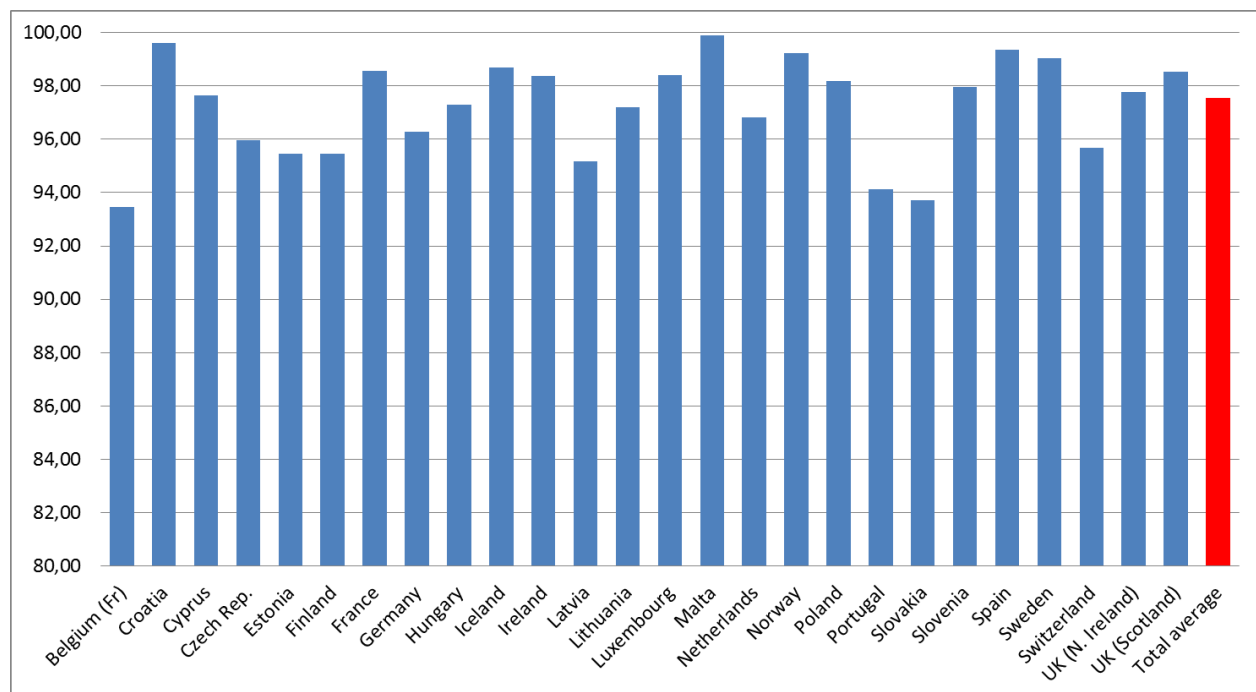
- separate special schools;
- fully separate educational units;
- educational provision maintained by health and/or social services;
- education provided by parents at home;
- some specialised forms of privately funded education.

All countries have legislation requiring all children – including learners with disabilities and/or SEN – to be registered and attend some form of schooling, mainstream or otherwise. However, despite the various legislative requirements, there are indications that, in many European countries, there are children who can be considered ‘out-of-school’ (as defined by UNESCO-UIS and UNICEF, 2015). That is, they are not enrolled in any form of schooling (formal, informal or non-formal education); they are enrolled in some form of education, but are not attending regularly; or they are enrolled in some form of education, but have dropped out of the system.

The situation of out-of-school children is not as pressing in most European countries as it is in other global regions.²⁴ Nevertheless, the recent changes in patterns of immigration into Europe, as well as migration across European countries, have highlighted this as an emerging issue that requires further attention and study. As the 2015 study from UNESCO-UIS and UNICEF indicates, children with disabilities are one of the most at-risk groups in relation to being out of school. There are indications that the current demographic and population fluctuations in many European countries are negatively affecting the enrolment of many at-risk groups within any form of education.

Data on the enrolment rate in inclusive education is available from 26 countries, as presented in Figure 2.

Figure 2: Enrolment rate in inclusive education



Source: European Agency, 2017

This data is based on the 80% time placement benchmark, or the various proxies, as described in the preceding section. The inclusive enrolment rates range from 93.47% to 99.88%; the total average for the 26 countries is 97.54%.

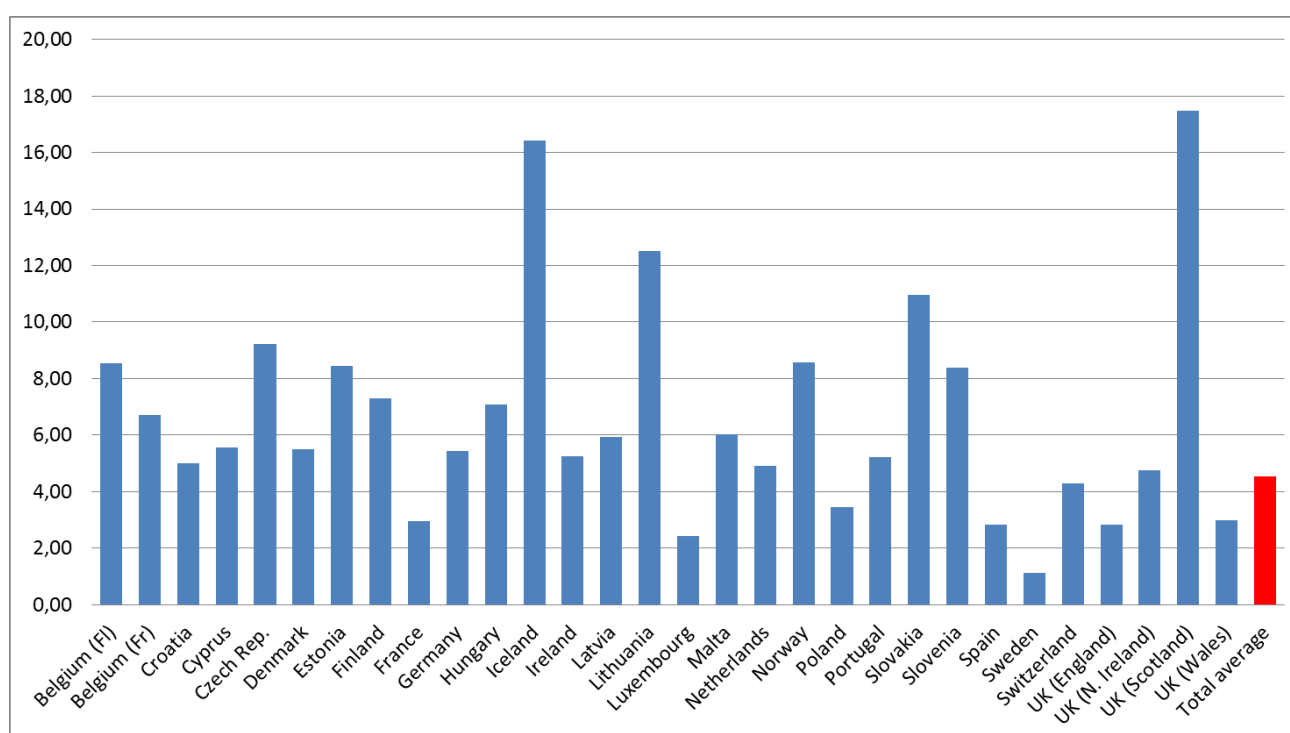
The data in Figures 1 and 2 shows that none of the participating countries has 100% enrolment in inclusive settings and all countries use some form of separate specialist provision (separate schools and units), as well as separate classes in mainstream schools.

