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A combined evaluation of the Together to School Again policy and the Expertise Centres policy (including the pupil-bound system) in 2005 resulted in the decision that a paradigm shift was necessary. After a long period of preparation and testing, the 'Education that Fits' policy reform was introduced in 2014. It aims to lay more responsibility for including pupils in mainstream schools on the regions by introducing regional school alliances between mainstream and special schools. The alliances receive fixed budgets that can be used in either mainstream or special schools.

The Education that Fits policy led to changes in the laws for primary, secondary and (secondary) special education, and subsequently to changes in the system. In this new system, the criteria for admittance to special schools are set by the regional school alliances. A school alliance's budget for financing the support in mainstream and special schools is based on the total number of learners in the region. The fixed budget stimulates the school alliances to support learners with SEN more often in mainstream schools, while it is also possible to create more tailor-made support, in mainstream or in special education.

Regarding the broader legal framework, in 2007, the Equal Treatment by Virtue of Disability and Chronic Illness Act was changed/adapted. Before then the Act only applied to employment, living and vocational education. Since 2009, the Act has also applied to primary and secondary education ([European Agency, 2020](#)). This legislative change also provided input for the Education that Fits policy reforms in 2014.

There has been an on-going debate for decades now about how to stimulate more inclusive education. At the same time, much effort has been made to improve the quality of education offered in special schools (Act on Quality of (Secondary) Special Education, 2014). Many parents and teachers are in favour of special schools. Due to separate laws and systems, it is difficult to integrate special and mainstream education, but not impossible, there are several (legislative) possibilities for the co-operation between mainstream and special education, and the integration of pupils and students in mainstream education. On the basis of the ratification of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) in 2016 and the evaluation of the Education that Fits policy in 2020, the subject is again on the political and social agenda ([European Agency, 2020](#)). Since 2018, the national government has been facilitating several experiments for the integration of special and mainstream schools. For this purpose the Ministry of Education has published a policy regulation that allows schools to experiment with offering their pupils (partial) joint education and/or housing. Initially applications for these experiments came mainly from special schools in co-operation with 'mainstream plus' schools (primary education), but in the last two years mainstream schools and schools in secondary education have also been participating. The experiments are on the one hand meant to stimulate the bottom-up movement towards further inclusive education, and on the other hand to learn about the necessary changes in



system, legislation and financing on a national level, to make the integration of special and mainstream schools on a larger scale possible.

Meanwhile, the Education that Fits policy will be continued and several ameliorations are now being implemented to improve the impact on pupils, their parents, teachers and supporting professionals in mainstream schools. Examples of policy measures for the improvement of Education that Fits are: enacting a law on the child's right to be heard about their educational needs and support in school, mandating school alliances to set up an independent youth and parent support centre in their region, working with the institutes for initial teacher education to further enhance their preparation for SEN in mainstream schools, and a national standard for basic support for children and teachers that should be available in every school.

In 2020, the former Minister of Primary and Secondary Education articulated the ambition to grow towards the next step in inclusive education, in which many (not all) special schools will transform into specialised networks, and even more pupils will be embedded in mainstream schools.

Together with the organisations representing all important stakeholders, he stated the following mission:

In the upcoming 15 years we will work towards more inclusive educational services, with the transformation of special schools towards specialised networks. The aim is that pupils with and without special educational needs will go to the same mainstream school, be in the same classroom (as often as possible), play together or meet each other in and around the school.

[Evaluation of Education that Fits policy document](#) (2020, in Dutch)

## **1.2 Legislation and policy definitions linked to key concepts within inclusive education systems**

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### **Inclusive education**

To enact the Education that Fits policy, the Primary Education Act and Secondary Education Act were amended. The aim is to improve the realisation of education for every learner with SEN within the education system, wherever possible in mainstream schools.

The Primary Education Act and Secondary Education Act state that education should be aimed at uninterrupted development for pupils.

By law, every school board is responsible for providing adequate education for every learner who enrolls, *regardless* of their specific educational needs or the kind of support they need. By co-operating with other school boards within the regional school alliances, schools are required to arrange educational provisions in such a way that every learner can be educated, taking into account their special educational needs. Schools are free to decide on how arrangements are offered.

The mission for working towards an even more inclusive system for primary and secondary education (further integration of special and mainstream schools) has not been



crystallised into legislation or policy definitions yet. At the moment, the Ministry and all relevant stakeholders are developing a work agenda for schools, school alliances and national policies to more inclusive education.

### **Special needs education**

For learners with more severe educational needs that cannot be met with the available support within mainstream classrooms, specialised provision can be offered in a special school. These special schools have to adhere to the Expertise Centres Act (WEC, 1998). In the Netherlands, there are four types of special schools, each targeting a specific cluster of SEN:

1. Learners with visual impairment or multiple disabilities, including visual impairment.
2. Children with hearing impairment or communication disorders (due to hearing, language or speech difficulties or autism), or children with multiple disabilities including hearing, language or speech impairment.
3. Children with (multiple) physical and/or intellectual impairments and children with a chronic physical illness, such as epilepsy.
4. Children with psychiatric and/or severe behavioural disorders.

In 2012, the Act on Quality of (Secondary) Special Education took effect, aimed at higher quality education, support and attainment targets. With this Act, three profiles (based on the outflow) in secondary special education were introduced: further (vocational or higher) education, labour market and day care/activities.

### **Learners vulnerable to exclusion from inclusive education**

In the Netherlands, this definition is not described in legislation or official policy documents. When the population of learners that is vulnerable to exclusion from inclusive education in the Netherlands is examined, this contains two main target groups:

1. learners with special educational needs that go to separate special schools, because these schools can meet their needs better than mainstream schools can;
2. learners who (temporarily) cannot attend school due to a lack of required support from school and/or youth care for physical and/or mental disorder(s).

In the Netherlands, learners with a disadvantaged background (for example from families with a low socio-economic status and/or migration background) or who experience discrimination on the basis of gender, are not so much vulnerable to *exclusion* from inclusive education, since they are enrolled in schools. They are, however, vulnerable to educational disadvantages and unequal opportunities for participation in society. To combat these risks, policies are aimed to foster social inclusion and participation of learners in society.

### **Learners with special educational needs**

Within the legal framework of Education that Fits, learners with special educational needs are no longer defined or identified on a national level. The Act aims to provide learners with the best fitting educational context, in a mainstream school wherever possible, or in



special education if needed. Learners who need extra support to meet their educational needs (on top of the basic support that is provided within each school), are identified by the school. The school alliances set up the criteria and procedures for providing extra support within their region. Medical diagnoses are no longer leading the decisions made about extra support, but rather the educational needs of the pupil. The alliances are also responsible by law for assessing which learners are eligible for special education and for giving the declarations of admission to special education. Therefore, learners who are eligible for special education are also not nationally defined. However, because of the registrations of enrolment in the four types of special education, these learners can be monitored on a national level. Since the Education that Fits Act, learners' capabilities, needs for support and progress of the given support should be assessed in a personal development plan, both for learners who receive extra support in mainstream schools, as for learners in special schools. Before 2014, assessment was more focused on learners' disabilities (and therefore more on medical labels).

### **1.3 Individuals or groups of learners vulnerable to exclusion from inclusive education focused on in the report**

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The replies focus on two groups of learners vulnerable to exclusion from inclusive education:

1. Children with learning disorders, behaviour disorders, language disorders, physical or sensory disabilities who are enrolled in special schools but could function in mainstream schools if they are given adequate extra support, full-time or part-time, and pupils in 'mainstream plus' schools.
2. Children, often with complex and multiple problems, who do not attend any school during at least more than three months without an admissible reason (out-of-school learners). This group also includes children with an official temporary exemption from compulsory education due to mental or physical disorders; it is now known that some of these children can go (back) to school when proper support and context is realised. The group of children who are out of school is very small, however (less than 0.5% of the total population in primary and secondary education). Right now, the Ministry of Education is working on a new law for reducing absenteeism from school and to improve the registration of out-of-school learners.

### **1.4 Development of thinking around learners vulnerable to exclusion from inclusive education**

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Regarding the first group of learners in section 1.3, there is an on-going discussion in the Netherlands about the amount of learners that attend special education. The question whether too many children with SEN go to special schools has been part of the public debate since the Together To School Again policy (starting around 1980). The expectation with the Education That Fits policy was that the decentralisation to regional school alliances, the responsibility for school boards to find the best fitting education for learners



with SEN, combined with the fixed budget for regions for realising support in mainstream and special schools, would lead to better and more support for learners in mainstream schools. This thinking has broad support in society, but there is also resistance, among parents of learners with and without SEN, as well as among teachers and politicians. The fear is that if the possibilities for enrollment in special schools become limited (either because of policy or because of funding), this could be detrimental for some learners' development.

In this debate, an important aspect is the shortage of teachers, group sizes and high workload of teachers. Among a section of the teachers and other school professionals, there is still a mindset that including learners with SEN in mainstream classrooms leads to increased workload. Another aspect is the rights of parents and learners and their voice in decision-making for the best-fitting school and extra support.

On the other side of the debate there is also a strong call for taking the next step towards inclusive education, by making support in mainstream schools more accessible for learners who are now still in special schools. This side of debate is also about taking a more context and group-based approach to inclusive education, in contrast to the more individual-based approach of individually tailored arrangements for learners.

The out-of-school learners (the second group of learners in section 1.3) have gained more attention since the Education That Fits policy, which is explicitly aimed at reducing the number of learners who do not attend school to zero. This group is only a very small fraction of the total population (less than 0.3%), but their needs are high on the political agenda. It is a complex matter, because out-of-school learners are usually dealing with difficulties in multiple aspects of their lives, such as multi-problem families and (co-morbid) psychiatric disorders and/or health problems, and multiple negative school experiences. Often different professionals in health care, social services and education are involved, and sometimes they are on waiting lists awaiting professional help. There is a national action plan for out-of-school learners in which municipalities, school alliances and organisations for youth care and social services work together on prevention, intervention and remediation of drop-out from the educational system.

## **1.5 Future education system developments that may impact positively or negatively on inclusive education**

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### **Continuation of Education that Fits and experiments for integration of mainstream and special schools**

The Education that Fits policy will be continued and several ameliorations are now being implemented to improve the impact on pupils, their parents, teachers and supporting professionals in mainstream schools. Examples of policy measures for the improvement of Education that Fits are: enacting a law on the child's right to be heard about their educational needs and support in school, mandating school alliances to set up an independent youth and parent support centre in their region, working with the institutes for initial teacher education to further enhance their preparation for SEN in mainstream schools, and a national standard for the basic support for children and teachers that should be available in every school. These measures are expected to help strengthen the



additional support in mainstream schools, thereby setting up the requirements needed for the next steps towards more inclusive education.

Moreover, cross-sector co-operation between education, youth (health) care and social services is an important policy domain for inclusive education. The Ministries of Health and Education, together with representatives of school boards, municipalities and youth health (care) organisations, have a joint policy programme called ‘Coalition Education, Care and Youth’. They work on a better connection between the three domains, with the aim of better aligning care and education with the individual needs of children (cited in [European Agency, 2020](#), p. 3).

Meanwhile, the experiments for the integration of mainstream and special schools are to be continued and expanded. This will hopefully lead to a bottom-up movement of more and more collaboration and eventually integration between special and mainstream schools in all regions. Research that is being conducted in the experimenting school combinations shows that in working towards integration and mixing their student population, schools struggle when necessary conditions for implementing the change are not present. Some important conditions the schools report are:

- a clear and propagated vision and clear decisions from the school management;
- agreements with the local municipality about the use of youth care in the school;
- promoting an inclusive mindset among teachers through positive experiences of working with mixed groups;
- creating enough time for teachers and support teachers to prepare and learn from each other;
- providing emotional support for teachers in the school.

These research outcomes are presented in a [factsheet](#) (in Dutch) by the university of Groningen.

### **Work agenda inclusive education**

The mission that the former Minister stated in 2020 (see section 1.1.) is now being translated into a more concrete roadmap towards more inclusive education.

Inclusive education is not a new goal in the Netherlands. It builds on a development that has been going on for two decades, with recent developments being Education that Fits, the experiments around co-operation between and integration of regular–special education, the co-operation between education and youth care, and various initiatives by school leaders and school administrators and partnerships. Drawing up the route and a stronger commitment to working broadly towards inclusive education is a logical next step.

From society, parents and education, the call for inclusive education and a less rigid separation between mainstream and special education, and between education and care, has only become stronger in recent years.

The improvement approach concerning Education that Fits describes the overarching goal of inclusive education:





‘Every pupil has a perspective on the labour market, further education or day care, and is prepared for equal participation in society. Education has a fundamental mission in this respect: children and young people must be able to follow education in publicly funded schools in an equal manner that matches their abilities. In addition, education must realise the three core tasks of qualification, socialisation and personal development of the pupil, so that the pupil finds his or her place within society’.

This creates a social challenge for education, which can only be tackled jointly, with partners within and outside education.

With the ambition for 2035, there are six lines along which inclusive education is being developed. With the associated measures and actions that are being deployed in this area, there is a work agenda for the coming years. The participating parties see it as their joint task to work on inclusive education and to realise the ambition concerning inclusive education.

From the discussions with students, parents and professionals from the field of education, six lines have emerged that are important for the realisation of inclusive education:

- Equipping school and staff
- Low-threshold help in and near the school
- Organising a comprehensive range of (inclusive) education and support
- Creating space in learning routes and in school development
- Building accessible and diverse housing
- Normalising inclusive education and diversity.

The development towards inclusive education is a long-term process. Not only because some actions, as already indicated, take longer. Or because staff shortages and waiting lists (in youth care) are not simply solved. But also because inclusive education requires a change in thinking about pupils with a need for additional support, about diversity and about inclusion. That is why it is important to periodically determine where the Netherlands stand in the development towards inclusive education and what logical next steps are. That is why there are calibration moments every three years, in 2025, 2028 and 2031.

That is when is determined what progress has been made, what prevents or drives school leaders and school administrators, school boards and partnerships from taking steps towards inclusive education and what is needed to be able to take the next steps. Based on this, an assessment is made as to whether the Netherlands is getting closer to the ambition and whether adjustments in pace or measures are needed. Those calibration moments are also moments in which important choices need to be made. For specifically, every three years the work agenda will be filled for the next three years.

The co-operation between education and youth (health) care is of utmost importance for the further development of inclusive education. Therefore, the links between the work agenda for inclusive education and the Coalition Education, Care and Youth programme are taken up and discussed at the national joint Education–Care Table.



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## Evaluative commentary

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This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of developments towards inclusive education. It specifically considers political decisions that have impacted (positively or negatively) upon the vision for and implementation of inclusive education in the country. It also considers how changes in thinking around learners who are vulnerable to exclusion from inclusive education have impacted upon policy and practice.

