

The Inclusive education: Policy Issues and Challenges, the rights in the amended Special education law (2018).

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Israel

Special Needs Education: Policy Issues and Challenges in the state of Israel

Special education is based on the following laws:

The Law of State Education (1953)

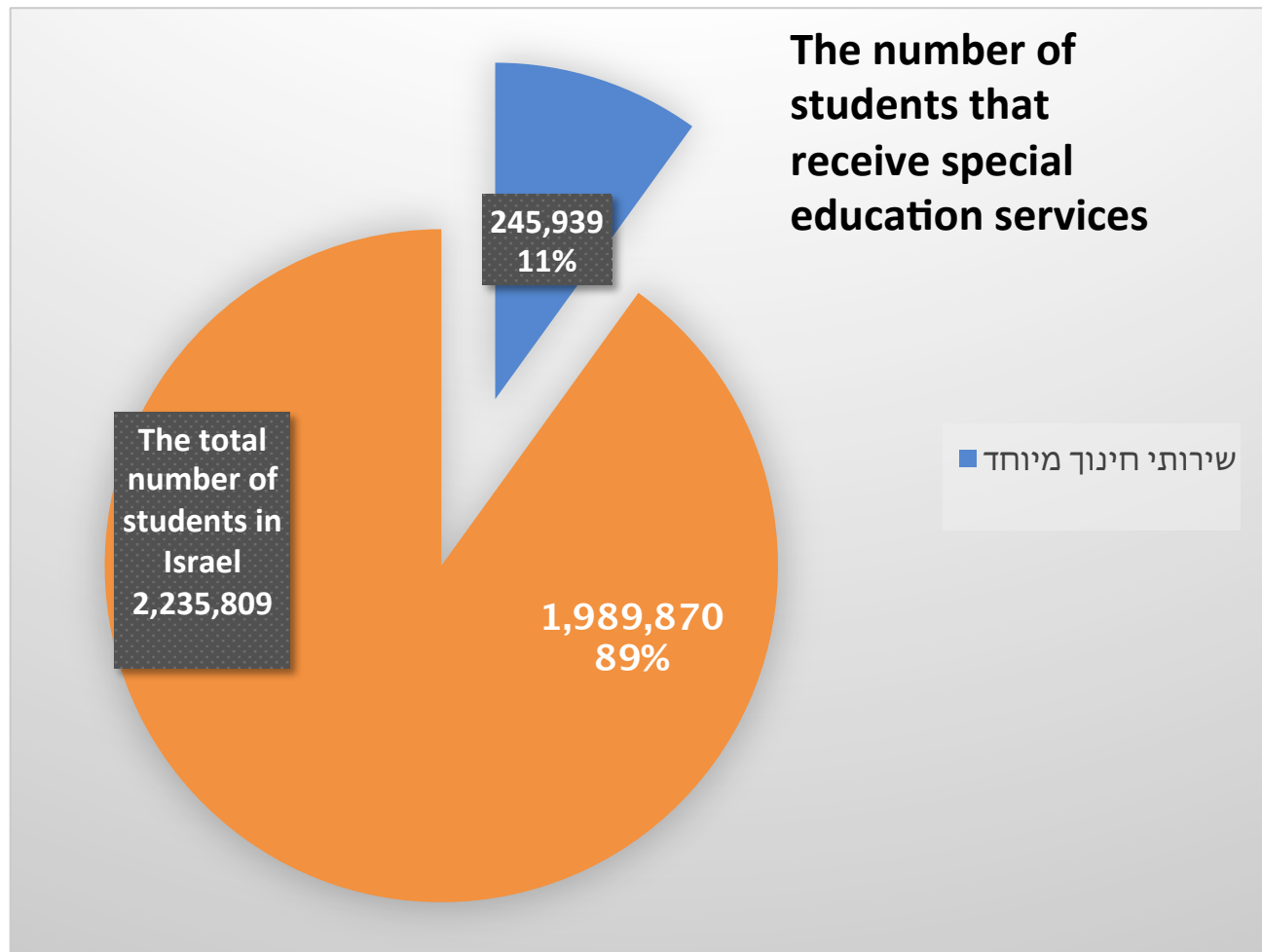
Special Education Law (1988), including the chapter on integration (added 2002) and the law amendment Nr. 11 (2018).

The Law of Equal Rights for People with Disabilities (1988), including the chapter on accessibility (added 2003).