²⁴ For more details about the situation of out-of-school children globally, please refer to the All in School Global Initiative on Out-Of-School Children: <http://allinschool.org>

While the data can provide indications on the type of placement learners with disabilities might experience in different countries, it does not provide any indication on the quality of the provision. Although learners may be educated in mainstream classrooms, research suggests that they are not always exposed to educational experiences that improve the quality of their learning (NESSE, 2012). For example, they may spend a limited amount of time with their peers without disabilities and/or essentially be educated in alternative settings (e.g. special units or classrooms) with poor quality teaching and a narrow range of curriculum experiences. This issue becomes particularly relevant for learners identified as having profound and multiple learning disabilities (PMLD), whose needs often require the involvement of social and health services, as well as education (European Agency, 2011b).

As previously mentioned, countries differ in the way they assess and formally identify different groups of learners as having a special educational need and/or disability requiring additional support. Figure 3 provides an overview of the percentage of learners with an official decision of SEN, based on the enrolled school population.

Figure 3: Percentage of learners with an official decision of SEN, based on the enrolled school population



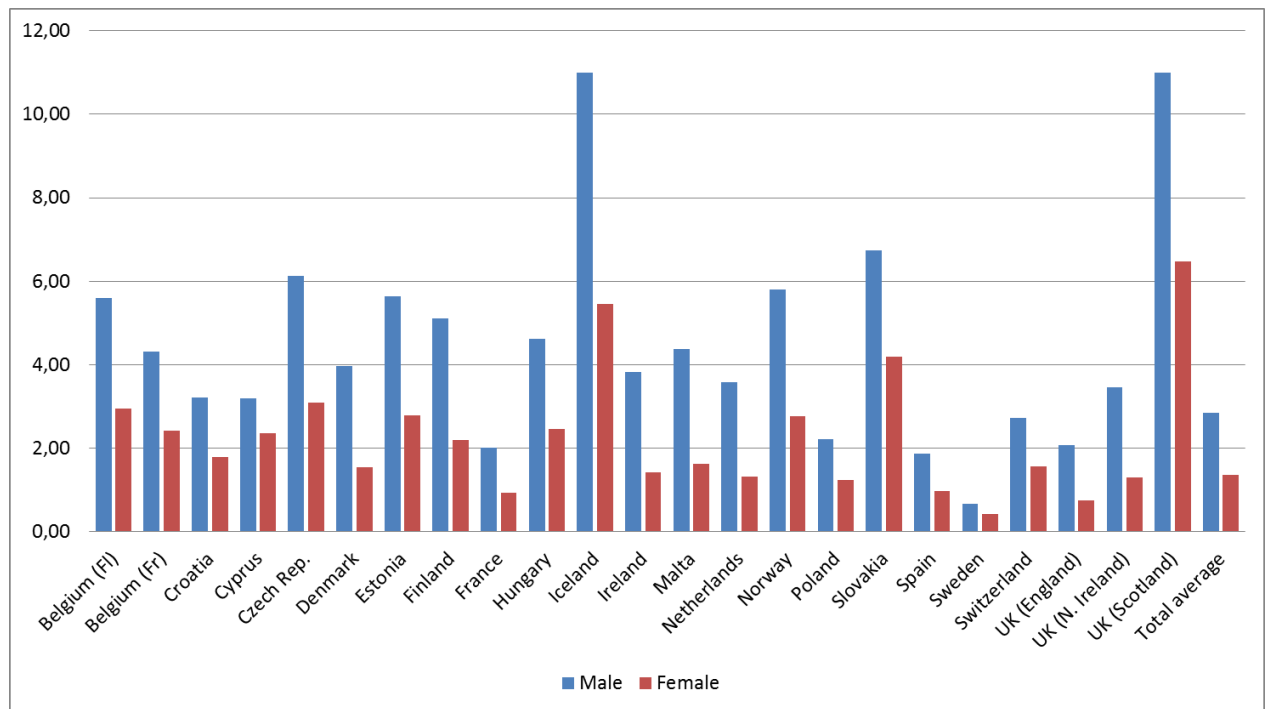
Source: European Agency, 2017

Thirty countries provided data, with the identification rates ranging from 1.11% to 17.47%. The average across the countries is 4.53%.

The marked differences in the numbers and rates of learners identified as having a special educational need (including a disability) that requires some form of additional provision reflects differences in countries' policies and practices for education generally and for special education specifically. The differences in identification rates can largely be explained by differences in assessment procedures and financing mechanisms, rather than by actual incidence of different forms of SEN or disability (European Agency, 2016c).

Figure 4, below, presents a gender breakdown of learners with an official decision of SEN, based on the enrolled school population.