### Evaluation of Education that Fits policy

The 'Education that Fits' policy was introduced in 2014. It replaced the former various (Together to School Again and Pupil-Bound Budget) policy programmes for pupils with additional needs. Five years of research into the impact of this Act (2015–2020) reveals that organising additional support has improved with the introduction of the regional school alliances. Many schools are positive about the more flexible use of resources and the freedom to make their own choices thanks to the increasingly greater autonomy they receive from the regional school alliances. They can often support more pupils with the same budget than was previously the case. However, not all expectations are fully met. The Education that Fits Act states that regional school alliances must set a basic level of support for all mainstream schools in their region. On top of that, schools provide 'additional' support, which is funded by the school alliance. Over the years, an increasing number of support teachers and support co-ordinators report that their school can realise the basic support agreed upon in their regional school alliance. One-quarter said that they cannot do that (yet). School boards confirm that not all of their schools currently comply with the agreements of basic support. Despite the joint agreements, it appears that some schools have a broader view about what basic support entails than others, even within the same school alliance. So there are school differences in the amount and nature of their special needs education.

Furthermore, schools find it difficult to make good arrangements with youth care professionals about the support of pupils who need help. They are confronted with changes of personnel in youth care teams, creating uncertainty about who is responsible, and with waiting lists for examinations and treatment. Furthermore, schools (just like parents) experience difficulties due to the discussions that sometimes arise about who must pay for which costs. Bottlenecks in the co-ordination between (youth) care and schools occur most in special education, where a relatively large number of pupils need (youth) care.

For teachers the system change has yielded less than was intended. Teachers in mainstream schools (and principals in special schools) still complain about bureaucracy, although there are fewer official legislative demands, like yearly Individual Educational Plans, for pupils with special needs. Teachers in mainstream schools have, in their own experience, not received substantially more help in supporting the pupils that need additional support. Although support teachers and support co-ordinators in many schools have received more hours, teachers have not always recognised that this is a consequence of the Education that Fits policy. In primary education, the number of support assistants has also increased, but not to the extent that every teacher can make use of this help. Over the years, teachers in mainstream schools have become more critical about teaching



pupils with additional needs. They suffer from high work pressure and believe that Education that Fits is a major cause of this. Though this is not really true, this belief is a hindrance on the way to more inclusive education.

Furthermore, the evaluation of the Education that Fits Act has shown that, for a short period, the influx of pupils in special schools decreased after the implementation of the Act. Although in later years the influx grew again. Apparently, there was a catch-up effect. The expectation that the Act should contribute to a permanent decrease in the amount of learners in special education has not come true yet. With regard to the out-of-school learners, the evaluation has shown that they are high on the agenda of policy-makers, regionally and nationally, but the numbers remain the same and even appear to be rising. The increase is partly due to more attention for these pupils and better registration (at schools, municipalities and regional school alliances). It has gradually become clear that out-of-school learners are a very diverse group of pupils, often dealing with very complex psychological or psychiatric problems and/or home situations. Accommodating such pupils back into a school setting is very difficult, particularly when they have been out of school for a long time ([Ledoux & Waslander, 2020](#), p. 5)<sup>4</sup>.

### **Evaluation of the upcoming challenges for the Work Agenda Inclusive Education**

Many of the challenges and difficulties explained above about Education that Fits also apply to the Work Agenda Inclusive Education. For Inclusive Education, a major shift is needed in mindset and way of thinking of teachers, parents, school leaders and all other stakeholders. This is a shift from focusing on tailor-made support to cater for individual needs, to a group-based approach to inclusive classroom practices. The mindset of all professionals in and around the school has to be that all pupils are welcome, and that diverse needs are normal. The movement away from the medical/diagnostic model that was started with Education that Fits needs to be continued.

Currently, policy in the Netherlands is aimed at improving the collaboration between (youth) care and education within schools; experiments with 'care in education arrangements' are on the way and the current possibilities to experiment with the integration of special schools in mainstream schools will be continued and broadened. There will be, on top of the current possibilities for 'Together to school classes', more room for experimenting with, for example, small groups of pupils with (severe) additional needs in mainstream education.

For this all to happen, equipping teachers is crucial. Also, in order to integrate mainstream and special schools in the same buildings, school housing plans have to be designed to enable inclusive practice. On a system level, the cross-sectoral collaboration in the regional school alliances, between schools and with municipalities and youth care is essential. The decentralisation of youth care poses a challenge in this regard.

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<sup>4</sup> Ledoux, G. and Waslander, S., 2020. *Summary: Evaluation Education that Fits*. Amsterdam, Netherlands: Kohnstamm Institute



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## SECTION 2. THE EDUCATION SYSTEM

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This section provides information on the structures and features of the whole education system that influence the development and implementation of inclusive education in the country.

### 2.1 Overview of the education system

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One of the key features of the Dutch education system is the freedom of education. It is safeguarded by Article 23 of the Constitution. It covers the freedom to set up schools, organise teaching systems at schools and determine the founding principles. Under the Constitution, private and public schools are guaranteed equal public funding. ‘Freedom to organise teaching systems’ means that both public and private schools are free to determine – within the attainment targets, legal boundaries and quality standards – how they teach. The Ministry of Education, Culture and Science sets the attainment targets and the quality standards to which government-funded private and public schools must adhere. The Inspectorate of Education monitors the quality of all schools. Since 2020, the Inspectorate also assesses the quality standards and several conditions prior to the start of a new school. This system allows for free school choice by parents and learners. Primary and secondary education are free of costs for parents ([European Agency, 2020](#), p. 3).

Young people between 5 and 18 years have to follow education until they have a basic qualification or turn 18 years old. For pupils between 5 and 16 years, the Compulsory Education Act applies. In the Netherlands, pupils must attend school from 5 to 16 years old. However, in fact, nearly all children attend primary school from the age of four (Eurydice, 2021/2022: [Overview](#)). As long as a basic qualification (general upper secondary education, pre-university or vocational education level 2) is not acquired, pupils are obliged to attend school till the age of 18 and are encouraged to attend schools up to the age of 23.

The municipalities are responsible for complying with the Compulsory Education Act, and their officials become involved when pupils drop out of school, or are at risk of doing so.

The Dutch education system consists of different educational levels:

#### **Child care/early childhood education (ISCED 0)**

Various forms of child care are included in the Wet Kinderopvang (Child Care Act).

There is no formal educational provision for children under the age of 4, but various child care facilities are available and widely used outside the education system. There is no legal curriculum for children aged 0–4, but there are national quality standards (European Agency, Country information for the Netherlands – [Legislation and Policy](#)).

Day care facilities cater for children aged from 6 weeks to 4 years. Their main function is to care for children to allow parents to work. They provide daily care for children and opportunities to meet and play with other children. Increasingly, they also offer several development stimulation programmes (European Agency, Country information for the Netherlands – [Legislation and Policy](#)). Recently, new legislation has entered into force



which includes rules about the quality of child day care facilities. The child–staff ratio for baby care has been lowered to one carer per three children. There is also a greater focus on child development. All children are assigned a mentor. All staff must be fluent in Dutch and meet minimum language proficiency standards (European Agency, Country information for the Netherlands – [Legislation and Policy](#); cited in [European Agency, 2020](#), pp. 28–29).

Moreover, child care facilities are obliged to have an early childhood education programme for children aged 2.5–4 who are at risk of educational and/or language disadvantages, due to background factors such as low educational level of parents. The central aim of this nationally funded early childhood education programme is to prevent and mitigate educational deficiencies, particularly in the domain of language development.

The municipalities are responsible for maintaining the quality of child care and the early childhood education programmes (Eurydice, 2021/2022: [Overview](#)). The municipalities are also responsible for identifying the at-risk children who are eligible for early childhood education, on the basis of a national framework. The Inspectorate of Education checks whether the municipalities adhere to legal requirements for child care and early childhood education.

Children aged 0–7 with severe development impairments due to mental, physical or social problems can attend a medical day care facility. The indications for this medical care are set by the municipality, according to the Youth Law.

The Compulsory Education Act states that children aged 5–16 are obliged to attend school on a regular basis. However, most children attend school (‘kindergarten’ in primary schools) from the age of 4.

Children aged 4–6 follow education within the primary school. There are guidelines which include goals to be achieved by the end of this period (European Agency, Country information for the Netherlands – [Legislation and Policy](#)).

### **Primary education (ISCED 1).**

Primary education covers:

- mainstream primary education (‘basisonderwijs’ or BAO);
- ‘mainstream plus’ schools (‘speciaal basisonderwijs’ or SBAO);
- special schools (‘speciaal onderwijs’ or SO).

Primary education lasts eight years and is for all children aged 4–5 until mostly the age of 12 (pupils must leave primary education by the end of the school year they become 14). All children must take an attainment test in grade 8 of primary school. In grade 8, the primary school gives advice on which secondary school best fits the cognitive level of the child. Therefore, the school examines *inter alia* the learning achievements and development throughout primary school (Eurydice, 2021/2022: [Overview](#)).



## Secondary education (ISCED 2 and 3)

Secondary education encompasses schools providing:

- practical training (PRO, duration of five years);
- pre-vocational secondary education (VMBO, duration of four years);
- general upper secondary education (HAVO, duration of five years);
- pre-university education (VWO, duration of six years) (Eurydice, 2021/2022: [Overview](#));

secondary special education ('voortgezet speciaal onderwijs' or VSO, duration dependent on educational level and development).

Pre-vocational education comprises four learning pathways:

1. the basic vocational programme (BL);
2. the middle-management vocational programme (KL);
3. the combined programme (GL);
4. the theoretical programme (TL).

(European Agency, Country information for the Netherlands – [Legislation and Policy](#); Eurydice, 2021/2022: [Overview](#))

Practical education prepares pupils directly for the labour market, focusing on individually tailored work skills, theoretical skills, self-sustainability and vocational training through internships. Admissibility to practical education is regulated by the regional school alliances. Practical education does not culminate in a diploma, but a growing number of pupils enrol in vocational education afterwards.

## Special education (ISCED 1) and Secondary Special education (ISCED 2 and 3)

Special education is for primary school-aged children (4–12, up to a maximum of 14 years old). Secondary special education is for learners of secondary school age until the age of 20.

Both special education and secondary special education schools have to adhere to the Expertise Centres Act (WEC, 1998). In the Netherlands, there are four types of special schools, each targeting a specific *cluster* of SEN:

1. Learners with visual impairment or multiple disabilities, including visual impairment.
2. Learners with hearing impairment or communication disorders (due to hearing, language or speech difficulties or autism), or children with multiple disabilities including hearing, language or speech impairment.
3. Learners with (multiple) physical and/or intellectual impairments or with a chronic physical illness, such as epilepsy.
4. Learners with psychiatric and/or severe behavioural disorders.



Since the Education that Fits policy, special schools who offer the support for learners with cluster 3 and 4 educational needs are part of the regional school alliances. The school alliances are responsible for the criteria and procedures for admissibility to these special schools. The outcome of the assessment procedure can lead to a declaration of admission in a special school. The declaration of admission is valid for at least a year. The regional school alliance sets the criteria for duration and review of the declaration. The decision about the declaration is made by a multi-disciplinary team. The law requires two experts to be involved in the assessment procedure. One of the experts has to be a special education generalist or a psychologist, the other expert is chosen by the school or the regional school alliance (European Agency, Country information for the Netherlands – [Assessment within inclusive education systems](#)). The funding that comes with a learner's admission to a special school offering cluster 3 or 4 support is subtracted from the school alliance's overall budget for support in mainstream and special schools in the region.

The special schools who offer the support for cluster 1 and 2 (visual and hearing impairments) are nationally organised and funded by the national government.

In 2021, 2.3% of the total population of pupils in primary education went to a special school. Most of the pupils in primary special education receive the educational support for cluster 3 (48%) or cluster 4 (34%).

In 2021, 3.9% of the total population of pupils in secondary education went to a special school. Of these pupils in secondary special education, most were cluster 4 (54%) or cluster 3 (42%) pupils.

Secondary special education has three outflow profiles:

- Further (vocational or higher) education
- Labour market
- Day care/activities.

Pupils who are taking part in the further education outflow profile follow the mainstream educational programmes of the pre-vocational, general upper or pre-university secondary education. There are several options for these pupils to take their final exams.

### **Vocational education and Training (ISCED 2 and 3)**

The Adult and Vocational Education Act (WEB, introduced on 1 January 1996) arranges secondary vocational education (VET, MBO in Dutch) and adult education. A student in vocational education can choose between: school-based vocational training block or day-release programmes. Within the day-release programmes, the focus is on practical training, which takes up 60 per cent or more of the course. MBO courses can be taken at four different qualification levels:

- Assistant level (level 1)
- Basic vocational training (level 2)
- Professional training (level 3)
- Middle-management or specialist training (level 4).

(Eurydice, 2021/2022: [Overview](#))





VET courses are offered in four major sectors (economics, technology, agriculture and personal and social care/health care; which are in turn specialised into many fields) and the courses can be taken at four different qualification levels:

- Assistant worker (entrance level/level 1)
- Basic vocational training (level 2)
- Professional training (level 3)
- Middle management or specialist training (level 4).

(European Agency, Country information for the Netherlands – [Legislation and Policy; European Agency, 2020](#), p. 52)

## **2.2 Specific features that are present within the education system**

**Early tracking of learners into a particular educational pathway (i.e. streaming learners by abilities into different types of provision or school; this includes placing children into separate schools)**

Young children aged 0–7 with severe development impairments, due to mental, physical or social problems, can attend a medical day care facility. Parents are eligible for reimbursement for this facility. The medical support team composes an individual development plan for the child and also supports the parents. The larger academic hospitals also provide an educational facility. In smaller hospitals or at home, children are supported by ambulatory teachers or the school counselling service.

From the age of 4, children with either mild or severe impairments or special educational needs can attend a special school or ‘mainstream plus’ school.

From the age of 11/12, all children are assigned to different tracks of secondary education (European Agency, Country information for the Netherlands – [Systems of support and specialist provision; European Agency, 2020](#), p. 29).

**‘Double-shift’ patterns to the school day (i.e. learners attend for either a morning or afternoon session)**

There are no regular double-shift patterns. In specific circumstances, it is possible that children attend only a part of the school day, for instance in individually tailored routes to reintegrate out-of-school learners, or when extra support for children who are (long-term) ill is partially offered at home or in hospital.

**Grade retention (i.e. holding learners back to repeat school years, instead of providing flexible support that enables learners to progress with their peers)**

Decisions about grade retention are made by the schools, and are not bound by national requirements.

