

Background material for ECNAIS seminar in Prague, 23-25/11/2017
prepared by selected ECNAIS member states (Czech Republic, Bulgaria, Finland, the Netherlands, Portugal,
Greece)

Theme: Inclusion in education

The Netherlands

1. Background of the educational system – main facts which affect specific form and structure of the education system, local accessibility of education, structure of the founders of schools etc.

Education in the Netherlands (17 million inhabitants) is known for its large degree of autonomy for school boards its long history of constitutional guaranteed freedom of education coupled to the right of equal financing of independent schools. The state provides funding, mostly **via block grants added by some special grants, for instance for education of children with special needs and disadvantaged children of parents with a migration background or a low level of schooling**. Municipalities are obliged to provide proper housing of all schools. As a result of the equal funding, about 70% of pupils in primary and secondary schools go to independent schools, most of which have a Catholic or Protestant identity. There are also independent schools with a pedagogical or non-Christian profile and identity (e.g. Muslim, Jewish, Waldorf-Steiner, Montessori etc.). A state inspectorate oversees the quality of the schools and there are national standards on (among other things) the core of the curriculum as well as national exams at the end of secondary education.

Overall quality of education is high and the system scores also rather high on equal opportunities for all. The Dutch education system consists of 8 years of primary education (age 4 to 12), 4, 5 or 6 years of secondary education and 2 to 6 years of vocational or higher education (depending on the type of education and the specialisation). Both public and independent schools exist at all levels of the education system, including schools for children with special needs, called special schools.

2. Definition of the legal term “pupil with special educational needs” – do you have a legal definition? Which one? Does it include also gifted and extremely gifted pupils?

There is no clear legal definition of children with special needs, but there is a consensus that children with physical handicaps or mental deficiencies (low IQ, autism, ADHD, behavioural problems etc.) are meant. Children with special talents or extreme high IQ are normally not included in this category. Another category is children who are disadvantaged because of the fact that their parents speak a foreign language and/or have a low education themselves (e.g. low literacy). For these children there are special programmes and facilities and schools receive more financial support if they have high numbers of them.

3. Basic principles and rules on which the education of pupils with special educational needs is built in your country – right to education, rights in education, structure and conditions of “support measures” provided to pupils with special educational needs, aspect of “best interests” of the pupil etc.

The Dutch Constitution (in line with international conventions) prohibits discrimination on any grounds and therefore children with special needs (however serious) are entitled to education of the same level and quality as that given to other children.

An important aim of legislation and policy introduced in 2014 is to improve the realisation of education for every pupil with special educational needs within the regular educational system. **This policy called *fitting education* arose out of the need and desire to improve the care for special needs pupils, to streamline the provisions for special needs education which each have their own funding and procedures, and to avoid children get lost in the system. As there had been a rise of children going to special education in the previous years, an important aim was also to turn around this trend.**

The national government has decided that every **school board has the responsibility** to provide appropriate education for every pupil that enrolls, regardless of his specific educational needs and the kind of support he needs. By collaborating with other school boards at a regional level in a *cooperative for fitting education*, schools are required to arrange educational provisions in such a way that every child can be educated taking into account their special educational needs. There are circa 150 of these regional cooperatives, half of them in the primary school sector and the other half for secondary schools. Schools are provided with the means to hire extra staff (for instance from special schools or centres of expertise) and to organise schooling for their own staff in order to cope with children with special needs that used to be sent to special schools. **Schools are free to decide on how and what arrangements are offered.** Some important features of the legislation since 2014 are:

- **no child left behind: school boards have the (collective) responsibility (organised within regional platforms) to provide an adequate place in the educational system for every child;**
- compulsory cooperation between boards of different school types, including primary, secondary and special education;
- cooperation between schools and other organisations and institutes responsible for the care and well-being of children (health organisations, youth care, municipalities etc);
- participation of all stakeholders around the pupils (school board, management, teachers and parents).

4. Special schools – their existence, target groups, conditions for admission,

The schools for (primary and secondary) special education are subject of the Expertise Centres Act and are divided into four categories:

- Category 1: schools for the visually impaired or for children with multiple disabilities including visual impairment.

<p><i>founders; if special schools do not exist - a description of the education system for pupils with the most severe forms of handicaps</i></p>	<p>(Most visually impaired pupils attend mainstream schools, with special facilities and support during most or all of their school career.)</p> <ul style="list-style-type: none"> • Category 2: schools for hearing impaired children and children with communication disorders (due to hearing, language or speech difficulties or autism) or for children with multiple disabilities including hearing, language or speech impairment. • Category 3: schools for physically and/or intellectually impaired children and children with a chronic physical illness, such as epilepsy. • Category 4: schools for children with (severe) mental or behavioural disorders including schools attached to pedagogical institutes. <p>The organisation and provision of transport to and from these special schools rests with the municipality. The regional cooperatives for fitting education are responsible for the procedure around admission of pupils and the allocation of some of the finances to these special schools.</p>
<p>5. Financing of the system of education of pupils with special educational needs - how the system takes financially into consideration a pupil with special educational needs and his demands, both in a mainstream school and in a special school</p>	<p>Total is € 18,16 billion paid by the Government to schoolboards on education. Is €15.76 billion of that money paid directly for basic training for all courses in primary and secondary schools. The other part €2.4 billion is paid to fitting education or extra care. A state grant for special education which is regarded as covering the costs of so called heavy care is payed directly to special schools; €252 ml. for schools for the blind and for the death and €687 ml. for expertise centres of the categories 3 and 4. A grant of €1.461 million is distributed amongst the regional cooperatives for <i>fitting education</i>, part of it will eventually be allotted to special schools (or expertise centres). A further €699 ml., is paid to secondary schools linked to the aid of slow-learning pupils.</p>
<p>6. The legal role of parents in educating their children with special educational needs - How is the parent's right to choose a child's educational path implemented? What are</p>	<p>Children with special needs are given as much as possible the chance to be included in regular schools. School boards are obliged to take notice of the wishes of the parents. All regional boards of cooperatives for fitting education must install a parents' council with certain advisory rights defined in the law. A special semi-judicial instance has been set up, dealing with conflicts between parents and schools around fitting education.</p>