Figure 4: Gender breakdown of learners with an official decision of SEN

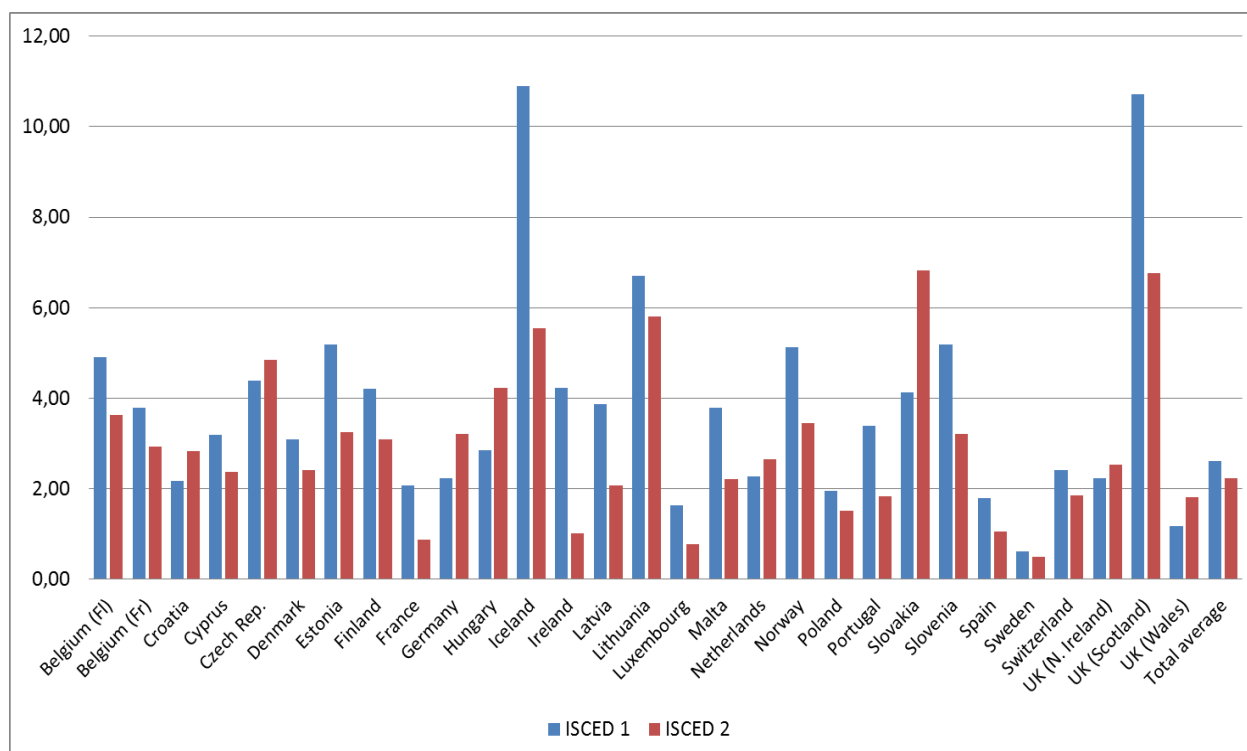


Source: European Agency, 2017

This figure indicates that in the 23 countries able to provide accurate data, more boys (2.86% of the entire school population) than girls (1.37%) are identified as requiring an official decision of SEN leading to the provision of additional support.

Across all countries, 32% of learners with an official decision of SEN are girls and 68% are boys. International research (OECD, 2007; Evans and Ebersold, 2012) indicates a prevalence of boys being identified as having a disability or SEN compared to girls. This data once again reflects differences in identification procedures leading to the labelling of learners as having an SEN and/or disability. The apparent 2:1 ratio of the labelling of boys as opposed to girls as requiring additional support and provision is an area for further examination and study. It may indicate the over-identification and labelling of boys, or the under-identification and recognition of needs in girls.

Figure 5 presents a breakdown of learners with an official decision of SEN across ISCED levels 1 and 2.

Figure 5: Breakdown of learners with an official decision of SEN at ISCED levels 1 and 2

Source: European Agency, 2017

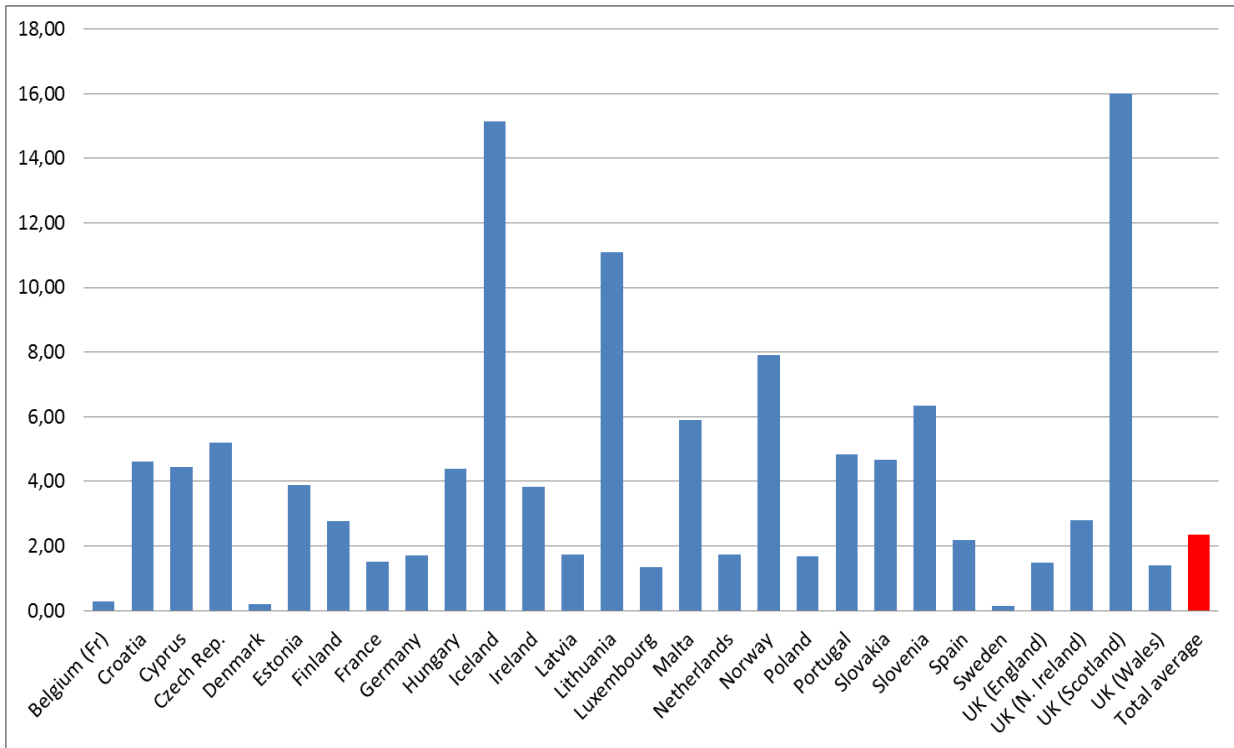
Twenty-nine countries were able to provide data. Across all countries, 2.62% of the enrolled school population are learners with an official decision of SEN studying in ISCED level 1 and 2.23% are studying in ISCED level 2.

Overall, 54% of all learners with an official decision of SEN are studying in ISCED level 1 programmes and 46% are studying ISCED level 2 programmes.

For the majority of countries (21), there are more learners with an official decision of SEN studying in ISCED level 1 programmes than ISCED level 2. This data also requires additional study and examination, as it may indicate that learners with SEN (including those with disabilities) are identified early and given additional support during the early stages of their schooling (i.e. during ISCED level 1 programmes). However, it may also indicate that some learners with SEN and/or disabilities are studying ISCED level 1 programmes which may not be appropriate for their age or interests. It can also be noted that, for many of the countries with more learners studying within ISCED level 2 programmes, they have in general a higher rate of placement within separate specialist provision, i.e. schools and classes (please refer to Figure 12).

Figure 6 presents data from 28 countries on the percentage of learners with an official decision of SEN who are placed within inclusive education, in line with the 80% placement benchmark (or the most relevant proxy for this benchmark).