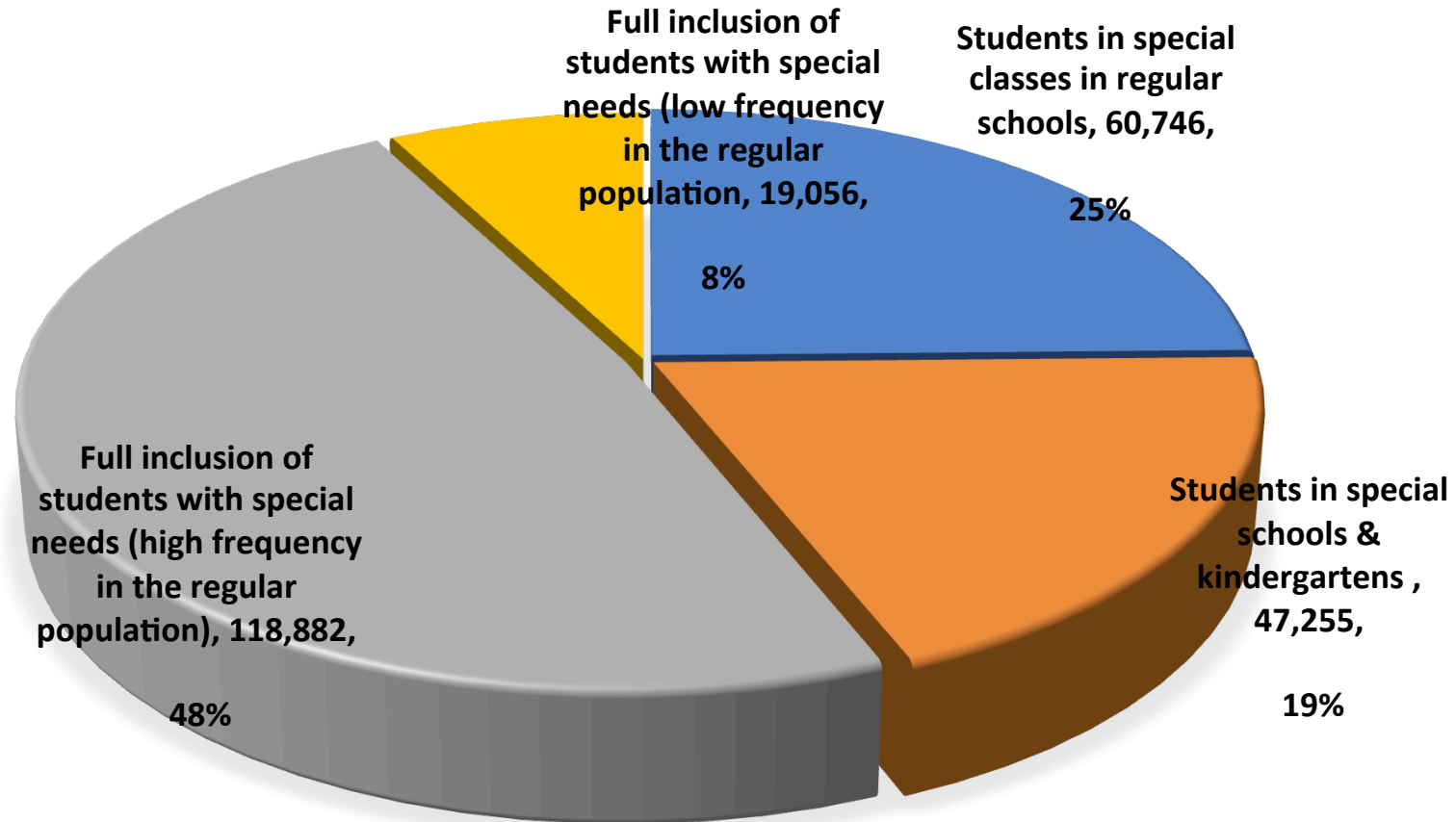
The law implementation- 1988

- The master plan for implementation was only ratified in the 1995 academic year. During the period of implementation, an emphasis was given to inclusion of children with special needs in general classrooms.
- It was stated that special education does not relate to a place, but rather to a range of educational, didactic, and therapeutic procedures that are carried out in different settings.

Students with special needs in the Israeli system (2019).



The percentage of children with special needs in the education system.