In secondary education, there are no legal rules that state how long a learner can take pre-vocational (VMBO), general upper secondary (HAVO) or pre-university education (VWO). Without delay, the VMBO lasts four years, HAVO five years and VWO six years. The school regulations of most schools state that learners may stay once in the same class,





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may fail an exam once, or may sit twice in different classes ([European Agency, 2020](#), p. 55).

Yearly, around 5% of pupils in secondary schools repeat a school year. To prevent unnecessary grade retention, schools can apply for a subsidy from the Ministry of Education to organise spring and summer schools for learners at risk.

### **Multiple languages of instruction**

In the Netherlands, 130 schools for secondary education offer bilingual education. This involves teaching academic content in two languages, native Dutch and a secondary language (usually English).

In primary education, there are 17 pilot schools offering bilingual education.

### **Specific policies on access to compulsory education in local schools (i.e. school selection policies)**

In the Netherlands, the right of learners to go to school and receive education is defined by the Compulsory Education Act. Parents must abide by the law and are therefore responsible for registering their child at a school. Parents can, however, ask for an exemption from compulsory education, for example for children who are unable to receive education due to mental or physical disorders, or children who attend a school abroad.

In the Netherlands, school boards have the authorisation to admit pupils to their school(s). They can set their own criteria; only the transition from primary to secondary school is protocolled. Public schools cannot refuse children for ideological reasons.

Since the Education that Fits Act, school boards and their school locations have a legal 'duty of care' for pupils that need additional support. For a newly admitted pupil with (potential) additional needs, the school must investigate whether appropriate support is possible and if not, the school must find a suitable place for the pupil at another school within the school alliance. This is to prevent parents from having to go from school to school, and children of compulsory school age ending up stuck at home ([Ledoux & Waslander, 2020](#)).

Since 2003, the Dutch education system has amended the requirement of a minimum IQ for children for admittance to a school. Therefore, children with very severe impairments and very low cognitive capacity can also attend schools and are provided for with specific education targets. Because of their severe impairments, some of these children still go to health care organisations instead of schools. The Ministries of Education and Health are jointly investigating possibilities to extend the opportunities for these children in different settings ([European Agency, 2020](#), p. 15).

## **2.3 Public and private authorities responsible for different types of provision**

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The school boards are legally responsible for offering the basic support that has to be available in every school. As explained in 2.2, these school boards have the legal 'duty of care' to investigate the educational needs of (newly admitted) learners and to search for



suitable education and additional support, whether this is offered within their own school or another school. School boards can consist of a number of schools or just one school.

The schools (school locations) within school boards have no legal responsibilities or authorisations, but they are the first and main contact for pupils and their parents.

The regional school alliances are a distinct legal authority with their own responsibilities stated in the Education that Fits Act. Each alliance consists of all school boards within their geographical and legally defined region.

The municipalities also have different legal responsibilities for education (mostly housing) in general and for specific provisions and target groups.

On a national level, the Inspectorate of Education has the authority to check whether the school boards, alliances and municipalities fulfil their legal duties and meet the national quality standards and guidelines.

The responsibilities of these authorities are described throughout this document.

## **2.4 Levels of autonomy open to educational institutions – schools, local authorities, school maintainers, etc. – within the system**

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Publicly run schools are state funded and open to all children regardless of religion or ideology. They provide education on behalf of the state. They are sometimes governed by the municipal council, but mostly by an independent public legal entity or foundation set up by the council. Some publicly run schools base their teaching on specific educational ideas, such as the Montessori, Jenaplan or Dalton methods (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 8).

Privately run schools are also state funded. These schools are governed by the board of the association or foundation that set them up. These so-called denominational schools base their teachings on religious or ideological beliefs. They include Catholic, Protestant, Jewish, Muslim, Hindu and anthroposophic schools. Private schools can also base their teaching on a specific educational idea, such as the Montessori, Jenaplan or Dalton-method. The denominational schools can refuse to admit pupils whose parents do not subscribe the religion or ideology on which the education the school offers is based (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 8).

As stated before, the freedom of education is limited by the qualitative standards set by the Ministry of Education, Culture and Science in educational legislation. These qualitative standards – core objectives or attainment targets – refer to what needs to be taught and studied in both public and private primary, secondary and special education: a global method of educational programming. Freedom of education gives schools the right to decide how to translate these global frameworks into their own specific curriculum. In addition, the total number of instructional hours is prescribed at a national level. Schools are free to decide where they want to set quantitative accents in their educational programming, however. This means that schools can decide how to allocate the hours of attendance in different subjects; for example, learners can attend more hours of maths



and fewer hours of arts, or vice versa (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), pp. 8–9).

Early childhood education (see section 2.1 above) is the responsibility of municipalities, subsidised by the national government. Child-care provisions are offered by private enterprises. Parents have to pay for child-care provisions, but receive compensation via taxes.

In some fields, autonomy is assigned to a set of co-operating school boards, such as the regional school alliances in the Education that Fits policy. They are – as an alliance – legally responsible for several tasks, such as making a regional support plan and creating a sufficient network of provisions for additional support in their region. They also can decide how to allocate funds to different schools or specialist provisions. The Inspectorate of Education checks whether the school alliances fulfil their legal duties.

## 2.5 General mechanisms for funding schools

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The Constitution places public and private schools on an equal footing. It means that public and private education are equally funded. Primary and secondary education are free, and parents do not have to pay a tuition fee (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 23).

However, schools may request a voluntary contribution from parents. Codes of conduct state that schools must explicitly inform parents that this contribution is voluntary and not mandatory ([European Agency, 2020](#), p. 10). Currently, limiting the voluntary contributions with a maximum fee is high on the political agenda.

Although most private schools are funded by the government, a small number of schools *are* privately funded. The number of learners in private, non-government-funded primary education (ISCED 1) is marginal (0.3%). In general secondary education (ISCED 2/3), a small number of learners are enrolled in non-government-funded private education (3.4%) (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 23).

Education, including special education, is financed by the Ministry of Education, Culture and Science. Local authorities contribute to educational facilities such as school housing. The Ministry of Health contributes to health and welfare costs in education (through the arrangements for individual learners, not through the schools) (European Agency, Country information for the Netherlands – [Financing of inclusive education systems](#); [European Agency, 2020](#), p. 23).

With the introduction of the Education that Fits Act in 2014, regional school alliances were formed by school boards in primary and secondary education. From that moment on, regional school alliances were provided with funding for special needs education (both learners and schools) by the Ministry.

Child-care facilities as a policy area fall under the responsibility of the Ministry of Social Affairs (European Agency, Country information for the Netherlands – [Legislation and Policy](#)). The Ministry of Education provides funding for municipalities to maintain early childhood education. The Ministry of Education also provides funding for a regional



support programme for all municipalities, in order to maintain and raise the quality of pre-school facilities ([European Agency, 2020](#), p. 30).

## **2.6 Specific mechanisms for funding the inclusion of learners vulnerable to exclusion from inclusive education**

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### **Funding for educational needs in mainstream and special schools (Education that Fits)**

School boards in primary and secondary education (including special education) receive a basic funding per pupil. Out of this budget, the ‘basic support’ available in every mainstream school has to be funded. Additionally, regional school alliances get funding for organising the network of provisions for extra support in the region. This budget is based on the total number of learners registered at the schools within the alliance. The funding has a personnel and a material component (buildings, learning materials). The budget for learners in special education is allocated directly to special schools. The remaining budget is for SEN support in mainstream education, or other expenses, such as regional knowledge exchange activities. School alliances are mandated to divide this budget for additional support and to set the criteria and procedures. From this budget, they fund both the additional support in mainstream education and the additional funding for ‘mainstream plus’ in special schools. Therefore, if there is a high level of admissions to special education in a region, less funding is accessible for additional support in mainstream education.

Regional school alliances must decide how to divide the remaining part of the budget, for example between special schools, mainstream schools, individual or group-based arrangements, special facilities, teacher support, etc. Every four years, the regional school alliances write a Regional Support Plan, in which they introduce their policy to support the learners with special educational needs within the region, including financial aspects ([European Agency, 2020](#), p. 25).

There are various ways for regional school alliances to allocate their budgets, but roughly three models can be differentiated: the school model, the expertise model and the learner model. In the first model, regional school alliances allocate the resources for inclusive education directly to school boards (which allocate them to schools) based on the learner ratio per school or school board. In the second model, the resources are allocated to a network of services, and often special educational needs specialists are employed by the regional school alliance. In the third model, the regional school alliance maintains the individual budgets. Schools, both mainstream and special, can apply for individual arrangements. Research shows that regional school alliances mostly use a combination of these models.

### **Funding for pupils at risk of educational disadvantages**

Pupils with disadvantaged backgrounds are included in primary and secondary education and are not vulnerable to exclusion from inclusive education. They can, however, be vulnerable to educational disadvantages and/or language delays, so the Ministry of Education does have funding programmes to foster equal educational chances for these learners.



Schools with many disadvantaged pupils (learners at risk because of lower socio-economic status/migration background) receive a subsidy to help teachers deal with the needs of these pupils, to differentiate and provide extra learning support for them ([European Agency, 2020](#), p. 10).

Since August 2006, a weighting system to fund schools with learners with (potential) educational disadvantages has taken effect for primary education. In 2019, the weighting system was updated and is now based on five criteria:

- the educational level of both parents;
- the mother's country of origin;
- the duration of the mother's stay in the Netherlands;
- the average educational level of all the mothers in the school;
- whether parents are participating in a debt restructuring programme.

(European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 25)

Secondary schools can obtain extra (throughput) funding if they have a relatively high proportion (between 30% and 65%) of pupils from deprived neighbourhoods. This funding enables schools to tackle educational disadvantage and prevent school drop-out. Schools can also receive extra funding to ensure that recently arrived immigrant pupils learn Dutch quickly. The size of the grant depends on how long the pupils have already been living in the Netherlands. The school chooses how to spend the extra funding and selects the most suitable type of education for the new pupil (European Agency, Country information for the Netherlands – [Financing of inclusive education systems](#); [European Agency, 2020](#), p. 25).

For learners who are in pre-vocational education and are lagging behind with language and/or arithmetic (identified by a test), additional budgets are available. Since 2016, the regional school alliances have distributed these budgets based on the number of pupils who are lagging behind. The national criteria for lagging behind are still to be released. At the moment, school alliances can choose whether they want to follow the national criteria or want to set their own regional criteria (European Agency, Country information for the Netherlands – [Financing of inclusive education systems](#); [European Agency, 2020](#), p. 25).

For a fixed period of four years (2021–2025), schools get extra funding through the 'National Programme Education' for catching up on learning delays incurred during the Covid-19 years, and to mitigate the effects of the pandemic on mental and social well-being and executive functions of learners. This funding is available for using evidence-informed interventions in schools, for example on extra tutoring. A part of this budget is allocated disproportionately to schools which have the highest percentages of pupils from disadvantaged backgrounds.

### **Funding for children of newcomers (migrants)**

Children of newcomers to the Netherlands, such as asylum seekers, often have language difficulties at school. They need effective coaching, for instance through specially designed programmes. Schools with at least four registered pupils in this category can apply for



extra funding (European Agency, Country information for the Netherlands – [Financing of inclusive education systems; European Agency, 2020](#), p. 25).

For immigrant pupils who have been in the Netherlands for less than a year, schools can apply for extra (throughput) funding. The money provides extra language training for a full school year. In order to engage extra staff and set up special teaching programmes, schools can obtain a grant (European Agency, Country information for the Netherlands – [Financing of inclusive education systems; European Agency, 2020](#), p. 25).

## Evaluative commentary

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This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of system features and structures for the implementation of inclusive education in practice. It specifically considers the impact of policy-making, structures and processes at national, regional, local and school levels on inclusive education practice.

### **Freedom of education**

In the Netherlands, many schools are privately run schools. As public and private schools have to meet the same laws and regulations, this has no consequences for the implementation of Education that Fits. All school boards participate in the regional school alliances. There are differences between schools in the way and amount of support given to children who need this support, but these differences are not related to the denomination of the schools.

### **Early child education**

The Education that Fits policy does not apply to child care and pre-school education. There are some initiatives in this field to improve identification of children's needs and to give them extra support when needed, together with youth-care institutions, but there are no laws or policy developments directing this. However, a bottom-up movement is creating a substantial and growing number of Integrated Child Centres (IKC's). In these centres, co-operation and sometimes far-reaching integration takes place between child care, pre-school education and primary education. Professionals in the institutions involved are working on continuity in pedagogical support of young children and prevention of developmental problems.

### **Funding**

With the Education that Fits Act, the regional school alliances receive a fixed budget based on the number of pupils in the alliance, and the responsibility for financing all kinds of support in their region. This system has solved the growing cost problem of the national government that was caused by the pupil-bound policy. As a result, financial issues are now cared for by the regional school alliances and it is up to them to make necessary decisions. Sometimes these are hard decisions, especially in regional alliances where the proportion of pupils in special schools is above average.



### **School selection *procedures***

It took some time before the 'duty of care' rules became fully known within schools. Schools are now familiar with the obligations of the 'duty of care', but compliance is still insufficient. Moreover, some schools use the possibility of advising parents to look elsewhere before the written admission of their child to the school has been handed in. Without this registration, the duty of care is not yet in effect. Schools can use this to bypass the duty.

### **Autonomy of regional school alliances**

Education that Fits has resulted in a less complex and more flexible organisation of support for pupils in primary and secondary education. The regional school alliances value and utilise the autonomy acquired, and the same is true for the affiliated school boards (see section 1). There is a satisfactory provision in most regions: there are enough resources to support various groups of pupils. Nevertheless, there are gaps in the network of provisions for additional support, such as for pupils with severe multiple disabilities and pupils who have both a high cognitive level and behavioural problems. Regional school alliances find it difficult to realise specific facilities for very small groups of pupils. In addition, the intensive extra support required for some pupils comes with difficult financial considerations. It is questionable whether it is realistic to expect that a satisfactory solution can be realised for each pupil within the fixed budget ([Ledoux & Waslander, 2020](#)).





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## SECTION 3. LEGISLATIVE AND POLICY FRAMEWORK

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This section provides information on the overall framework of legislation and policy governing the whole of the education system in the country.

### 3.1 Is there a single legislation and policy framework covering all learners in all educational settings?

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No.

#### 3.1a Description of the single legislation and policy framework

Not applicable.

#### 3.1b Overview of the general education legislation and policy framework guiding the whole system

One of the key features of the Dutch education system, guaranteed under Article 23 of the Constitution, is freedom of education. This refers to the freedom to found schools (freedom of establishment), to organise the teaching in schools (freedom of organisation of teaching) and to determine the principals on which they are based (freedom of conviction) (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 8).