Figure 6: Percentage of learners with an official decision of SEN in inclusive education, based on the enrolled school population



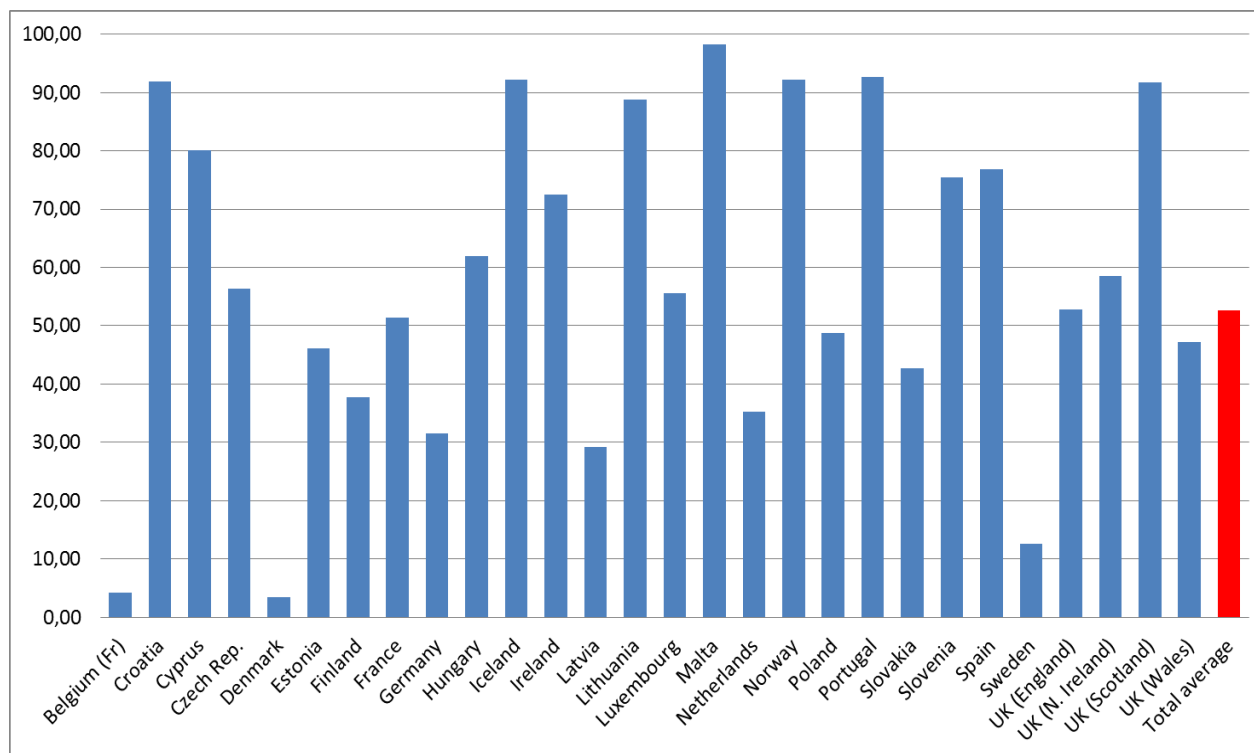
Source: European Agency, 2017

The percentage of learners with an official decision of SEN in inclusive settings ranges from 0.14% to 16.02%; the total average for the 28 countries is 2.36%.

When this data is looked at in comparison with Figure 3 (the percentage of learners with an official decision of SEN, based on the enrolled school population), it can be seen that for many countries with the highest SEN identification rates, the majority of those learners are placed in inclusive settings.

Data is also available from 28 countries on the percentage of learners with an official decision of SEN in inclusive education, based on the population of learners with an official decision of SEN (please refer to Figure 3 above).

Figure 7: Percentage of learners with an official decision of SEN in inclusive education, based on the population of learners with an official decision of SEN

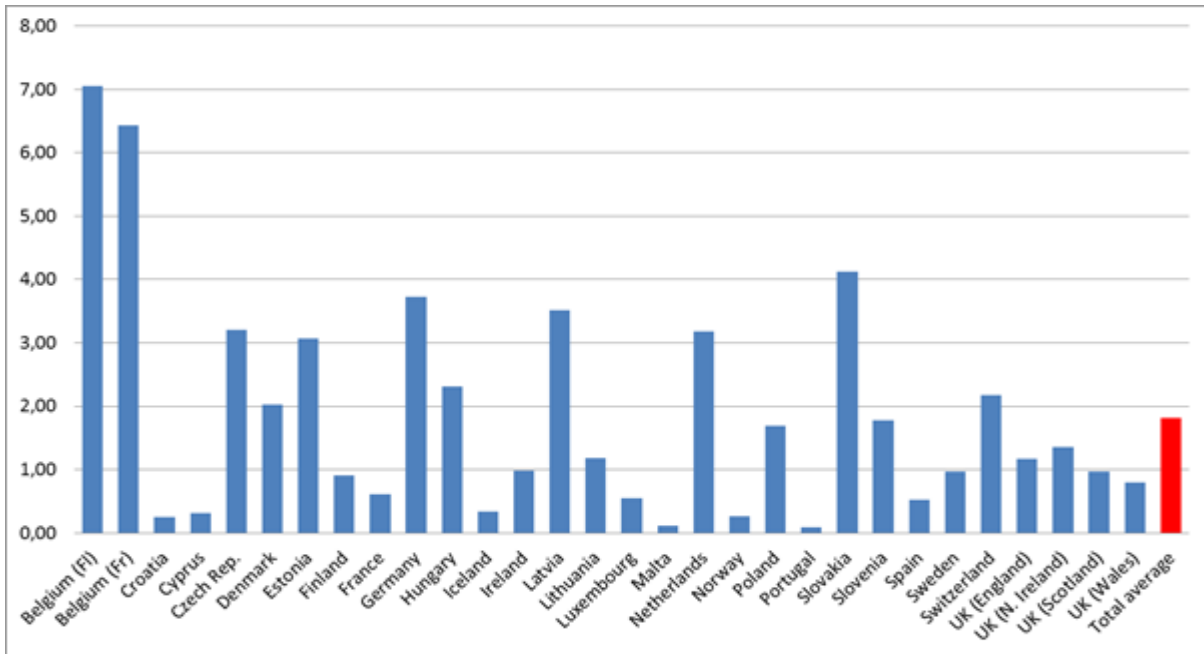


Source: European Agency, 2017

This figure shows that, for 17 countries, the majority of learners with an official decision of SEN (including those with recognised disabilities) are placed in inclusive settings and spend 80% or more of their week with their peers. Across the 28 countries, 52.68% of learners with an official decision are being educated in a mainstream setting.

Figure 8 presents data from 30 countries on the percentage of learners with an official decision of SEN being educated in separate special schools.

Figure 8: Percentage of learners with an official decision of SEN in special schools, based on the enrolled school population