<p><i>possible solutions in case of conflict of parental and professional opinion in a concrete situation?</i></p>	
<p>7. Role of non-public schools in education of pupils with special educational needs</p>	<p>Independent and public schools work together on the regional level to serve children with special needs within the regular schools. Independent schools take an equal share in this ‘burden’. Moreover a large number of special schools belong to the independent sector.</p>
<p>8. Current issues and discussions you are facing in this area in your country</p>	<p>Some current issues and discussions:</p> <ul style="list-style-type: none"> • Regional cooperatives refer children to special and regular schools regardless of the fact that these schools have certain identities and parents adhere to certain religious beliefs or non religious worldviews that should be respected. Diversity of schools and freedom of education may be endangered by this arrangement. • Municipalities tend to become more influential as there has been a decentralisation in the field of youth care from central to local government. They can use their powers to reduce the autonomy of school boards. • The regional cooperatives for <i>fitting education</i> of school boards can be regarded as a template for more policy areas (e.g. housing of schools). Local and national government could try to establish regional education boards taking over authorities of school boards that are now independent and in many cases still organised on a small scale, especially in primary education. • Despite all efforts there are still to many pupils with special needs staying at home (mostly for a short period) because none of the schools in the area is able to educate them in a proper way (or parents are not willing to cooperate). • The effort to facilitate special needs within regular schools and classes may be seen by some teachers as adding their already heavy burden. Moreover some parents may resist to it out of fear that their children get less attention of the teacher as a result. Coping with these kind of tensions is a challenge, particularly also for school leaders. • The quality of education for pupils with special educational needs, irrespective of the place where education takes place. There is more attention now for learning outcomes, especially regarding language development and mathematics. The Inspectorate has become increasingly critical on these kind of outcomes in special and regular schools. There are several initiatives to enhance curricular frameworks, material resources and capacity building in schools. The well-being of pupils

	with special needs stays an important aim, but the importance of their cognitive development is more underlined as a gateway towards equal opportunities.
9. Contact person for further information	Wim Kuiper Association for Catholic and Christian education of Netherlands e-mail: wkuiper@verus.nl

Comments of preparatory team and answers on supplementary questions

1. Competencies of school boards and their regional platforms

The background material shows strong competencies of school boards and their regional platforms in deciding how to educate a child with special educational needs (where, with what kind of support etc.) and how to allocate state funding determined for this area. We would welcome more detailed information on how these authorities work and how is implemented the “collective responsibility” that is mentioned in the material (including a special semi-judicial instance dealing with conflicts between parents and schools).

A fixed percentage per number of pupils in a region ensures regional budgeting. There are 152 regions (split between primary and secondary education). The regional board (consisting of individual members of school boards) determines which children are going to special education (based on a declaration of admission). This provision is called “heavy care”. Then those responsible for special education write these pupils in their schools. The budget for these children is taken off the total budget of the regional board. The board then distributes the remaining funds for appropriate education within the regular schools for pupils who are in need of so called “light care” which can be offered by specialists within their own staff or specialists hired in from for instance special schools. The platform decides whether the money is paid to the school boards in advance or afterwards.

2. Homestayors

We found interesting the fact, that “despite all efforts there are still too many pupils with special needs staying at home (mostly for a short period) because none of the schools in the area is able to educate them in a proper way (or parents are not willing to cooperate).” The children with what kinds of special educational needs are the most frequently mentioned? How do these children (although temporarily) fulfil their compulsory school attendance? How is this fact perceived by the public?

Every child has a right on education as well as the obligation to follow it. In 2016 there were 9,388 children who were temporarily not cared for by schools (‘homestayors’), of whom 4,194 children did not attend school for more than three months (out of a total of circa 2,5 million). As a percentage this is of course very small, but the amount is still unsatisfactory. The municipality is obliged to find a solution but it needs the support of the local schools. The new government wants to make schools responsible for this problem in a more direct way. In the public opinion, the media and in politics this is regarded as a major problem that should be solved.

3. Amount of children with special needs and amount of budgets compared to children en finances of regular education (schoolyear 2015/2016)

We will welcome some basic figures about proportion of children with special educational needs educated in special schools to the total number of pupils in nursery, basic and secondary education, proportion of number of regular schools to special ones etc.

In primary education there are 1,443,200 children in 6,431 schools (7,500 buildings), of whom 29,000 are in 284 special schools. In secondary education there are 995,600 children in 638 schools (900 buildings). In secondary special education there are 38,000 children.

The budget for primary and secondary education including special education funded by the state is € 18,16 billion. Of this money € 15.76 billion for is for regular education. For education for children with special needs all the money goes to the regional boards. The money for special schools, called “heavy care”, is paid directly to the schools. The special education fee is 252 million for schools for children with visual and hearing difficulties and 687 million for schools for children with other physical and/or behavioral problems. A budget of 1.461 million is earmarked for “light care” and distributed on the basis of regional decisions. On top of this a special grant of 699 million is paid to secondary schools for slow-learning pupils.