The Dutch education system is governed by different acts. Each type of education has its own legislation:

- Primary education: Primary Education Act (WPO, 1985)
- (Secondary) special education: Expertise Centres Act (WEC, 1998)
- Secondary education: Secondary Education Act (WVO, 1998)
- Adult and vocational education: Adult and vocational Education Act (WEB)
- Higher education: Higher Education and Research Act (WHO)
- The Act on Quality of (Secondary) Special Education (2012/2013), amending the Expertise Centres Act.
- The Act on Education that Fits (2014), amending the Primary Education Act, Secondary Education Act and Expertise Centres Act.

Besides the laws mentioned above, other laws constitute the education system in the Netherlands:

- Compulsory Education Act (1969)
- Childcare Act (2005)
- Social Support Act (WMO).

([European Agency, 2020](#), p. 56)





### **3.1c Overview of the specific education legislation and policy framework impacting on the inclusion of learners who are vulnerable to exclusion from inclusive education**

Education is seen as a very important tool to combat poverty, social exclusion and marginalisation. Education is open to all pupils, and educational policies aim to provide each pupil with equal opportunities for development and participation in society, and to foster social inclusion and cohesion. Equality and equity are important pillars of the Dutch education system. Policy strives for the inclusion of all pupils (European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), p. 5).

Learners with minor learning disabilities can attend ‘mainstream plus’ schools in primary education. These schools have smaller classes, so that learners receive more guidance. Learners complete the mainstream curriculum and take the compulsory test when they are in the highest class. After completion, most learners transfer to mainstream secondary education, with a minority transferring to special secondary education ([European Agency, 2020](#), p. 6).

When a pupil needs additional educational support, the school is obliged to investigate the needs of the pupil and construct a suitable education programme, or help find a school that can offer this (in the Education that Fits Act this is called the ‘duty of care’). This might lead to an assessment procedure for admittance to special education. In special education, schools have to provide an individual development plan for every pupil. In mainstream education, schools are obliged to provide an individual development plan for every learner that receives additional support.

The individual development plan describes the expected outflow and educational objectives for that pupil. It indicates the level the pupil can achieve and the support that they will need to achieve it. The parents have to agree with the development plan ([European Agency, 2020](#), p. 32; p. 34). The plan must be evaluated and, if necessary, adjusted at least once a year ([European Agency, 2020](#), p. 34).

The school is expected to offer a certain number of hours of education that every learner can use. However, this does not mean that all of these hours must be followed by every learner. Tailor-made teaching time is possible for individual learners and can be arranged at school level.

The law makes it possible for pupils in mainstream education to follow part of the education at a school for special education. The time during which the pupil receives this education counts as teaching time. It is also possible for pupils in special education to attend mainstream education for a certain amount of time ([European Agency, 2020](#), p. 33).

Although inclusive education in mainstream schools is promoted and encouraged, special schools are sometimes in a better position to offer the best support. The Netherlands has the following system of special education:

- Government-funded special education in special schools for primary, secondary or primary and secondary education.
- Special provision classes within mainstream primary or secondary schools (in practice, not by law).



- Institutions where pupils are offered short-term education and health care services, for example time-out, rebound or re-integration for early school leavers and for pupils who have been unable to cope, for some time, with regular education. These so-called orthopedagogic–didactic centres (OPDCs) are under the responsibility of the school alliances. Learners receive education here and work on behavioural improvement, so that return to a mainstream school becomes possible again.
- Health and care organisations for learners with very severe impairments and very low cognitive capacity. These day care facilities have teams of experts, for example psychologists, remedial educationalists, physical therapists and speech therapists, who treat learners. The facility works together with the parents and gives them guidance as well ([European Agency, 2020](#), p. 7).

The Quality of (Secondary) Special Education Act (2014) was submitted due to an increasing number of pupils in special education after the implementation of the Expertise Centres Act (1998) and due to a lack of visible output in terms of qualification. The main objectives of this Act were:

- to raise the achievements in (secondary) special education;
- to augment educational quality in special education;
- to ensure that special schools draw up an individual development plan for all learners. The plan must, among other things, forecast a long-term outcome destination and note the learner’s specific needs and support.

(European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 11; p. 52)

Secondary special education is built up in three profiles connected to the outflow of the learners:

- Continuous education (to upper secondary vocational, higher general or university)
- Labour market
- Daytime activities and care

(European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 52)

In 2014, the ‘Education that Fits’ policy was launched. An important aim was to improve education for every pupil with SEN within the education system. The policy arose from the need and desire to improve care for learners with special needs, to streamline the provisions for special needs education so that each had their own funding and procedures, to prevent learners getting lost between systems, and to control rising costs of special education. Under this policy, every school board has the responsibility to provide adequate education to every pupil that enrolls, regardless of their specific educational needs and the kind of support that they need. By co-operating with other school boards at a regional level within regional school alliances, schools must arrange educational provisions to enable every learner to be educated, taking into account their special educational needs. Schools are free to decide on how arrangements are offered



(European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), p. 10).

#### *Education that Fits in vocational education and training*

For VET colleges, few obligations have been imposed. There are only mainstream VET colleges (no special education). For students with additional needs, the colleges must draw up an annexe that comes with the education agreement that they make with each student. This annexe is similar to the individual development plan. VET colleges must also describe their support provision. Moreover, since 2018, they must consult with municipalities and regional school alliances in secondary education ([Ledoux & Waslander, 2020](#), p. 8).

### **3.2 Is there a single curriculum framework covering all learners in all educational settings?**

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Yes.

#### **3.2a Description of the single curriculum framework**

The curriculum framework in the Netherlands is for all learners, including those in special education. It consists of four things:

- Core objectives indicate what subjects should be taught for the eight years of primary education and two to three years of lower-secondary education (pre-vocational and general).
- Reference levels indicate what level children should achieve at the end of primary school and the end of each school type in secondary education. These levels apply to language and arithmetic.
- A compulsory test for all children in the highest grade of primary education: this is not an exam that has to be passed, but rather a measure of language and arithmetic levels. It also provides the school and child with information to be used for the advice for the type of secondary education in the upcoming school year.
- At the end of upper secondary school (pre-vocational and general), learners take central exams and school-based exams.

(European Agency, Country information for the Netherlands – [Legislation and Policy](#))

The national framework does *not* cover the actual content of the curricula itself. The freedom of education gives schools the autonomy to translate the curriculum framework into the specific learning content that makes up the curriculum, within the core objectives and reference levels.

An upcoming curriculum reform in the Netherlands focuses on integrating subjects into core domains and a better transfer from primary to lower secondary education ([European Agency, 2020](#), p. 34).



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### **3.2b Overview of the general curriculum framework**

Not applicable.

### **3.2c Overview of specific curriculum framework(s) for different groups of learners who are vulnerable to exclusion from inclusive education**

Primary and lower secondary education have core objectives for all learners, including those in special education. In upper secondary education (general and pre-vocational), learners take central exams and school-based exams ([European Agency, 2020](#), p. 31).

This is also the case in secondary special education for pupils who are on the 'continuous education' track. Pupils in the other two tracks in upper secondary (labour market and daytime activities and care) have core objectives based on the core objectives for mainstream education. There are also additional core objectives aimed at preparation for labour market or daily activities.

In secondary special schools, pupils can take the same examinations as in mainstream secondary education. More than 95% of the pupils that take examinations pass; that percentage is higher than the average in mainstream education (European Agency, Country information for the Netherlands – [Systems of support and specialist provision; European Agency, 2020](#), p. 35).

## **3.3 Is there a single legislation and policy framework for all teacher education and professional development?**

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No.

### **3.3a Description of the single legislation and policy framework for teacher education and professional development**

Not applicable.

### **3.3b Overview of the general legislation and policy framework for teacher education and professional development**

The Professions in Education Act (2004) states that educational staff – teachers, assisting staff members, school managers – must not only be qualified, but also competent. For this reason, sets of competences and requirements have been developed for teachers, and are being developed for assisting staff members and (primary) school managers. School boards are obliged to employ competent staff and subsequently enable them to keep their competences at a high level and further improve them. Initial teacher training colleges use these competences as a guideline for their educational programmes.

There are three versions of competence requirements:

- for teachers in primary education;
- for teachers in secondary and vocational education;
- for teachers in the last two classes of general upper secondary education (HAVO) and the last three classes of pre-university education (VWO).



The differences between the three versions are only marginal. In fact, all Dutch teachers are required to have the same basic competences. The framework of competence requirements specifies four professional roles that teachers have:

- Interpersonal role
- Pedagogical role
- Organisational role
- The role of an expert in subject matter and teaching methods.

The teacher fulfils these professional roles in four different situations, which are characteristic of a teacher's profession:

- Working with learners
- Working with colleagues
- Working within the school environment
- Working with themselves.

The latter refers to their own personal development. The framework specifies competence requirements for each role and in each situation (European Agency, Country information for the Netherlands – [Teacher education for inclusive education](#); [European Agency, 2020](#), pp. 44–45).

Although supplementary training for teachers in special education is optional, most teachers in special education undertake two-year, part-time training. The course assumes the students are already working in education and focuses on both theory and practice. There are several specialist fields including visual impairments, behavioural problems, intellectual disability, remedial teaching and peripatetic teaching. Although not obligatory, a growing number of mainstream teachers and school-provision co-ordinators have a Master's certificate in Special Educational Needs (European Agency, Country information for the Netherlands – [Teacher education for inclusive education](#); [European Agency, 2020](#), p. 47).

### **3.3c Overview of specific legislation and policy framework for teacher education and professional development and what and who this specific framework focuses on**

Teacher professionalisation is a priority in the recently declared 'Education agreement 2022', and before that in the Teachers' Agenda 2013–2020. In the Education agreement 2022, structural funding is made available for schools to enable teachers and school leaders with extra time for professionalisation. One of the targets of professionalisation is for all teachers to have the skills and competence to adapt their lessons to their learners' different needs. To reach that target, teachers can apply for a scholarship (de Lerarenbeurs) which many applicants use to obtain a Master's in Special Educational Needs ([European Agency, 2020](#), p. 36).

School leaders and teachers report that this master's degree enables teachers to better analyse learners' different needs and adapt their teaching to those needs (European Agency, Country information for the Netherlands – [Teacher education for inclusive education](#); [European Agency, 2020](#), p. 46).



Primary and secondary schools receive additional resources for the professionalisation and support of teachers and other education staff, as part of the Education Agreement 2022 between the Minister of Primary and Secondary Education, employers' and employees' associations. The agreement mainly aims to expand the possibilities for further development for teachers and other education staff within the school. The agreement contains arrangements about maintaining competency requirements and about training and professionalisation in relation to the Education Professions Act. These arrangements have been further developed in the decentralised collective labour agreements.

The Ministry encourages teachers to obtain a (professional) master's degree, for example a Master's in SEN, by providing scholarships. With this scholarship, teachers can study for two days a week when (funding for) a replacement is arranged (European Agency, Country information for the Netherlands – [Teacher education for inclusive education](#); [European Agency, 2020](#), p. 45).

With the introduction of the Education that Fits policy, most initial teacher training colleges adapted their curricula on different subjects (educational science/pedagogy, didactics, subject matter and internships). Initial teacher education often includes an introduction to educating pupils with special needs. Some teacher training colleges also offer an optional course and/or minor in SEN (European Agency, Country information for the Netherlands – [Teacher education for inclusive education](#); [European Agency, 2020](#), p. 46).

In the upcoming year, the Ministry of Education is setting out an inquiry among teachers in mainstream schools, asking them what needs they have for professional development and support in school regarding catering for special educational needs.

### **3.4 Is there a single legislation and policy framework to ensure support for all learners throughout their school careers?**

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Yes and no.

#### **3.4a Description of the single legislation and policy framework that ensures support for all throughout their school careers**

Yes and no. The Education that Fits policy is the main framework to support all learners in primary and secondary education. Additionally, the Quality of (Secondary) Special Education Act ensures the quality of education and support in special schools. The legislation is anchored in the Primary Education Act, Secondary Education Act and Expertise Centres Act.

#### **3.4b Overview of the general legislation and policy framework that ensures support for the majority of learners throughout their school careers**

The Education that Fits policy (and corresponding legislation) is the general framework that ensures the support for majority of learners.

Education that Fits was meant to solve the main organisational problems for pupils needing additional support in schools: bureaucracy, complexity and responsibilities that



were not clearly defined. Rising costs also played a role. Back in 2004, the idea was that optimising the existing policy could not solve these problems: a different approach was needed. The government believed that education professionals were in the best position to determine what was needed locally and chose to impose as few structures and rules as possible. Professionals had to be given both the space and the responsibility. That required a system change. A long-term process, in which the policy design had to be adapted several times, ultimately led to the Education that Fits Act that was passed in 2012 and became effective in 2014.

#### *Organisational solutions: decentralisation and block grant funding*

The solutions for the organisational problems and for the rising costs are sought in:

##### **Decentralisation**

It is no longer the central government that determines who receives which support. With the Education that Fits policy, school boards were obliged to form regional alliances – separate for primary and secondary education – to fund and organise the support for learners with additional needs. These regional ‘Education that Fits’ alliances received this responsibility for mainstream and special primary and secondary schools. A regional school alliance is formed by the school boards that have one or more schools in the region concerned. In vocational education and training (VET), the boards of the colleges are responsible for the support of students with additional needs.

##### **Block grant funding**

At the national level, the total budget for additional support is fixed. Boards of VET colleges receive a block grant based on their total number of students. In primary and secondary education, the block grant of regional school alliances is based on the number of pupils at the affiliated schools. Part of this grant is allocated directly to special schools. The regional alliance receives the remaining part, which it is free to allocate for support in mainstream schools or other provisions.

#### *Tailored help and relieving the burden on parents in primary and secondary education*

In addition, Education that Fits was meant to ensure more tailored help and a suitable place in a school for every pupil with additional needs. Furthermore, it was the intention to reduce the burden on parents: the new policy was meant to make it easier for them to find a suitable school for their child. Various measures were introduced to facilitate this:

- The abolition of national criteria to identify pupils with additional needs: the regional school alliances are responsible for how and to whom the support is allocated (partly to counteract bureaucracy).
- The ‘duty of care’: for a newly registered pupil with additional needs: the school (formally the school board) must investigate whether appropriate support is possible and if not, the school must find a suitable place for the pupil at another school. This is meant to prevent parents from having to go from school to school, and children of compulsory school age ending up stuck at home.
- Drawing up a school support profile: the school describes its own support provision for parents; all profiles combined should ensure all kinds of provisions





required at the level of the regional school alliance. School development and teacher training in special educational needs are meant to be based on this profile. In this profile, schools describe the additional support they can offer pupils with special educational needs, and the basic support they offer for all pupils, for example with protocols and support programmes for dyslexia, dyscalculia, ADHD and giftedness.