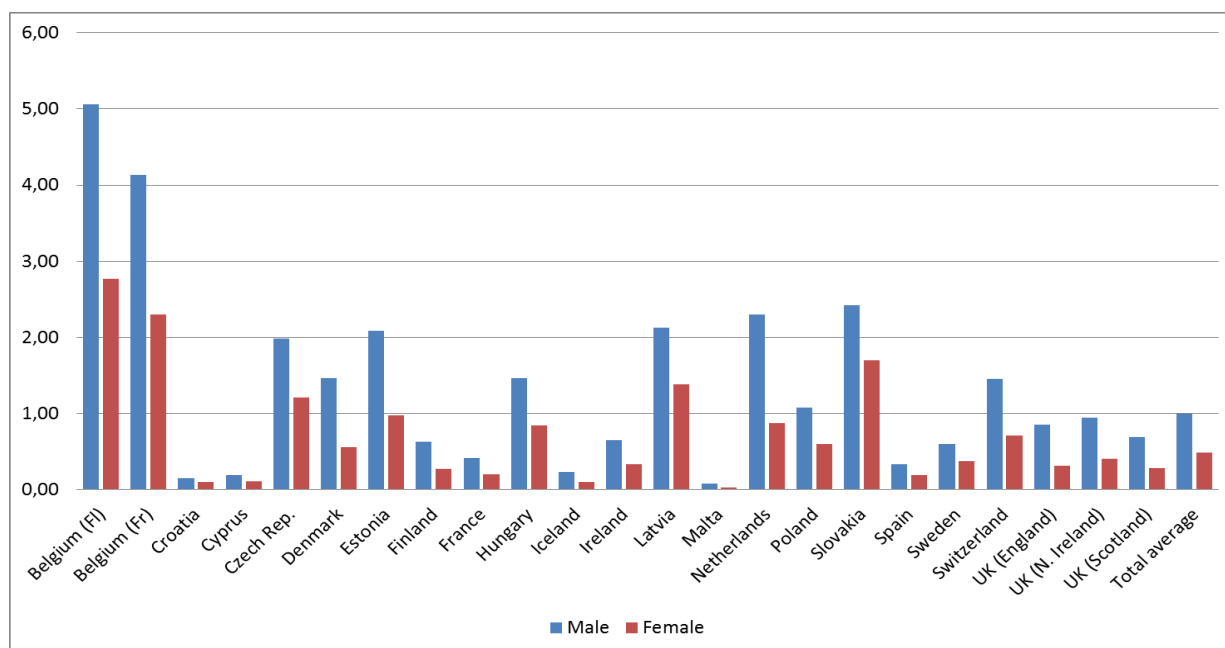
Source: European Agency, 2017

A total average of 1.82% of learners are being educated in separate special schools across the 30 countries. However, the range is from 0.09% to 7.06%.

This range indicates that very different placement procedures and structures are being used in different European countries for learners with disabilities and other types of SEN.

Figure 9 presents a gender breakdown of the special school population in 23 countries.

Figure 9: Gender breakdown of learners with an official decision of SEN in special schools

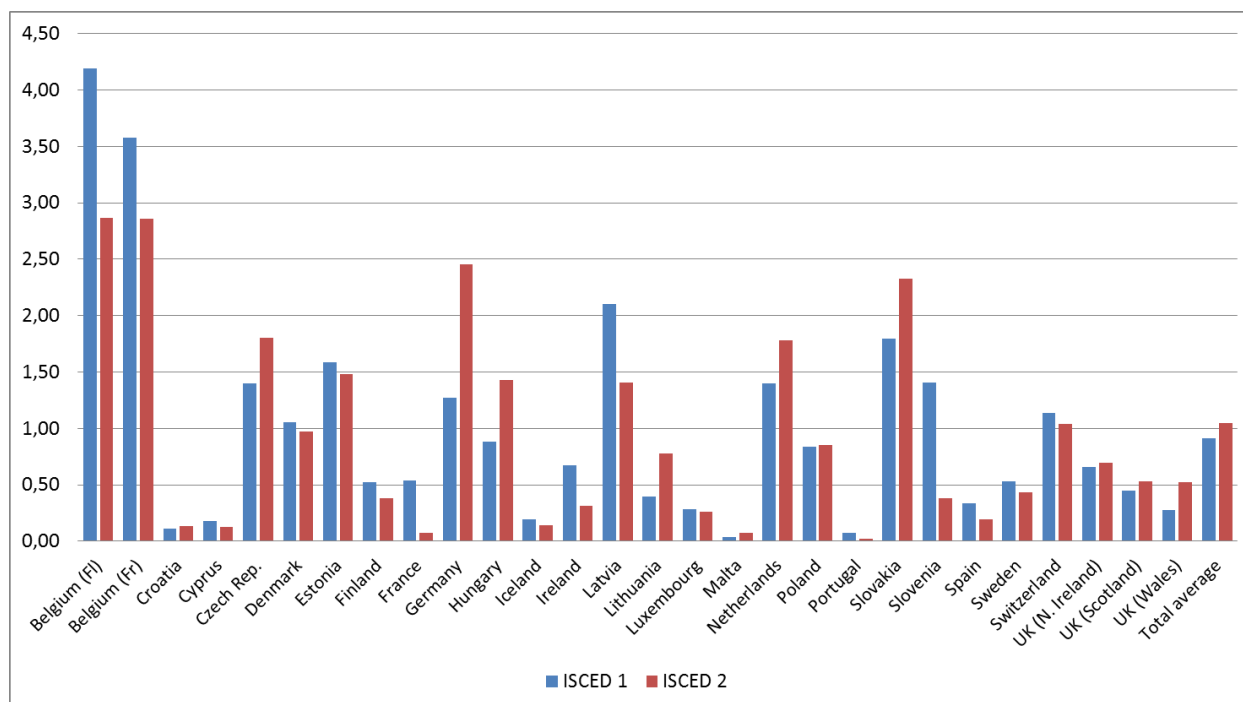


Source: European Agency, 2017

As with the gender breakdown of the overall population of learners with SEN (please refer to Figure 4 above), there are more boys than girls in special schools in every country. In most countries, the ratio is – once again – around two boys for every one girl.

Figure 10 presents an ISCED breakdown of the special school population in 28 countries.

Figure 10: ISCED breakdown of learners with an official decision of SEN in special schools, based on the enrolled school population