Total: 245,939 students

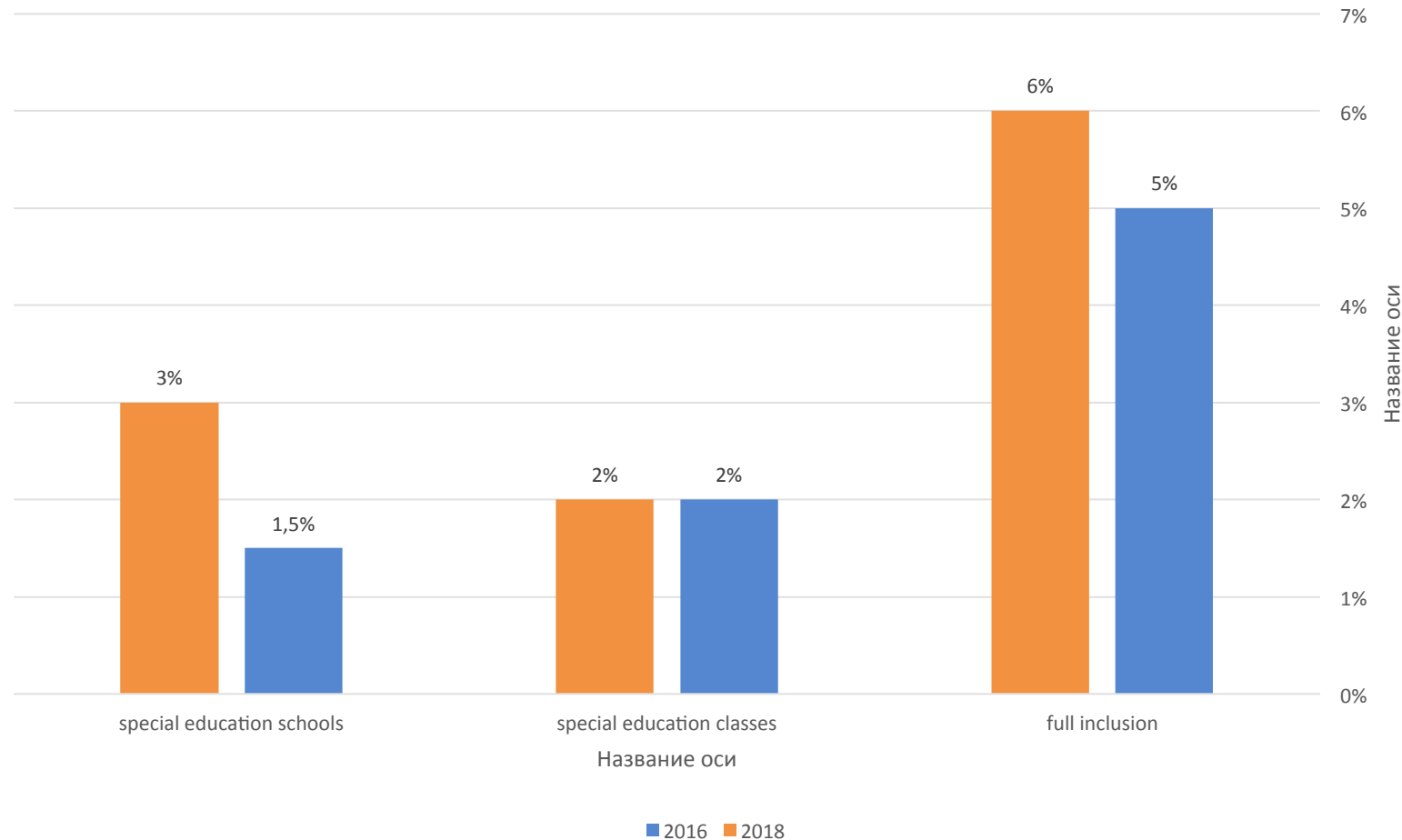
Critics of Israel's Special Education Law- 1988 and the need for change

- Critics of Israel's Special Education Law state that it views disability from a deficit and medical model, rather than an educational model based on the analysis and reinforcement of strengths and abilities.
- The involvement of parents in their child's education was limited. Although the parents had legal rights to attend the Placement Committee meetings, they didn't take an active part in the decision- making process.
- The budget doesn't support the least restrictive environment concept. Inequality in the allocation of resources among students in special education and students integrated in the ordinary education – is still in practice. Students with special needs in special classes receive higher budget than pupils in ordinary classes.
- Special education however remains highly categorical and segregated and hence has a long way to go.

The need for amendment of Special Education Law (1988).

- *Israel's Special Education Law was an attempt to create procedural certainty and codify guidelines for referring the students with special needs in the least restrictive environment.*
- Although the Special Education Law reflected a principle that priority should be given to integrating students with special needs in regular schools it was found that by 2018, almost two decades after the amended law (2002), the share of students with special needs integrated into mainstream education did not increase but rather decreased from 66% to 56%. This decrease is inconsistent with the principle reflected in the law that intend to place students with special needs in least restrictive environment.

Percentage of students receiving special needs education comparison between 2016 – 2018.