- Drawing up an individual development plan: for each pupil with additional needs, the school describes what the expected outflow destination will be, what the additional needs are, how these will be provided, and what the aims of the extra support are. Besides contributing to tailored help, these plans should also improve communication with parents.
- Administrative collaboration between regional school alliances and municipalities: consultations must always take place about the harmonisation of the support plans of the school alliances and the youth care plans of municipalities.

#### *Education that Fits in vocational education and training*

For VET colleges, few obligations have been imposed. For students with additional needs, the colleges must draw up an annex with the education agreement that they enter into with each student. This annex is similar to the individual development plan. VET colleges must also describe their support provision. Moreover, since 2018, they must consult with municipalities and regional school alliances in secondary education.

#### **3.4c Overview of the specific legislation and policy framework that ensures support for learners who are vulnerable to exclusion from inclusive education throughout their school careers**

Schools have a so-called ‘duty of care’. Individual schools must provide pupils who require extra support with the most appropriate schooling. If a school cannot offer the necessary support, the school must find a school that can offer the support needed. In order to fulfil this obligation, school authorities must offer tailor-made educational solutions in the framework of the school alliances. These solutions can be offered in mainstream or (secondary) special education ([European Agency, 2020](#), p. 13, p. 16).

In secondary education, regional school alliances receive extra funding for learners with minor learning disadvantages (learning support or LWOO). They can allocate this learning support funding to pre-vocational secondary education schools (four-year VMBO level) in order to provide smaller classes and/or extra assistance in class ([European Agency, 2020](#), p. 51).

Practical training schools specialise in learners with learning and intellectual disabilities. Learners earn a certificate afterwards and can transfer to upper secondary vocational education level 1 (assistant worker). Upper secondary vocational education and higher (vocational) education consists only of mainstream schools and colleges. They provide the extra support needed in an individual way (European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), pp. 6–7).





Learners can apply for devices for disabilities or assistive technologies, such as sign language interpreters or adjusted furniture. These devices or services are funded by the Ministry of Education on application (input funding) (European Agency, Country information for the Netherlands – [Financing of inclusive education systems](#); [European Agency, 2020](#), p. 12).

On a classroom level, ways to support learners with SEN are to adapt and differentiate teaching, for example by adapting the instruction in mainstream classes, by remedial teaching, tutoring in small groups, or classroom assistance (European Agency, Country information for the Netherlands; [European Agency, 2020](#), p. 13).

### **3.5 Is there a single legislation and policy framework to ensure support for all learners at times of transition between phases of education and into adult life?**

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No.

#### **3.5a Description of the single legislation and policy framework that ensures support for all learners at times of transition between phases of education and into adult life**

Not applicable.

#### **3.5b Overview of the general legislation and policy framework that ensures support for the majority of learners at times of transition between phases of education and into adult life**

##### *Transition from primary to secondary education and advice on starting level in secondary education*

Since 2015, the advice of the primary school on the level of secondary education prevails for the placement of pupils in secondary education. The school in secondary education has to place the child at the level that the primary school advises (or higher). A final attainment test shows which type of secondary education suits the learner and is an addition to the school advice that a learner receives. If the test recommendation is higher than the school recommendation, the primary school always reconsiders the school recommendation. In consultation with the learner and their parents, the school can then adjust the advice (only upwards), but that is not mandatory ([European Agency, 2020](#), p. 40). From the 2019–2020 school year on, this test is also mandatory for learners in ‘mainstream plus’ and special schools. In some cases, the child does not have to take the compulsory attainment test. For example, if the child has (severe) learning or behavioural difficulties or has multiple disabilities (Eurydice, 2021/2022: [Overview](#)).

##### *Transitions from secondary to vocational or higher education*

Since 2017, the Ministry has made almost EUR 5 million in subsidies available each year for transfer programmes for VMBO–MBO and VMBO–HAVO. Pupils receive extra support and their parents are more involved. To improve the transfer from MBO to HBO, more than 70 MBO institutions and colleges of higher education have received subsidies to test innovative new methods. A bill is being prepared that regulates a transfer right for the



transfer from VMBO–GL or TL–HAVO and for the transfer from HAVO to VWO ([European Agency, 2020](#), p. 11).

In special education, learners are allowed to stay a little bit longer in school before transferring to the next level of education or labour market or day time activities than in mainstream education ([European Agency, 2020](#), p. 40).

As stated before (section 2), children must attend school full time for 12 full school years (from the age of 5) and, in any event, until the end of the school year in which they turn 16. Since August 2007, the obligation to continue education to obtain a basic qualification has applied to young people under the age of 18 who have finished compulsory education but have not yet obtained a basic qualification certificate. They must achieve at least a diploma at general secondary (HAVO), pre-university (VWO) or vocational (MBO-2) level (European Agency, Country information for the Netherlands – [Legislation and Policy](#)).

In order to create a smooth transition from pre-vocational education (VMBO) to upper secondary vocational education (MBO) and to remove barriers, schools can offer one continuous VMBO–MBO learning route from 2020 onwards. In the case of a continuous learning route, schools offer a joint educational programme from upper secondary vocational education up to and including vocational education diploma. Education can be deepened, enriched or accelerated during this route. The learning route can be provided at a VMBO and/or MBO school ([European Agency, 2020](#), p. 54).

From the 2019/2020 school year on, legislation was introduced to encourage schools to experiment with mixed classes for practical training and pre-vocational education ([European Agency, 2020](#), p. 54).

### **3.5c Overview of the specific legislation and policy framework that ensures support for learners who are vulnerable to exclusion from inclusive education at times of transition between phases of education and into adult life**

In the transition from mainstream primary to secondary education, schools are responsible for the transfer for pupils who receive extra support. The legal responsibility for organising this support transfers from the primary to the secondary school board. According to the duty of care, the secondary school board has to investigate the needed extra support, and if the school of admission is unable to provide this support, is responsible for finding a suitable school. The regional school alliances are often involved in the transition from primary to secondary education.

For pupils who leave special education, the question of whether provision in secondary special education is needed or entry in a mainstream secondary school is possible, has to be assessed by the experts of the secondary school alliance before a new declaration of admission is given and the pupil can be admitted to a secondary special school.

Regarding the transition from special secondary education, practical training or assistant worker training to the labour market, The Participation Act (2015) states that people with a disability can apply for a ‘job appointment indication’. People with a job appointment indication are registered in a national database. When employers hire someone from the database, they get financial benefits, while people ‘with a distance to the labour market’ can get a job. Learners in special secondary education, practical training or assistant



worker training can apply for an indication during their study, in order to facilitate a smooth transition from education to job ([European Agency, 2020](#), p. 55).

## Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of the legislative and policy framework for inclusive education in practice. It specifically considers the main challenges and opportunities for effectively translating policy into regional, local and school level practice.

### Education that Fits: policy instruments

The evaluation of the Education that Fits policy in the period 2014–2020 has shown that the results are mixed, viewed from the successes of the policy instruments. The decentralisation has led to a better organisation of extra support and cost problems are solved for the national government. The duty of care is not yet fully fulfilled and its goal – preventing parents from having a complex quest for a suitable school – is only partly reached. This is because parents who are not satisfied with the offered support and/or the school where this support can be given, tend to continue to go elsewhere. With regard to the school support plans, they are often not detailed enough to inform parents on the kinds of extra support the school can offer. Frequently, parents do not even know that such a plan exists. The individual development plans perform better: they have improved the communication with parents on the needs of their child and the support given. But schools are ambivalent about these plans because of the administrative burdens ([Ledoux & Waslander, 2020](#)).

### Education that Fits: impact on schools

Schools report that they can give more tailored help to pupils who need extra support, because of the greater autonomy in spending budget. In secondary education, new facilities have been created to support pupils with SEN, such as special classes and special teachers. As a result, fewer pupils are referred to out-of-school provisions ([Ledoux & Waslander, 2020](#)).

### Quality of special schools

The quality of special school has improved a lot, due to the Act of Quality of Special Education and interventions of the Inspectorate of Education. Only a few schools perform below the standards of the Inspectorate.

### The compulsory test in the highest grade of primary education

A substantial debate is going on about the way primary schools handle the compulsory test at the end of their curriculum. When the test result suggests a higher advice than the school has given, it is mandatory to adjust the school advice. Not all schools do this and thereby they disadvantage pupils. This regards pupils of disadvantaged backgrounds especially, but also pupils with SEN. They are more frequently ‘underadvised’ than pupils without SEN.

Despite this debate, there is great content about the compulsory test itself.



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### **Teacher education in SEN subjects**

There is no national regulation in teacher education concerning the required competences for SEN education or the improvement of these competences. Teacher education institutions do pay more attention to this subject than in the past, but it is still too little in the opinion of many educational professionals, especially in the field of secondary education. In primary education, the growing percentage of teachers with a Master's in SEN (post-initial training) is a positive development.

The school boards are responsible for the quality of teachers in their schools, but in practice they leave this to the schools themselves. Most regional school alliances have no policy in improving professionalism too. Overall, the way teachers can gain SEN expertise is poorly controlled/directed.



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## SECTION 4. SYSTEM GOVERNANCE

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This section provides information on aspects of governance across and between different system levels, bodies and stakeholders in the country.

### 4.1 Shared responsibilities across and between central and local government

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#### *Freedom of education*

The guiding principle in educational governance is article 23 of the Constitution:

1. Education shall be the constant concern of the Government;
2. All persons shall be free to provide education, without prejudice to the authorities' right of supervision.

The Dutch system is, on the one hand, highly centralised and, on the other hand, highly decentralised.

Overall responsibility for the education system lies with the state, specifically the Minister of Education, Culture and Science and the Minister for Primary and Secondary Education.

The Ministry of Education, Culture and Science lays down statutory requirements for early childhood education, primary and secondary education and secondary vocational education, and has overall control of adult general secondary education (VAVO).

The Minister for Primary and Secondary Education sets the framework (in law, legislation and policy frameworks) for primary and secondary education (including special education) in which individual schools should perform. There is no national curriculum, but there are attainment targets in general education and mandatory tests and exams (see section 3).

The government lays down the framework within which higher education institutions (higher professional education and universities) have to operate, but it is the responsibility of the competent authority of each institution to expand on the government framework in the teaching and examination regulations.

The provincial authorities' role in education is limited to supervisory and legal tasks. The administration and management of schools in primary and secondary education and schools for secondary vocational education is the responsibility of the independent school boards.

The school board is responsible for the school and for the quality of education, including meeting the attainment targets.

Under the 'Education that Fits' policy (2014), every school board is responsible for providing adequate education for every pupil that enrolls, regardless of their specific educational needs and the kind of support that they need. By co-operating with other school boards at a regional level, within regional school alliances, schools are required to arrange educational provisions in such a way that every learner can be educated taking



into account their special educational needs. School alliances are free to decide on how arrangements are offered. Some important features of the Education that Fits policy are:

- no learner left behind: school boards are responsible for providing an adequate place in the education system for every learner;
- co-operation between all school boards of the affiliated schools that make up the regional school alliances, including all mainstream schools and the special schools for cluster 3 and 4 provision;
- co-operation between schools and other organisations and institutions responsible for the care and well-being of children (municipalities, health organisations, youth care, etc.); regional school alliances and municipalities that are in the same region are obliged to discuss the regional support plan and make arrangements for the youth/health care support in education and vice versa (since municipalities are responsible for organisation and funding of youth care);
- participation of stakeholders, for example through mandatory participation councils (with teachers and parents) in the school alliances and schools, and through rights of parents in decisions surrounding the pupil's individual development plan).

(European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), p. 39)

## 4.2 Specific areas for shared responsibilities across and between central and local government

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### Policy development, implementation and co-ordination

As stated before, the national government sets the framework in the Education that Fits policy and Quality of (secondary) Special Education Act. At the local level, the regional school alliances are responsible for both policy development within their own region and implementation and co-ordination.

In the regional school alliances, mainstream and special schools co-operate. There are more opportunities for intensive forms of co-operation between special and mainstream education, including the combination and integration of facilities and hybrid forms of education.

The special schools for cluster 3 and 4 provision are included in the regional school alliances, but the special schools for cluster 1 and 2 provision are nationally organised. The rationale for this is that the expertise is more specialised and the target groups (pupils with visual or hearing impairments or communication disorders) are considerably smaller.

In 2018, legislation was introduced to stimulate the integration of special and mainstream schools. For a period of six years, special and mainstream schools can integrate their school organisation and classes, and grow to one school organisation. During the experimental period, both schools continue to receive their own funding. After six years, they have to decide how to prolong the integration and collaboration. Due to the fact that schools want to work together more intensively, the legislation will be prolonged and



broadened to enable more mainstream and special education schools to work together in integrated centres ([European Agency, 2020](#), p. 14).

The policy on equity and support for disadvantaged pupils requires municipalities to draw up a local educational agenda together with school boards and childcare providers. In the local agenda, school boards, local municipalities and child care providers discuss and decide how to combat educational disadvantages and promote equal opportunities (European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), p. 30).

### **Identification of needs/referral for services**

The regional school alliances are legally responsible for the declarations of admission to (secondary) special education (except for clusters 1 and 2), as well as for assessment criteria and procedures for referral to extra support in mainstream schools. The educational needs are identified and investigated by the school (legal responsibility of the school board). There are no national criteria for the referral to special schools or extra support in mainstream schools.

### **Data collection and sharing**

In primary and secondary education, data collection is the responsibility of the regional school alliances, without any obligation from the national government. There is no central registration of pupils with extra support in mainstream education, because there is no national definition of which pupils are eligible for extra support. Data on the total number of pupils in mainstream and special schools are collected by the executive organisation of the Ministry of Education (Dienst Uitvoering Onderwijs or DUO). DUO also collects data on learning achievements (final test in primary school, central and school exams in secondary school), schools and school alliances (e.g. financing, number of personnel). Aggregated statistics are available on the [Ministry of Education, Culture and Science statistics website](#). The Central Bureau of Statistics (CBS) receives the educational data from DUO, as well as data from other public domains, such as social services and health care. They publish yearly statistics on their website.

### **Monitoring and evaluation**

Regional school alliances must prepare a regional support plan every four years. In it, they describe how they develop a comprehensive offer to support all pupils in the region. Schools are obliged to describe the support they offer pupils with special needs in a 'school support profile' (schoolondersteuningsprofiel) every four years. School development and teacher training in special educational needs can be based on this profile. In this profile, schools not only describe what support they can offer pupils with special educational needs, but also the regular support they offer for pupils with dyslexia, dyscalculia, ADHD and gifted pupils (European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), p. 21).