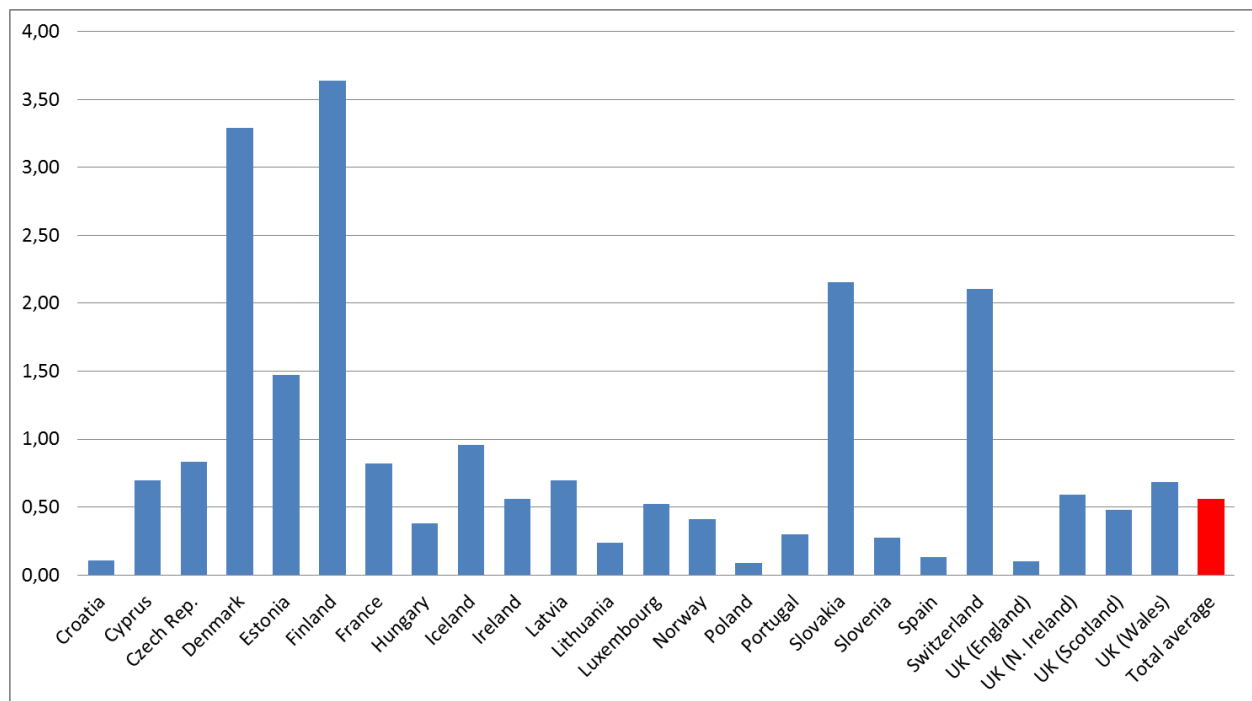
Source: European Agency, 2017

This figure shows that, across the countries able to provide data, the majority of learners with an official decision of SEN in special schools are studying in ISCED level 2 programmes (1.05% of the whole school population), as opposed to ISCED level 1 programmes (0.91%).

This data requires further examination, as it may indicate that there is a tendency for learners with SEN, including those with disabilities, to be placed in special schools for their secondary schooling.

The percentage of learners with an official decision of SEN being educated in separate special classes in mainstream schools is indicated in Figure 11 below.

Figure 11: Percentage of learners with an official decision of SEN in special classes, based on the enrolled school population



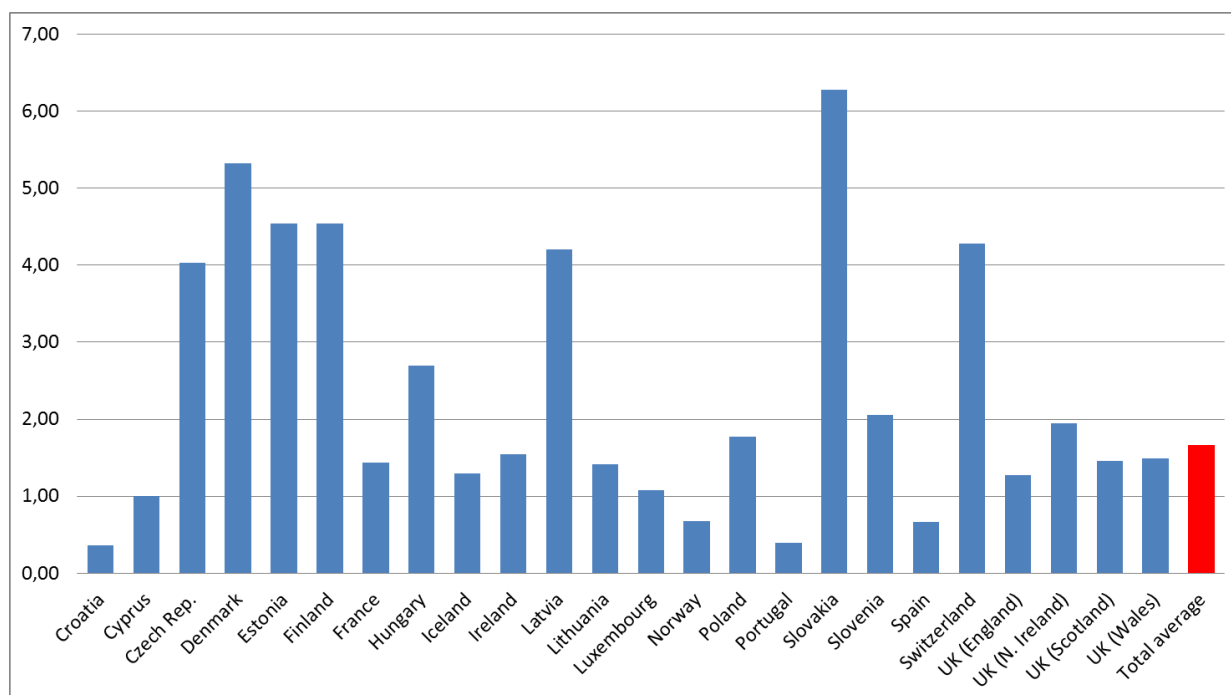
Source: European Agency, 2017

Data is available from 24 countries, with the range being from 0.09% to 3.64% and a total average of 0.56% of learners with an official decision of SEN being educated in separate special classes in mainstream schools, i.e. they may be enrolled in a mainstream school, but they spend the majority of their time away from their peers.

It should be noted here that, for many countries, it is difficult to provide data on learners in separate classes in mainstream schools. The provision of data on special schools (as presented in Figure 8) is more readily available in some countries.

Figure 12 below presents data from 24 countries on the percentage of learners with an official decision of SEN in fully separate educational settings, i.e. separate special schools, but also special classes in mainstream schools.

Figure 12: Percentage of learners with an official decision of SEN in fully separate educational settings, based on the enrolled school population



Source: European Agency, 2017

Placement in fully separate settings ranges from 0.36% to 6.28%. The average across the 24 countries is 1.67%.

In comparison with previous, similar datasets (i.e. European Agency, 2012), there appears to be an increase in placements within special classes in mainstream schools, as opposed to fully separate special schools. This may be an indication of the perceived changing role of separate special provision within systems for inclusive education.

The role of special separate provision can be understood within an educational rights perspective. For many countries, during recent decades (1970s, '80s and '90s), learners with the most severe disabilities and needs had no rights to education and the overall education system did not cater for them. In many countries, special schools were developed to support those learners and meet their needs and rights to education. For many learners with disabilities, separate specialist provision still ensures their right to an education.

Within the current educational policy framework – incorporating the UNCRC and UNCRPD in many countries – there is an increasing focus on inclusive education systems that aim to meet the rights of all learners to an inclusive education with their peers in their local communities (European Agency, 2015). In many countries, there is a policy-driven shift in the role of separate schools and classes towards supporting mainstream provision to meet the right to inclusive education for all learners – including those with disabilities.

5. PERSPECTIVES AND TRENDS

KEY FINDINGS

- The trend towards inclusive education is rooted in an inclusive education agenda promoting efficient, cost-effective and equitable systems for inclusive education.
- The trend towards inclusive education can be seen to be most effectively supported by decentralised education systems promoting flexibility at local and school levels, as well as within delivery.
- The trend towards inclusive education builds on a preventive approach to inclusive education, aiming to avoid exclusionary strategies and focusing on the enabling effect of capacity-building mechanisms.
- The trend towards inclusive education is anchored in governance and accountability mechanisms aiming to label the system instead of the learner.

Inclusive education is progressing in many countries and more and more learners with SEN are enrolled in mainstream settings. Such a trend depends on:

- the understanding of the roles and mission of education systems;
- financial and methodological incentives developed to encourage schools to be receptive to the diversity of educational profiles;
- governance and accountability mechanisms that help to embed inclusiveness in policies and practices.