Defining the problem of Israel's Special Education Law (1988).

The budget doesn't support the least restrictive environment concept. Inequality in the allocation of resources among students in special education and students integrated in the ordinary education – is still in practice. Students with special needs in special classes receive higher budget than pupils in regular classes.

Supports in ordinary class vs special classes

- 5.4% of the students in the ordinary schools receive eligibility for special needs (1.85 hours per student per week)-non personal budget -an automatic support. A committee at the school level decides which child will be included in the special education program. The fact is 8%-10% of the children are included in the special education programs. It means that more children receive less.
- Additional support (2.7 hours per student per week), to those with an identified disability (Low frequency in the regular population): moderate mental retardation, Autism, mental disorders, cerebral palsy, rare diseases. In addition those children receive personal teacher-aid, based on the student's degree and type of disability.
- The special education budget in special classes is based on a class budget differentiated on age and type of disability. The kindergartens receive more services as well as the segregated classes in special schools.
- For instance, an Autistic student receives 11 hours per student.

Supports in Special education class & school for students with Autism

- Extra hours per day – from 8:00 to 16:45.
- Extra days per year- long vacations including July and two weeks in August.
- Teacher-aid
- Feeding
- Transportation
- Therapies: 3.4 hours per student per week.

Special education law amendment 2018

Special education law – 1988

- View the disability from a deficit and medical model
- Students with special needs in special classes receive higher budget than pupils in full inclusion. The least restrictive placements offer the least intensive services.
- The special education budget is based on a class budget differentiated on age and type of disability. The kindergartens receives more services as well as the segregated classes in special schools.

Special education law amendment (number 11, 2018)

- View the disability from an educational model, based on the analysis and reinforcement of strengths and abilities.
- Each student will undergo a special test to determine his functional level, based on international classification of function - (ICF). The results will determine the kind of support and budget that the child receives, regardless the educational setting.
- The school will receive the funds, but the budget will “follow the child” according to his functional level.

Special education law amendment

Special education law - 1988

- A local placement Committee decides where the child will be educated and gives “priority to placing the child in a state recognized school that is not a special education school” – means least restrictive environment.
- The law does *not* guarantee parental or the child’s teachers’ participation in the Placement Committee.

Special education law amendment (Nr. 11, 2018).

- The placement Committee will be replaced by Eligibility Committee to special education services.
- Each student will undergo a special test to determine his functional level. The results will determine the support and budget.
- Only the parent choose the type of the school for his child.

How to make inclusion a real option?

- Based on the special education law amendment, Enable parents of children with special needs to realize their right to choose the education framework which their child will study - A choice between three different educational settings (full inclusion, special class in ordinary school or special school).
- Providing to the student services according to characterization of his individual educational needs regardless the school setting.
- The next step is to provide an additional budget to support the parent choice (about 25 million \$).
- It was found that the ordinary institutions have no sufficient educational tools to meet the special needs of the students with different disabilities. Therefore the Ministry of education ought to prepare a detailed action plan to formulate such tools and to implement the inclusion plan.
- Providing educational tools managing pupil's behavior and fostering the child's social inclusion in the life of the school.
- Paramedical therapies such as speech therapy, treatments in art and expression as well as behavior analysis tools, can help students and educational staff to deal with these disabilities.

Some practical recommendation to promote inclusion

- Special training for ordinary teachers to deal with diversity in the classroom.
- Individualized education program (IEP) for each student, however, it should be reminded that the basis for the lesson planning is the plan for the whole class and the purpose of the IEP is to complement the lesson plan to ensure that the learning outcomes are achieved.
- Special training for teachers' aides
- Special training for inter disciplinary integrated team working.

The Curriculum: Basic principles

- Obligation to access the general curriculum in all settings
- Obligation to core curriculum regardless of the intellectual function of the students
- Ensuring participation & progress in the curriculum by providing:
 - Educational services
 - Supports
 - Modifications
 - Individual goals in the IEP

Summary

- The provision of special services to children with disabilities has undergone rapid changes. Today, we are seeing dynamic changes in special education paradigm based on human rights; and we have witnessed the development of a professionally rich and engaging work atmosphere.
- It is an exciting, yet confusing, time to be involved in the implementation of the amendment of special education law in Israel.
- Since 2019 the Department of Special Education runs an experiment (pilot) in the north of Israel to test how the 11 amendment of the Special education law can be implemented.
- At the current academic year (2019- 2020) the law should be implemented in the whole educational system.
- It can be assumed that the process, if exhausted, will end at the earliest only towards the year 2021, a decade after Dorner Commission submitted its recommendations to the Ministry.