On a national level, the Ministry monitors the implementation of Education that Fits.

In 2020, a five-year evaluation research programme was ended (read the summary of the end report here: [Summary Evaluation Education that Fits | Evaluatie Passend Onderwijs](#)).



This research focused on evaluating the Education that Fits changes on a system, regional and school level.

From 2021 to 2026, the national monitoring is focused on the improvement measures that were instated after the evaluation in 2020.

Also, the Inspectorate of Education reports yearly about the latest developments in Education that Fits, based on their periodic investigation visits in schools and school alliances.

### **Quality assurance and accountability**

School boards and schools have organised counterparts by involving parents and staff in policy and decision-making in so-called 'participation councils' (this is a legal requirement). The board and the schools report at least annually on their goals and the results they achieve. They do this in an accessible manner. The board reports to the internal supervisor. The board and schools are accountable to the government.

The Inspectorate of Education has the task to oversee and check whether schools, school boards and school alliances adhere to legal quality standards, accountability and financial management.

School boards and school alliances send their annual reports (including financial accountability statements) to the Inspectorate of Education. Also, the Inspectorate performs its supervision tasks through investigation visits.

The structure and culture for accountability within the regional school alliances is under development. So far, this has mainly been subject to regional systems and policy, but there are plans for national regulations regarding organising obligatory independent internal supervision within the school alliances as well.

### **Funding**

School boards in primary and secondary education (including special education) receive a basic funding per pupil. Out of this budget, the 'basic support' available in every school has to be funded. Additionally, regional school alliances get funding for organising the network of provisions for extra support in the region. School alliances are mandated to divide this budget for extra support and to set the criteria and procedures. From this budget, they fund both the extra support in mainstream education, and the additional funding for 'mainstream plus' in special schools (for cluster 3 and 4 support).

Since 2014, the schools for clusters 1 and 2 (for learners with visual or hearing impairments) work together in national resource centres. From there, they support learners in special schools, or outpatient counsellors support learners in mainstream schools. Cluster 1 and cluster 2 centres are funded directly by the Ministry of Education and allocate the funding to the special schools themselves or via learner arrangements to the mainstream schools.

In 2018, legislation was introduced to stimulate fusions of special and mainstream schools. Over a period of four years, special and mainstream schools can integrate their school organisation and classes, and become one school organisation. During the experimental period, the schools continue to receive funds for both schools. After four





years, they must decide on an organisational fusion and new funding, based on a single school organisation.

In their annual reports, all school boards and school alliances have to report and justify their expenses.

Occasionally, the General Accounting Office (Algemene Rekenkamer) conducts an investigation into the allocation of educational resources, related to the attainment of national policy goals (efficacy and expediency of policy and resource allocation).

### **4.3 Formal and informal collaboration across ministries**

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Cross-sector co-operation between education, youth (health) care and social services is an important policy domain for inclusive education. The Ministries of Health and Education, together with representatives of school boards, municipalities and youth health (care) organisations, have a joint policy programme called 'Coalition Education, Care and Youth'. They work on a better connection between the three domains, with the aim of better aligning care and education with the individual needs of children.

The Ministry of Health contributes to health and welfare costs in education through arrangements for individual learners both in special and mainstream schools.

In the cross-sector programme 'Unlimited Participation' (Onbeperkt meedoen), several ministries co-operate to implement the UN Convention of the Rights of Persons with Disabilities (CRPD). The Ministries of Health, Education, Social Affairs, Internal Affairs and Infrastructure share responsibility for working towards the programme goals. Education is one of the seven main themes within the programme.

### **4.4 Specific mechanisms for formal and informal collaboration that impact on inclusive education**

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#### **Development of a shared vision for inclusive education**

The Ministry of Education participates with other ministries in an intensive programme called Unlimited Participation to implement the UNCRPD goals for inclusion in society as a whole, and specifically in education, labour market, health care, living and other areas ([European Agency, 2020](#), p. 9). Within this programme, education is one of the seven main pillars.

#### **Policy development, implementation and co-ordination**

Ministries of Health and Education, together with representatives of school boards and youth health (care) organisations, have founded a joint policy programme called 'Coalition Education, Care and Youth'. They work on a better connection between the three domains, with the aim of better aligning care and education with the individual needs of children ([European Agency, 2020](#), p. 3).

If finding a suitable practical training place for a student with additional needs poses problems for the VET institution, the institution or the student can refer to the Foundation for Co-operation on Vocational Education, Training and Labour Market's 'Workplace



Shortage Reporting Point' for support from one of its advisers ([European Agency, 2020](#), p. 50).

### **Identification of needs/referral for services**

Education that Fits was meant to make it easier for parents to find a suitable school with tailor-made support for their child. A measure introduced to facilitate this is *administrative collaboration between regional school alliances and municipalities*: consultations must always take place about the harmonisation of the support plans of the school alliances and the youth care plans of municipalities ([Ledoux & Waslander, 2020](#), p. 7).

### **Data collection and sharing**

The national data collection activities regarding education are described in section 4.2 above.

Regarding *cross-sectoral collaboration* on data collection and sharing, the Central Bureau of Statistics (CBS) mentioned in 4.2 receives registration data from the executive organisations of all ministries, including Education, Health and Social Affairs. For specific research questions, data can be combined. However, because of GDPR legislation, there are strict demands and limited possibilities for combining these datasets.

The ministries of Education and Health sometimes set out joint research programmes (see below). For example, research will be conducted in 2023 focusing on increases in admissions to special education and to specific youth care and day care facilities in certain regions. In this research, regional data in these three sectors will be compared.

### **Monitoring and evaluation**

There is also cross-sectoral collaboration on monitoring and evaluation, with research in education and youth/health care on different levels. On a national level, the co-operation between schools and municipalities/local care organisations is the subject of research, for example in the evaluation of Education that Fits. Also, the research that will be conducted in 2023 commissioned by the ministries of Health, Education and Social Affairs, is focused on regional developments in catering for children with additional needs, rising admission rates within these systems, and underlying factors (such as medicalisation).

The Dutch Research Council (NWO) has bodies for practice-oriented research in education, youth and (mental) health care. The council allocates resources (funded by the ministries) for local consortia of researchers, education/care practitioners and other stakeholders to conduct research that fosters evidence-informed practices for inclusive education and for co-operation between education and youth care.

The body that is focused on educational practice-oriented research is called the Netherlands Initiative for Education Research (NRO).

### **Quality assurance and accountability**

Regarding cross-sectoral collaboration for quality assurance and accountability, there is a joint programme by the Inspectorates of Education, Health and Youth, Social Affairs and Justice and Security called Supervision Social Domain (Toezicht Sociaal Domein).



## Funding

The Ministry funds a practice-oriented research and development programme, 'Behaviour and Education that Fits'. Consortia of scientists and schools can apply for a grant to conduct a 2–3 year research programme, which must provide concrete and useful products with which schools can renew and improve their practice.

The Ministry also funds a support organisation, which helps regional school alliances, school boards and schools with the implementation of the Education that Fits policy. This organisation offers, for example, a scan to assist schools in evaluating the progress of Education that Fits. For school boards, a self-evaluation tool and a peer-learning visitation programme have been developed.

Within a wider context, the Ministry funds the Netherlands Initiative for Education Research (NRO). The NRO contributes to innovation and improvements in education by co-ordinating and funding educational research and facilitating the connections between educational practice and research.

The focus is on education research: whether that examines the class (processes and learning outcomes), school (organisation and effectiveness) or the whole of the Netherlands (education and society). The NRO encourages and facilitates the dissemination of all knowledge emerging from research into educational practice ([European Agency, 2020](#), p. 22).

## Evaluative commentary

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This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of system governance for the implementation of inclusive education in practice. It specifically considers the impact of levels of decentralisation/centralisation in the country on inclusive education in practice.

## Responsibilities

Since Education that Fits, responsibilities for the support of SEN have been shifted from the national government to the regional school alliances. As a result, the organisation of support has improved ([Ledoux & Waslander, 2020](#)). The collaboration between school boards is sufficient overall. Schools and school boards value the fact that they can design their own policy and these local policies are developing more and more. However, some regional school alliances struggle with budget problems.

Special schools in clusters 3 and 4 participate in regional school alliances. This is not the case for special schools in clusters 1 and 2, which have their own national organisations. Although understandable, because of the smaller number of pupils in clusters 1 and 2, this is a point of debate. Due to separate systems, the administrative burden is considerable for mainstream schools and policy-tuning is more difficult for the regional school alliances regarding clusters 1 and 2. The national institutions in clusters 1 and 2 make their own decisions in the way they support pupils with visual and hearing impairments.



## **Decentralisation**

The decentralisation of responsibilities to regional school alliances has its benefits, but there is also a negative consequence for some special schools. They often receive their pupils out of different regional school alliances and therefore have to cope with different rules for admittance, making up files, necessary meetings, registration of data and regulations for accountability. Bureaucracy has increased for these special schools.

A complication with regard to decentralisation is that regional school alliances are formed on the basis of nationally made criteria, the most important being the scale necessary for good collaboration between mainstream and special schools. This does not match with the decentralisation of youth care that took place in the same period. Youth care has been the responsibility of municipalities since 2015. Regional school alliances usually deal with several municipalities within their region. This hampers consultation and co-ordination between education and youth care on the regional level.

The youth care system is not stable yet and is struggling with a growing number of clients. Schools still have a lot of complaints about the co-operation with youth care professionals, despite the introduction of the joint policy programme called 'Coalition Education, Care and Youth'. Often it is not clear who has to pay for which kind of support ([Ledoux & Waslander, 2020](#)).

## **Data collection**

In the domain of availability of data, there are still some gaps. The most important one is that no national registration has been set up of children who receive extra support in mainstream schools. As a result, the evaluation of the Education that Fits policy remains poor at the individual level (the impact on learners with additional needs). Within the regional school alliances, there are also no datasets of involved pupils, apart from numbers of pupils in special schools or special provisions.

On the other hand, the funds for research in specific subjects of SEN education are substantial and deliver all kinds of information.

## **Accountability**

The accountability system has been discussed in an elaborate way. The Inspectorate supervises both schools, school boards and regional school alliances, as mentioned above, based on standards for quality. They provide a lot of public information. The debate is about the internal supervision in school boards and regional school alliances. There are no rules for the accountability of schools within their school boards. According to school boards themselves, this is mainly limited to periodical conversations between school and board. No data are available of the efforts of the internal supervisor of the school boards (a committee of independent experts) in questioning the spending of the funds and/or the effect of arrangements.

Regional school alliances can arrange their own internal supervision, with a few obligations. In most alliances there is no independent committee of experts. There are plans for national regulations regarding obligatory independent internal supervision within the school alliances, as mentioned above. There are different perspectives on the desirability of these plans. Some alliances claim that their own arrangement of the



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internal supervision is sufficient and the system should be based on trust, not more regulations.



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## SECTION 5. QUALITY ASSURANCE AND ACCOUNTABILITY

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This section provides information on the general and specific quality assurance and accountability frameworks and mechanisms informing the country's education system.

### 5.1 School inspection processes and structures for all forms of educational provision

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The Inspectorate of Education oversees:

- The quality of education
- Adherence to educational laws
- Proper spending of funds (legitimacy and functionality).

The Inspectorate uses a system of yearly risk analysis to decide which schools should be inspected in that year.

In 2017, the Inspectorate renewed the supervision of schools. In short, the new supervision means that the Inspectorate no longer only visits all schools, but begins its supervision with school boards, every four years. The board must show how it has arranged quality assurance for its schools. The school plan forms the starting point. The Inspectorate then checks at a number of schools whether the findings of the board match their findings.

The Inspectorate of Education assesses the quality of education of the individual school boards for primary and secondary education, the educational institutes for vocational, higher and university education, and the education system as a whole in the Netherlands. It also encourages school boards and educational institutions to maintain and improve the quality of education they offer ([European Agency, 2020](#), p. 18).

In the four-year school investigation, the Inspectorate of Education takes into account the learner population of the school and the opportunities they offer for learners with additional needs when assessing the educational school outcomes.

The Inspectorate checks whether regional school alliances carry out the tasks assigned to them. One of these legal tasks is to create a coherent set of specialised provision within and between schools, so that all pupils who require extra support are given the most suitable place in education (Inspectorate of Education Research Frameworks, 2021).

Finally, the Inspectorate checks whether the regional school alliance achieves the results as described in the support plan.

The outcome of the four-yearly survey of the Inspectorate determines what the follow-up supervision of the board and schools looks like. Follow-up supervision occurs when the Inspectorate determines that something needs to be repaired or improved. If everything is in order they will, in principle, visit the board again after four years. When determining follow-up supervision, the Inspectorate looks at the specific situation at the board or



school (e.g. the number of schools under management, the size of the schools, the development of quality and quality assurance, the seriousness of any shortcomings and risks, and the monitoring history). In other words, the follow-up supervision is tailor-made. If the Inspectorate finds shortcomings at a board or a school, they can take measures (apply interventions) to have the shortcoming repaired. These measures vary from giving a warning or repair order to withholding part of the funding in the most extreme cases. Shortcomings are always about non-compliance with laws and regulations ([European Agency, 2020](#), p. 42).

## 5.2 Other quality assurance processes for all forms of educational provision

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The Government Accounts Act states that ministers are responsible for periodically examining the effectiveness and expediency of policy. An extensive evaluation programme has been executed for the implementation of the *Education that Fits* policy, and currently the follow-up improvement agenda for Education that Fits is being monitored ([European Agency, 2020](#), p. 18).

The Efficiency in VET Act (2015) obliges VET institutions to keep their portfolio relevant to the regional labour market. That means that they are not allowed to offer courses with which graduates are not able to find relevant a relevant job in the region. They should also limit the number of students with specific qualifications, depending on the labour market perspective of those graduates. The Inspectorate for Education supervises compliance with this law. The Inspectorate also visits the VET institutions every four years, or more often when necessary. In the judgements, efficiency, job chances and satisfaction of students and employers are considered ([European Agency, 2020](#), p. 53).

## 5.3 Evaluation mechanisms used to monitor outcomes at different system levels

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### General outcomes (academic, social, well-being, etc.) for all learners

In the transfer from primary to secondary education, equity is stimulated by an objective final test that learners take at the end of grade 6. From the 2019/2020 school year on, this test is also mandatory for learners in ‘mainstream plus’ and special schools. The final test shows which type of secondary education suits the learner and is an addition to the school advice that a learner receives. If the test recommendation is higher than the school recommendation, the primary school always reconsiders the school recommendation. In consultation with the learner and their parents, the school can then adjust the advice upwards, but that is not mandatory.