This chapter focuses therefore on the main factors that support the development of inclusive education systems in light of existing policies.

5.1. A trend towards inclusive education rooted in an inclusive education agenda

The goal of inclusive education is rooted in policy initiatives developed by European countries to ensure that good quality education is accessible for all. Increasingly, European countries consider inclusive education as an agenda that enables all learners to access their right to education and increases quality and equity for all learners.

Most countries define inclusive education as a fundamental human right of all learners and have developed legislation and policy which are consistent with the principles of the UNCRC and the UNCRPD.

Many countries define inclusive education as a means for improving the quality of education of all learners. An increased number of countries have a clearly stated policy for promoting quality in inclusive education and have developed initiatives to reduce drop-out and early school leaving. These include support to schools with lower educational outcomes and the development of capacity-building mechanisms to improve the quality of school staff.

In addition, many countries outline a continuum of support for children and young people in schools to meet the full diversity of learners' needs. Many countries have transformed (or plan to transform) the role of special schools as a resource to increase the ability of mainstream settings to act inclusively and make learning opportunities accessible to all learners.

5.2. A trend towards inclusive education rooted in the development of systems for inclusive education

The implementation of inclusive education is also directly influenced by the ability of the systems for inclusive education to enable stakeholders to act inclusively. From a financing perspective, most European countries embed their goal of inclusive education in multi-level and multi-stakeholder systems for inclusive education that cover mainstream and specialist provision and are far more complex than the general education system. Such systems involve cross-ministerial and cross-sectoral mechanisms and may be framed differently and encompass different forms of provision and support. These depend on countries' national cultures, on the understanding of schools' missions and roles, and on the approach taken to disability.

Most countries' systems for inclusive education include spending that complements the general education framework. They may include a specific framework aiming to enable schools' stakeholders to implement principles underpinning inclusive education. This framework may include services targeting the needs of individual children or young people, or the needs of an entire working community, municipality or region. Such services may provide technical support and offer materials for the planning and implementation of support services. They may also offer advice and consultancy both at the system as well as at the individual level.

Systems for inclusive education may also include non-educational aspects that impact on learners' access to high-quality inclusive education. Such non-educational support is frequently provided to specifically compensate for the functional consequences of a learner's impairment – either through support for them or for their parents. It may include financial means and support for families that are often delivered by the ministries of health or welfare. These non-educational aspects also include the accessibility of buildings or transport and specialist support and means for reducing and/or compensating the functional consequences of different disabilities.

Most countries include in their resourcing mechanisms a specific framework for learners who cannot cope within general education and require separate provision. Such special settings may be the responsibility of the Ministry of Education or the Ministry of Welfare, depending on the country's approach to disability. Their role and missions may differ, however. In some countries, they act as resource centres, while in others they are meant to provide education to learners whose disabilities require educational approaches combining pedagogical, psychological and rehabilitation issues. In a third group of countries, special settings are part of a continuum of service provision. They provide an educational opportunity for learners who present the greatest challenge to schools.

The implementation of inclusive education policies depends on how the different system components are interconnected and able to empower stakeholders to act inclusively for learners and their families. Inclusive practice may depend, for example, on how the resourcing of physical accessibility supports access to mainstream education. It may depend on how the funding of extra-curricular support allows learners to be included in their local community, alongside their friends and peers. The efficiency and cost-effectiveness of inclusive education policies also strongly depend on incentives provided to all stakeholders in implementing inclusive education.

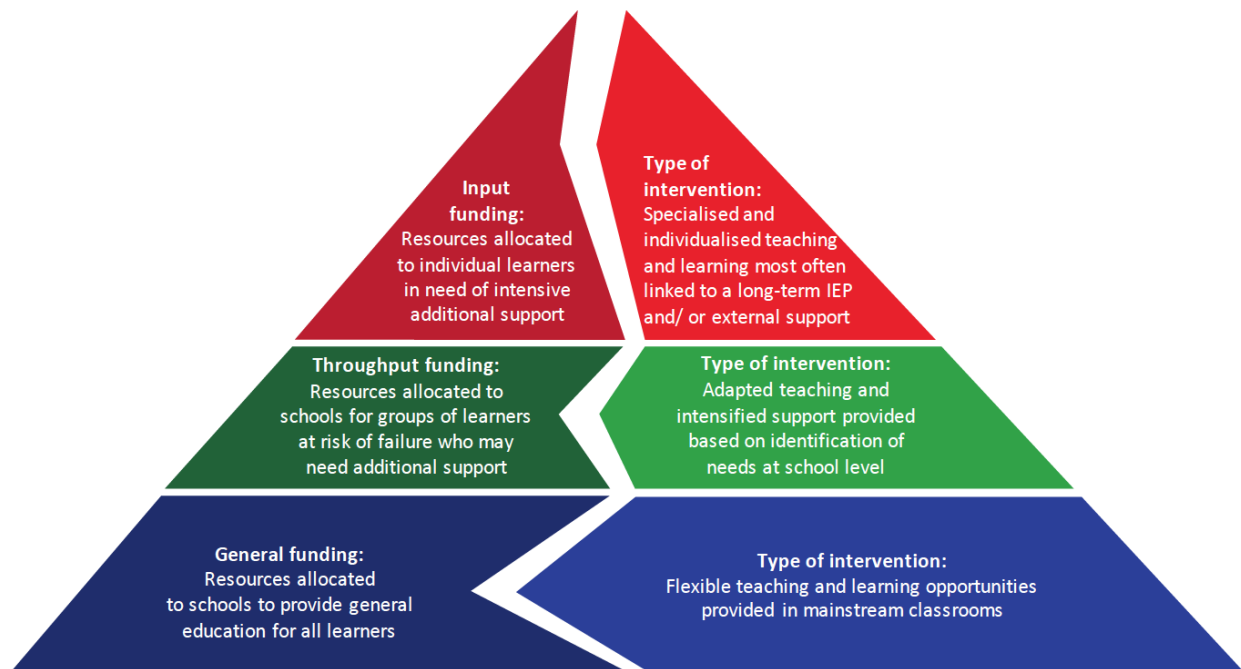
This may refer to the ability of the institutional framework developed within inclusive education policies to promote flexible and appropriate teaching and support for all learners. It may also relate to special settings' ability to effectively act as resource centres and to actively support mainstream schools, as well as regional or municipal stakeholders.

5.3. A trend towards inclusive education rooted in the development of personalised learning and flexible teaching

The implementation of inclusive education is also directly influenced by the financing mechanisms that enable the development of learner-focused measures, such as mentoring, personalised learning approaches and guidance. Approaches to the diversity and profiles of learners with SEN may depend on the focus of resource allocation mechanisms.

Indeed, many countries complement general resourcing of education with extra funding that enables schools to provide intensified support for learners experiencing difficulties in coping with school demands and who are at risk of failure. These extra resources can be understood as a throughput model of funding (also called a supply-side approach). This model focuses on services that schools provide to enable them to provide intensified support to learners who face difficulties in meeting schools' demands, without requiring the learners to be officially labelled by a multi-disciplinary team. Needs identification and the support provided to learners are the schools' responsibility. Schools are expected to provide learners with the same opportunities as their peers in learning and in achievement. The approach to diversity may not be confined to learners with an official decision of SEN (as defined in Chapter 4) and, in some countries, national authorities may not count these learners as learners with SEN (Ebersold and Meijer, 2016).

Figure 13: Resource allocation mechanisms for supporting learners in need



Source: European Agency, 2016c

Resourcing may also target learners in need of the most intensive support. Schools may face difficulties in adequately addressing these learners' educational needs within intensified support in classrooms and may require additional means and/or external support. Resource allocation follows an input model of funding (also called a demand-side approach). This model requires learners to be labelled by an official decision. Their need for support is defined by a multi-disciplinary team and described in an individual education plan (IEP). The official decision builds on an educational assessment procedure involving a multi-disciplinary team that includes members from within and outside the school. The official decision is stated in a legal document that describes the support the pupil is eligible

to receive and which is used as the basis for planning. It is subject to a formal, regular review process.

The way these funding approaches complement each other underpins the approach to diversity and schools' ability to personalise teaching and support. Countries that strongly connect eligibility for support in education with an official decision mainly frame the implementation of inclusive education within a demand-side approach. Here, the proportion of learners with an official decision is higher than that observable in other countries. By contrast, those countries supporting a supply-side approach tend to have a wider approach to diversity which may not be confined to those learners with an official decision. As a result, the proportion of learners with SEN with an official decision may be lower than the European average, although teachers may be exposed to a high level of diversity in the classroom (OECD, 2004; Ebersold and Evans, 2008; European Agency, 1999).

5.4. A trend towards inclusive education rooted in a preventive approach to inclusive education

Despite progress made and increasing expenditure on inclusive education, current policies that connect support and arrangements to labelling mechanisms prevent schools from seeing openness to diversity as an opportunity and prevent teachers from seeing learners with SEN as learners first. Such an approach seems to encourage exclusionary strategic behaviours, leading to learners in need of support being unnecessarily labelled as learners in need of an official decision or label (European Agency, 2016c).

Many countries therefore plan to promote systems for inclusive education framed within a preventive approach instead of a compensatory approach. This shift aims to avoid educational exclusion and longer-term social exclusion before these issues emerge, instead of developing initiatives primarily aimed at addressing the inability of legislation and/or provision to support meaningful inclusive education for all learners.

It may build on an inclusive design approach to educational accessibility that combines universal design for accessible learning with extra support when needed. Inclusive design in educational accessibility promotes a school-based approach to inclusive education – instead of a needs-based approach – that focuses on learning environments designed for all learners in terms of curriculum, assessment and pedagogy.

5.5. A trend towards inclusive education rooted in the enabling effect of capacity-building mechanisms

Despite progress made, current policies seem to encourage stakeholders to continue demanding that learners adapt to the education system, instead of adapting the education system to learners' needs. Teachers, for example, tend to pay less attention to the needs of learners with SEN compared to non-disabled peers and these are more likely to feel excluded in classrooms and in schools (OECD, 2007).

Capacity-building is therefore a key issue for developing effective, efficient and equitable inclusive education systems and avoiding costly unnecessary labelling. For example, *A guide for ensuring inclusion and equity in education* stresses the need for a systemic, capacity-building approach to developing inclusive education systems: 'Implementing changes effectively and monitoring them for impact, recognizing that building inclusion and equity in education is an on-going process, rather than a one-time effort' (UNESCO, 2017, p. 13).

Capacity-building may result in increased and improved pre- and in-service teacher training opportunities on inclusive education. It also builds on quality assurance mechanisms supporting schools' autonomy and social responsibility, as well as school management strategies promoting innovation, well-being at work and openness to diversity.

Capacity-building may also be supported by resource allocation mechanisms that incentivise special settings to act as resource centres enabling stakeholders to act inclusively on a daily basis at regional, local, school and classroom level.

5.6. A trend towards inclusive education rooted in effective governance and accountability mechanisms

Efficient and cost-effective inclusive education policies also depend on existing governance and accountability mechanisms (Busemeyer and Vossiek, 2015). The trend towards decentralised and flexible education systems needs to be balanced by adequate governance and monitoring mechanisms to avoid fragmented systems for inclusive education, to prevent adverse effects of autonomy on equity across schools and to allow for piloting and monitoring policies effectively.

Development of such governance mechanisms depends on the ability of funding mechanisms to ensure effective planning intended to develop appropriate and sustainable provision and to promote accountability procedures and mechanisms ensuring that allocated resources effectively reach the intended learners with SEN and that the resources are well spent. It also requires external control of resource levels and performance standards, as well as reliable indicators and statistical data which allow for:

- comparing the situation of young adults with disabilities to that of the general population;
- determining the enabling effect of the strategies and practices employed and of the support and arrangements provided;
- evaluating the quality of the paths taken by learners with disabilities.

Furthermore, effective and equitable systems for inclusive education do not solely require that the lowest levels of authority have educational responsibilities (European Commission/EACEA/Eurydice, 2014). They demand governance and accountability mechanisms promoting an integrated framework that fosters inter-institutional cooperation. Such mechanisms allow for consistent policy goals and eliminate ambiguity in stakeholders' understanding of their roles and responsibilities. They promote strong cooperation between education and welfare stakeholders and prevent barriers and gaps during transition periods, granting learners access to the support needed in all domains. Consequently, they support effective and coherent educational pathways, as well as cost-effective inclusive education policies.

By contrast, uncoordinated cross-sectoral funding generates overlaps in responsibilities. This not only confuses learners and their families, but also increases costs related to inclusive education. Increased costs may cause compartmentalisation between stakeholders. This makes it difficult to ascertain the total amount allocated to implementing inclusive education and, consequently, to precisely measure the cost of inclusive education.

6. CONCLUDING COMMENTS

To conclude, countries are showing political will to implement inclusive educational policies, as recommended and supported by the key international and European organisations. However, at the same time they are facing challenges around implementation. There is a clear need to increase the education systems' capacity to provide high-quality education for all learners. It also appears that high quality goes together with the best use of human and financial resources. However, it is also evident that countries are not always able to fulfil these objectives and require support to do so.

The European Agency's *Position on Inclusive Education Systems* has been approved by the representatives of the Ministries of Education for their cooperative work. It summarises the situation quite well: 'All European countries are committed to working towards ensuring more inclusive education systems. They do so in different ways, depending on their past and current contexts and histories. Inclusive education systems are seen as a vital component within the wider aspiration of more socially inclusive societies that all countries align themselves with, both ethically and politically. The ultimate vision for inclusive education systems is to ensure that all learners of any age are provided with meaningful, high-quality educational opportunities in their local community, alongside their friends and peers' (European Agency, 2015, p. 1).

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ISBN 978-92-846-1609-1 (paper)
ISBN 978-92-846-1610-7 (pdf)

doi:10.2861/430263 (paper)
doi:10.2861/14468 (pdf)