Secondary schools, on the other hand, cannot take additional tests to determine the level of the learners who want to enrol. The admission to a school may not rely on other tests than the test that learners take at primary school (for example, tests of the pupil tracking system or an IQ test). The primary school does, however, take this data into account when making school recommendations for secondary education ([European Agency, 2020](#), pp. 40–41).



At the end of upper secondary school, learners take central exams and school-based exams. If learners pass their exam they receive a diploma. The diploma is an entry requirement for vocational, higher and university education.

Data on learning outcomes based on the final primary school tests and the central and school exams are available as national statistics on the [Ministry of Education, Culture and Science statistics website](#). On this website there is also data about the school careers of learners (such as statistics on outflow).

Moreover, the Inspectorate of Education publishes annually the 'State of Education' report, in which they give an overview of developments, both from their own qualitative research, as from analysing the national DUO statistics.

At school and school board level, most schools use student tracking systems for monitoring the growth of students on standardised tests for academic learning, as well as for evaluating well-being and behaviour.

### **Specific outcomes (academic, social, well-being, etc.) for learners vulnerable to exclusion**

At the school level, the Inspectorate checks whether learners receive additional support and guidance as needed. For each pupil with additional needs the school is obliged to draw up an individual development plan. In this plan, the school describes what those needs are, how these will be provided, what the aims of the extra support are, and what the desired outflow perspective for the learner is. Besides contributing to tailored help, these plans should also improve the communication with parents and foster frequent monitoring and evaluation of tailor-made interventions.

The education, support and/or guidance must be aimed at the continuous development of the learner. The school must periodically evaluate whether the support has the desired effect and adjusts the interventions if necessary. The Inspectorate checks whether schools adhere to these legal requirements.

The school must also co-operate with pre-school facilities and previous schools by exchanging information about pupils in disadvantaged situations and ensuring education is an on-going learning process. At the end of the school period and when learners leave before the end of the school period, the school informs the parents and the secondary school about the learners' development.

In the four-year school investigation, the Inspectorate of Education takes into account the learner population of the school and the opportunities they offer for learners with additional needs when assessing the educational school outcomes.

### **Outcomes for schools (professional development, staff and personal well-being, etc.)**

The Inspectorate assesses general educational and financial quality standards ('soundness requirements') regulated at the level of the law. These include educational process, school climate, school results/educational outcomes, quality assurance and financial management. The Inspectorate also assesses quality standards that are set by the schools and boards themselves, in order to encourage a more ambitious learning culture within schools. The Inspectorate can conclude that a school is of basic quality, 'insufficient' or 'very weak' ([European Agency, 2020](#), p. 41).





In order to stimulate a more open and transparent processes of accountability within regional school alliances, the Ministry subsidises the development of an ‘accountability dashboard’. Regional school board and regional school alliances can benchmark their own results on input, throughput and output indicators with their peers ([FPIES – Netherlands country report](#); [European Agency, 2020](#), p. 27).

Most schools use instruments for assessing teacher, parent and learner satisfaction and well-being. Usually, they upload these outcomes into their accountability dashboard.

For school leaders, there is a national register for competences and professional development. There have been plans for a similar national register for teachers, but the plans have been put on hold because the ideas about it are controversial.

### **Outcomes for parents and families (support, participation, family well-being, etc.)**

There is no standardised national data about this, but the outcomes on family well-being, participation, etc., are monitored in specific research projects financed by the Ministries of Education and Health.

In the national monitor on Education that Fits being conducted from 2021 until 2026, parents (among other respondents such as teachers and school leaders) fill out a questionnaire regarding the quality of support in schools, the level of communication and accessibility, hearing the voices of learners with additional needs, and parent participation in schools and school alliances.

Also, since the Covid-19 pandemic there is monitoring specifically focused on learner well-being, social emotional development and executive functioning. Additionally, the interventions that schools organise (specifically for disadvantaged groups) for catching up on learning gaps after Covid-19 are being evaluated.

## **5.4 Evaluation mechanisms used to monitor the effectiveness of processes at different system levels**

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### **Effectiveness of teaching and learning processes**

This is part of the investigation by the Inspectorate of Education, see sections 5.1 and 5.3 above. Effectiveness of teaching processes are part of the quality standards.

More specifically, the Netherlands Initiative for Education Research (NRO) co-ordinates practice-oriented research programmes that are focused on the effectiveness of teaching methods in general, as well as specifically for groups of vulnerable learners.

### **Effectiveness of school management processes**

The Inspectorate checks the quality assurance within the regional school alliances. The regional school alliance must have formulated goals based on its social mission, and improve the performance of its duties based on regular and systematic evaluation of the achievement of those goals.

There is also quality assurance on the school board and school level, which the Inspectorate evaluates. The board provides a system of quality assurance at the schools.



This system is described in the so called 'schoolplan'. From this system, the board monitors and promotes the quality of the learning process and the learning outcomes.

The board and the schools have insight into the quality of education. The causes of any inadequate quality of education are analysed and, where necessary, improvements are targeted. The division of responsibilities between administration and schools makes a functioning system of quality assurance possible ([European Agency, 2020](#), p. 19).

### **Effectiveness of teacher professional development processes**

Teacher professional development is a legal responsibility of the school board. School boards have to keep up a competency profile for each teacher. This is being supervised by the Inspectorate of Education.

In the upcoming year, the Ministry of Education is setting out an inquiry amongst teachers in mainstream schools, asking them which needs they have for professional development and support in school regarding catering for learners with special educational needs.

### **Efficiency and effectiveness of funding mechanisms**

Since 2014, all regional alliances in the Netherlands receive an equal amount of funding, relative to the number of pupils attending school. For some alliances, this means that they receive more budget than was previously spent on support in their region (for example, on places in special schools). This is called 'positive equalisation'. Other regional school alliances receive less budget than in the past: 'negative equalisation'. The introduction of the Act came with a five-year transition scheme to give the parties involved the opportunity to adjust to the new budget ([Ledoux & Waslander, 2020](#), p. 11).

Although the equal distribution is backed up by research showing the fairness of this funding mechanism, there are regions that report funding is tight. Recently, more regional school alliances are reporting that an increasing influx in special education is putting pressure on the fixed regional budget for support in mainstream and special schools. This is thought to be related to a similar increase in children in medical day centres and other youth care facilities. This hypothesis is being tested in research by the Ministries of Education and Health in 2023.

Regarding efficiency of funding for primary and secondary schools in general, a checks and balances system is in place: school boards receive a block grant budget based on the number of pupils. Internal supervisors oversee the efficiency and effectiveness of spending. In the yearly report, school boards have to defend their budget estimate and actual spending and saving. The Inspectorate checks the school accountability.

On a national level, the National Accounting Office does investigations on the efficiency, effectiveness and expediency of resource allocation in the educational sectors.

### **Effectiveness of (vertical) co-operation between stakeholders at different system levels**

The effectiveness of co-operation between stakeholders can be an aspect in specific policy-oriented research programmes. For example, in the longitudinal research that is accompanying the experiments for integration of mainstream and special schools, the beneficial and risk factors for co-operation between schools, municipalities and youth care are being researched.



## **Effectiveness of (horizontal) co-operation between ministries and ministerial departments**

The effectiveness of co-operation between ministries is not monitored directly. In the Dutch political system, the government, represented by ministers of education, is held accountable by the members of parliament. They can also address the co-operation between ministries and departments, and if needed they can instigate an independent parliamentary inquiry.

## **5.5 Specific monitoring mechanisms relating to learners vulnerable to exclusion from inclusive education**

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Combating early school leaving is a central policy priority. So is early detection of potential disadvantages among young children, and increasing enrolment of children from underprivileged backgrounds in pre-primary schools who are at risk of educational or language disadvantage (European Agency, Country information for the Netherlands – [Systems of support and specialist provision](#); [European Agency, 2020](#), p. 43).

The municipalities collect data on absence and out-of-school, and report these data yearly to the Ministry of Education. Schools have to report their statistics to their municipality. They have to monitor learners who are absent without exemption for more than four weeks, learners that are out-of-education without an exemption, and the learners that are absent but do have an exemption from compulsory education (due to physical or psychological reasons).

Unfortunately, the statistics on absence and out-of-education are unreliable, and even more so in the recent Covid-19 years due to school closings, group quarantines and digital education.

## **5.6 Specific evaluation mechanisms relating to learners vulnerable to exclusion from inclusive education**

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There is no national monitoring data on learners vulnerable to exclusion, because these learners are not identified or registered within mainstream schools. There is only data on learners who are enrolled in special schools. Frequently, DUO, the CBS and the Inspectorate of Education perform statistical analyses to identify the influx, flow and outflow of these learners.

The ministry does set out several policy and practice-oriented research programmes focusing on (representative) samples of learners with additional needs. The policy-oriented research is focused on evaluating the effectiveness of national and regional policies for meeting learners' needs.

As mentioned previously, the Dutch Initiative for Educational Research (NRO) contributes to innovation and improvements in education by co-ordinating and funding educational research and facilitating the connections between educational practice and research. Specifically for learners vulnerable to exclusion, they have the research programme 'Educational Support 2021–2026'.



Within the National Scientific Agenda (NWA), one of the 25 'routes' is called 'Youth in development, upbringing and education'. Several research projects within this route are and will be focused on vulnerable groups of learners, for example with disadvantaged backgrounds.

## 5.7 Specific accountability mechanisms to ensure the inclusion of learners vulnerable to exclusion from inclusive education

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There are no specific accountability regulations concerning specific groups of learners in mainstream education. Accountability requirements and regulations for school boards and school alliances are applicable to their tasks in general, such as the yearly reports and the supervision by the Inspectorate of Education on quality standards and legal duties.

As also mentioned in section 5.1 above, in the four-year school investigation the Inspectorate of Education takes into account the learner population of the school and the opportunities they offer for learners with additional needs when assessing the educational school outcomes.

The Inspectorate checks whether regional school alliances carry out the tasks assigned to them. One of these legal tasks is to create a coherent set of specialised provision within and between schools, so that all pupils who require extra support are given the most suitable place in education.

### Evaluative commentary

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This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of quality assurance and accountability for inclusive education in practice. It specifically considers the implications of how different stakeholders across the education system are accountable for ensuring the effective implementation of policy for inclusive education in practice.

#### External quality supervision

The Inspectorate of Education is the external supervisor on quality of education, in general and in the domain of SEN education. The Inspectorate has an extensive system of standards and visits, as mentioned before. Schools, school boards and regional school alliances take this very seriously.

A point of debate is how the Inspectorate chooses its standards. The majority of these standards are not legally prescribed but filled in by the Inspectorate itself. In general, there is enough consent within schools and school boards about these standards, but sometimes they are met with some resistance. For instance, the Inspectorate states that there is no comprehensive offering of support when there are waiting lists for special schools; regional school alliances claim that they have the right provisions in their region and that waiting lists are sometimes necessary.

Moreover, the standards of the Inspectorate do not cover all possible mechanisms that exist in practice. As mentioned in the Evaluative Commentary in section 2, some schools



are bypassing the duty of care by advising parents to look elsewhere before the written admission of their child to the school has been handed in. This is not (yet) a subject of external supervision and it is hard to oversee and control.

### **Internal quality supervision**

See Evaluative Commentary in section 4 on this subject.

### **Restricted regulations on quality assurance**

Besides the Inspectorate standards, there are no national laws or regulations for quality assurance with regard to Education that Fits. School boards and regional school alliances make their own decisions in this domain. As a rule, regional school alliances have internal procedures for accountability regarding the spending of funds, but not for measuring the effects of the support given by these funds.

### **Availability of data**

As described in section 5.3 above, national data are available about the school careers of pupils and obligatory tests and exams. There are also data about early school leaving and absence, although these are not fully reliable. With these data, analyses are possible of patterns in grade retention, diplomas, in- and outflux in different kinds of schools, transitions from one school to another, and positions in the labour market after completing or leaving education. However, there is little information on academic achievements during the different parts of the educational system. Efforts are being made to build up a National Cohort Study by the National Organisation for Scientific Research, but this is not completed yet. In this so-called NCO-cohort, data are being collected from the tracking systems for monitoring the growth in academic performance of students that are used in schools.

A crucial problem for all these data, including the NCO-data, is that learners who receive extra support cannot be identified within mainstream education. This is because there is no central registration nor a standard definition of an extra-support learner. For this reason, the tracking systems in the school are not a suitable source of data in this respect. The individual development plans schools have to make for learners who receive extra support do not solve this problem either, because schools have the freedom to determine which children need this support and they differ widely in the amount of plans they make ([Ledoux & Waslander, 2020](#)). The individual development plans are good instruments for communication with parents and evaluation of the support given within the school, but not for statistics on extra-support learners in a broader sense.

In the past, analyses have been possible of school careers, academic achievements and well-being of all pupils, including pupils with SEN, with data of a previous cohort study. International studies like PISA, PIRLS and ICCS also do not include possibilities to identify these learners.

### **The quality of teacher's competences**

School boards are responsible for the expertise of the teachers in their schools. The national government is making agreements with national organisations of school boards on efforts in improving teacher's competences, but can only encourage not enforce. The



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evaluation of the Education that Fits policy has shown that neither school boards nor regional school alliances have a clear policy regarding the SEN expertise of teachers. They leave this responsibility mainly to the schools themselves. So there is little control in this subject. Improving expertise is mainly important in post-initial training, because initial training in teacher training institutions is far from sufficient, according to most teachers.

Teachers themselves oppose the idea of a public register of competences. As stated previously, a register of competences exists for principals, but is being put on hold for teachers.

### **Exchanging information between schools**

It was mentioned before that the school must co-operate with pre-school facilities and previous schools by exchanging information about pupils in disadvantaged situations (including pupils with special needs) and ensuring education is an on-going learning process. At the end of the school period and when learners leave before the end of the school period, the school informs the parents and the next school about the learners' development. Recent research (De Graaf et al., in preparation) shows that the necessary exchange of information takes place satisfactorily, also in the opinion of parents, but some improvements are possible in the transition of primary to secondary school.



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## SECTION 6. STAKEHOLDER COLLABORATION, CO-OPERATION AND EFFECTIVE COMMUNICATION

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This section provides information on the structures, mechanisms and opportunities for stakeholder collaboration and co-operation in the country.

### **6.1 Does the legislation and policy framework specify learner voices are used to inform the development of learning and teaching environments?**

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Yes.

#### **6.1a Description of the legislation and policy framework around the use of learner voice**

According to the law, pupils must be represented in the participation council of a secondary (special) school, alongside parents (WMS, art. 3, lid 3b). Schools are not obliged to install a (exclusive) student council.

Regional school alliances are obliged to install an advisory council (OPR), half of the seats in this council are reserved for parents and/or learners (WMS, art. 4a, lid 2).

On a personal level, many schools involve pupils in the process of formulating an individual development plan. The law states that parents must agree with the individual development plan (WPO, art. 40; WVO, art. 26). It is currently being investigated how the (right of) hearing of pupils in appropriate education can also be legally established ([European Agency, 2020](#), p. 32). There is an Act on the right to be heard in the making. Probably, the focus of this Act will be on the right of learners to be heard around the formulation, execution and evaluation of their individual development plan (including the plan for extra support).

After the evaluation of Education that Fits, the government has set new goals on hearing pupils; a monitoring study is gathering data on the progress of these goals.

### **6.2 Does the legislation and policy framework ensure curriculum development processes take account of all learners and their communities?**

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Yes.

#### **6.2a Description of how the legislation and policy framework around curriculum development processes take account of all learners and their communities**

The truth is more 'it did, and it will' instead of just 'yes'. The current core objectives of the Dutch curriculum were established in 2004, which was in itself adjusted to the population of that appropriate time. Currently, the curriculum is being revised, and the objectives of



the makers – i.e. teachers, scientists and curriculum experts – is to build an inclusive curriculum. There is a twofold objective:

1. The core objectives should reflect a broad summary of the Dutch population, not just that of the majority. Or said more appropriately: all students should be able to ‘recognise’ themselves and their surroundings in the curriculum.
2. The core objectives should be formulated in a way that it is broadly accepted and does not stigmatise certain groups. For example, the term ‘slave’ has a negative meaning to those students who descend from grandparents who were sold as slaves. So a term that is more widely recognised such as ‘someone who’s been made a slave’ will be used.

In the end, the core objectives for mainstream education will be more specific than the current (really broadly formulated) core objectives. The core objectives for special education were already more specific. For (secondary) special education too, new core objectives based on the ones for mainstream education are being developed. Due to the constitutional freedom of education, all schools will have a large degree of autonomy on how to interpret and teach the core objectives according to their own vision.

Regarding the current legislation, the content of the curriculum must be adjusted to different learning needs of pupils and must be evenly and coherently distributed over the school years (WPO, art. 8, lid 1). This also means that structural and recognisable attention must be paid to combating disadvantages in all areas of education, including arithmetic and in particular the Dutch language (WPO, art. 8, lid 11). The school prepares the pupils for the start of further education (WPO, art. 2). It follows from the requirement for continuous progress in the development of pupils that the school must logically phase or build up ascending levels in a manner that is appropriate to the age of the learner ([European Agency, 2020](#), p. 32).

### **6.3 Does the legislation and policy framework support the active involvement of different stakeholders in ensuring inclusive learning environments?**

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#### **Parents and families**

When registering at a school, parents conform to the provisions as included in the WPO, WVO and WEC about the exchange of information by schools with others about their child. The school informs the parents when necessary. This professional information exchange is a condition for the proper functioning of the internal and external care and support structure, and for the continuity of (educational) support. Parents’ consent is recorded in writing if necessary ([European Agency, p. 17](#)).

To ensure the full involvement of families in all educational processes, the Participation in Education Act (2006) states that all schools should have a participation council (WMS, art. 3, lid 1). School staff, parents and learners (only in secondary education) participate the participation council (WMS, art. 3, lid 3). The participation council is authorised to discuss, take a position or make proposals on all school matters (WMS, art. 6, lid 1). This includes budget and financial, organisational and educational policy, annual reports, and





complaints (WMS, art. 8). The participation council can give advice in advance on any decision to be taken by the school authority with regard to the adoption or modification of the school support profile (WMS, art. 11). On the level of the regional school alliance, a participation council is formed to give advice on the regional support plan (WMO, art. 11a). Parents (and learners) participate in this council.

On an individual level, many schools involve pupils in the process to formulate an individual development plan for learners who need extra support. This describes the expected outflow and educational objectives for that pupil. It indicates the level the pupil can achieve and the support that they will need to achieve it. Law states they must involve the parents, who have to agree with the individual development plan (WPO art. 40; WVO art. 26) ([European Agency, 2020](#), p. 15, p. 21).

In the upcoming Act on the right of learners to be heard, involvement of pupils in the processes around the individual development plan will become obligatory for primary and secondary schools.

Day care facilities must have a parent committee. Parent committees maintain and improve the quality of day care in collaboration with the day care facility. The parent committee therefore maintains contact between the parents, the organisation and the Municipal Health Service ([European Agency, 2020](#), p. 28).

On a national policy- and decision-making level, representative organisations of parents and of pupils are regularly involved.

### **School-leaders/leadership teams, teachers and specialist staff**

At a national level, the Ministry of Education supports the important role of the school leader by:

- making funds available for professionalisation in sector agreements in primary, secondary and vocational education and in the lump sum;
- conducting research;
- supporting the school leader registers in primary and secondary education;
- making funds available for the school leaders' academy in secondary education;
- supporting the school leaders 'tops' in primary and secondary education.

(School Inspectorate – cited in [European Agency, 2020](#), p. 37)

The Ministry of Education supports teachers and specialist staff and their involvement by:

- making funds available for (time for) professionalisation for teachers and specialist/support staff;
- scholarships that can be used to obtain the Master's degree in Special Educational Needs;
- participation of school staff in the participation council that every school has to have (see above for explanation of this council – this is the same council parents and pupils are in).



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On a national policy for inclusive education and decision-making level, representative organisations of the professional groups of teachers and specialised staff are regularly involved.

### **Stakeholders in the local communities**

On the involvement of a wider range of partners by schools, the law states that the support plans of regional school alliances will not be established until consultations have been held with the mayor and councillors of the relevant municipalities concerned (WPO, art. 18a, lid 9; WVO, art. 17a, lid 9) ([European Agency, 2020](#), p. 17).

When a new-born child is registered in a municipality, the consultation (health) centre contacts the parents. The Municipal Health Service doctor and district nurse monitor the child's growth and development. They examine height, weight, eyes and ears; provide information about health, care and parenting; give vaccinations against childhood diseases; refer the child to a doctor, specialist or youth care if necessary. The consultation centres can also refer children to the early childhood education programmes ([European Agency, 2020](#), p. 28).

### **Local-level decision-/policy-makers**

The policy on support for disadvantaged pupils (learners at risk due to lower socio-economic status/migration background) requires municipalities to draw up a local educational agenda together with school boards and childcare providers. In the local agenda, school boards, local municipalities and childcare providers discuss how best to combat educational disadvantages and how to avoid segregation in education ([European Agency, 2020](#), p. 9).

At the national policy-making level, the representing parties of several stakeholders, including local-level policy-makers, are involved in decision-making processes. The Ministry of Education regularly consults with the national representatives of the school boards, school leaders, municipalities, teacher labour unions and professional group representatives.

### **Non-governmental organisations, disabled people's organisations or other organisations representing vulnerable groups**

The Ministry also regularly consults with organisations that represent vulnerable groups, such as Defence for Children, the student union for pupils in special education, and the national ombudsman for children.

## **6.4 Does the legislation and policy framework ensure that curriculum development processes involve the participation and contribution of different stakeholders?**

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Yes.



#### **6.4a Description of the legislation and policy framework ensuring the involvement of stakeholders in curriculum development processes**

In the current curriculum reform, new core objectives are made by teachers, scientists and curriculum experts. In doing this, they are being advised by specialists on examinations, pedagogy and subject-specific matters. Other stakeholders such as representatives of different actors – i.e. teachers, school leaders, parents, students – in all types of education are being consulted during the process, even though they have no active role in describing the core objectives.

When the core objectives are established, they will need to be translated and implemented in the school. ‘Translated’ means that the core objectives will describe on a global level what students should learn, but schools and teachers will still have a large degree of autonomy in what underlining knowledge will be taught at the school level. They have to develop a school curriculum, which has to be established by a broad representation of the school board/school leader, teachers, students and parents.

#### **6.5 Does the legislation and policy framework support the development of learning communities in local/regional areas?**

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Yes.

##### **6.5a Description of the legislation and policy framework that supports the development of learning communities**

###### *Regional school alliances*

In essence, the regional school alliances *are* regional areas that support the schools to work together towards more inclusive education.

Regional school alliances must prepare a regional support plan every four years. In it, they must describe how they develop a comprehensive offer to support all pupils in the region. This plan also states the minimum support schools must be able to offer pupils (WPO art. 18a, lid 6–8; WVO art. 17a, lid 6–8) (cited in [European Agency, 2020](#), p. 12).

Part of the school alliances also foster exchange of knowledge and experts between the schools, both within and between mainstream and special education in the region. However, these learning activities are not legally required, so alliances have the freedom to take on a role in this.

###### *VET institutions collaborating with regional employers*

Of all Dutch education branches, the upper secondary vocational education (MBO) division is closest to the labour market. VET institutions (colleges) closely collaborate with local and regional employers. VET institutions often take part in regional economic boards. These boards discuss the contemporary and future regional economical and labour market needs (European Agency, Country information for the Netherlands – [Legislation and Policy](#); [European Agency, 2020](#), p. 49).

The national government encourages employers to offer practical VET apprenticeships and makes a financial contribution available for this through the Practical Learning subsidy



regulation. This regulation runs through to 2023. Employers can receive compensation if they offer a place to learners (secondary education, secondary special education, practical training, MBO students following an apprenticeship programme with work components, or higher vocational education students) and for PhD students. The vast majority of the budget for the subsidy regulation goes to companies that offer MBO students a work placement ([European Agency, 2020](#), p. 52).

#### *Regional partnerships of initial teacher training colleges and school boards*

As part of the nationally funded ‘Training and Professionalisation Together’ programme, collaborations are formed between initial teacher training colleges and school boards in regions. These so-called partnerships have as their aim improving learning of student teachers in the schools, and strengthening the expertise in schools and teacher training colleges. Nationally, workshops are organised for the partnerships around themes, including teacher training and professionalisation for inclusive education.

#### *Learning communities for school boards and school leaders*

The councils for school boards of primary and secondary education set up networks and learning communities focused on specific themes, including Education that Fits.

The Support Centre for Education that Fits (a centre for schools, financed by the Ministry) sets up specific work groups, workshops, webinars and learning communications on specific areas within special educational needs and inclusive education practices.

#### *National Research Initiative (NRO) academic workshops*

The NRO has specific funding for academic workshops for educational research, in which universities, colleges, school boards and other regional stakeholders work together in a consortium. There are regional workshops focusing on themes regarding inclusive education and equity in education.

## **Evaluative commentary**

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This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of stakeholder collaboration, co-operation and effective communication for the implementation of inclusive education in practice. It specifically considers how effectively different stakeholders across the education system are supported to increase their personal and collective ability to be inclusive in practice.

### **Involvement of and collaboration with parents and pupils**

As stated above, parents must be represented in the participation councils of schools (pupils too in secondary schools) and regional school alliances are obliged to install an advisory council (OPR) – half of the seats in this council are reserved for parents and/or learners. As such, the formal involvement and influence of parents and pupils is assured. However, in practice these participation councils do not represent all parents and pupils; many of them are not aware of the existence of the councils or do not find their way to their representatives. This holds mainly for the participation councils on the level of school boards and regional school alliances. Regional school alliances often have difficulties in



finding parents that will participate ([Ledoux & Waslander, 2020](#)), because the level of abstraction of the subjects being discussed is too high.

The evaluation of Education that Fits has shown that the majority of parents are satisfied with the education provision in schools, their relationship with the school and the choice of school. However, about one-quarter of parents are not satisfied. The reasons for the dissatisfaction are diverse. First of all, the educational needs of some pupils are very complex, or there could be a complicated home situation. This is particularly the case with out-of-school learners or pupils at risk of becoming so. Solutions for this are not always easy to realise, do not always work or are rejected by the parents. Some parents have very high expectations about what a school can make happen and are therefore rather demanding. Furthermore, some parents have to deal with combinations of help for their child from the school, youth care and/or other care institutions, and that does not always work out well. Finally, Education that Fits has also elicited uncertainty among parents. Previously, the pupil-bound budget gave them a feeling of certainty (this budget is for my child), a negotiating position with the school and the feeling of being able to choose (to a mainstream school or special school?). Now, parents have to investigate what is possible at the school and what rights they can invoke should that be necessary. With this, they sometimes have to strike a balance between what they would like and what they dare to ask for. Also, they often do not know what is actually possible with the available resources. All of that can lead to stress.

The evaluation has also shown that parents often experience difficulties in finding good information about what support schools can provide. School support profiles provide no assistance in this respect: they are not always easy to find, frequently provide little information, or parents do not even know that they exist. Furthermore, what the school support profile states does not always concur with what the school can actually offer (for example, due to personnel shortages) ([Ledoux & Waslander, 2020](#), p. 21).

The national government has formulated several measures to improve Education that Fits. Some of them relate to the rights of and communication with parents and pupils. Regional school alliances are obliged to set up an independent information centre for parents and pupils about support provisions in their region. Schools and regional school alliances are supposed to pay more attention to hearing from pupils – a law on this subject is being considered. A monitoring research project has been initiated to follow progress on these subjects.

The government itself consults parents' and pupils' associations on a regular basis when formulating new policy on SEN education. On this level, collaboration is sufficiently assured.

### **Involvement of and collaboration with teachers**

Teachers are also represented in the different participation councils. However, they have no place of their own in the organisational structure of the regional school alliances. Some alliances have set up advisory groups of school principals, but this is not the case for teachers. Teachers do not feel that they are involved or consulted in decisions on SEN education and support provisions within school boards or regional school alliances. In general, they also have little knowledge of the way funds are divided ([Ledoux & Waslander, 2020](#)).



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On a national level, there is collaboration with and consultation of teachers' associations. Teachers are also participating in the committees who are developing new national curricula.

### **Collaboration with youth care institutions**

The law states that the support plans of regional school alliances will not be established until consultations have been held with the mayor and councillors of the relevant municipalities concerned. This obligation also applies to the youth policy plans of the municipalities. The evaluation of Education that Fits has shown that these consultations take place in almost all regions. However, there is still a lot to improve in collaboration between youth care institutions and schools in practice. It turns out that consulting each other on policy plans does not guarantee good collaboration in the workplace.

### **Learning communities**

As described above, there are several initiatives in creating learning communities. School boards and regional school alliances are stimulating and organising exchange of knowledge. An important role in this field is played by the Support Centre for Education that Fits (a center for all stakeholders in SEN education, financed by the Ministry). The Centre spreads all kinds of information, online and in publications, and organises meetings.

The same holds for the National Research Initiative (NRO). NRO is very active in disseminating research knowledge to professionals in and around schools.