Supporting the Improvement of Quality in Inclusive Education in Poland (Phase II)

Final version of the proposed assumptions for new education legislation

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SUPPORTING THE IMPROVEMENT OF QUALITY IN INCLUSIVE EDUCATION IN POLAND

(PHASE II)

Final version of the proposed assumptions for new education legislation

(Deliverable 6)

CONTENTS

INTRODUCTION

The Phase II Action in Poland aims to support the development of new legislation to improve the quality of education for all learners. As new legislation is prepared, the Polish legal process requires that underpinning assumptions are clear and are discussed with stakeholders. The assumptions provide a conceptual framework for the new legislation and identify the operational definitions and key concepts that form the basis of the new law. The assumptions also inform a clear rationale for the development work and the vision, goals and objectives for work to implement the new legislation.

This report is the 6th Deliverable linked to the SRSP Action *Supporting the improvement of Quality in Inclusive Education in Poland (Phase II)*.

Seven areas of assumptions were originally developed, building on extensive desk research on the current system in Poland and the recommendations made in Phase 1 of the Structural Reform Support Programme (SRSP) work during 2018-2019.

During Phase II, these draft assumptions were consulted on in 3 face to face meetings prior to the COVID pandemic. The feedback from these meetings was incorporated into the second draft of the assumptions – extended to include an eighth area. As further face to face meetings were not possible during the pandemic, the consultation was conducted via a further 9 on-line meetings and a web-based survey. Details can be found in Deliverable 5.

This deliverable (Deliverable 6) includes 2 associated documents:

The Annex presenting support materials considered relevant for each Assumption. This includes:

- Practical Examples in some priority areas linked to the assumptions and the Ministry of Education and Science (MEiN) model of Education for All. These examples have been chosen more specifically to highlight some of the key issues faced during the planning and implementation of the new Model and raised by stakeholders during consultation.

- Additional Materials with further reading and other resources considered relevant for each Assumption. Copies or direct links to these materials are provided in a dedicated folder for each Assumption.

Glossary of Terms – Working Document. During the consultation, the importance of clear language and appropriate terminology was established as a priority for stakeholders. This glossary therefore includes definitions of key terms used in the field of inclusive education. While many definitions draw on the European Agency glossary, as well as recent European and international level resources, MEiN have drafted some definitions specifically to reflect the situation in Poland. The Annex should be considered as a working draft that can be amended and added to by MEiN as work progresses.

EIGHT AREAS OF ASSUMPTIONS

Eight areas of Assumptions are proposed to underpin the new education legislation in Poland. Following the section title, there is an explanatory text and a rationale to clarify the focus and purpose of each assumption. This is followed by an overview of key issues to be addressed within any proposed new legislation. All literature citations are listed in the References at the end of this document.

Assumption 1

> **Legislation and policy will raise societal awareness of the rights set out in the United Nations Conventions and support the development of rights-based language as the basis for a shared understanding of inclusive education through the model of Education for All.**

The fundamental rights set out in the United Nations Convention on the Rights of the Child (UNCRC) and United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) both signed and ratified by Poland, apply to all children. The full implementation of the Conventions should ensure that learners from vulnerable groups including those with disabilities have access to an inclusive education that fulfils their rights and gives them a voice in the education process. Diversity must be seen as an opportunity for innovation and improvement that impacts positively on all learners.

Article 2 of the UNCRC introduces an explicit obligation to realise the right to education for every child without discrimination. Further, the European Union Charter of Fundamental Rights is a part of binding primary EU law which always has priority. Article 21 prohibits discrimination on the basis of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

To ensure the non-discrimination perspective, the Human Rights Council (2019) states that laws and policies should explicitly comprise a 'no-rejection clause', forbidding the denial of admission into mainstream schools and guaranteeing continuity in education (p. 12).

With regard to learners with disabilities, Article 23 of the UNCRC specifically addresses the right of children with disabilities to assistance to ensure that they are able to access education in a manner that promotes their social inclusion.

In UNCRPD general comment No. 4 (2016) on the right to inclusive education, the Committee on the Rights of Persons with Disabilities explained that inclusive education is a 'multiplier right' – it serves as a means of realising other human rights and, in particular, the primary means by which persons with disabilities could lift themselves out of poverty, obtain the means to participate fully in their communities and be safeguarded from exploitation. It is also the primary means of achieving inclusive societies (Human Rights Council, 2019 p. 11).

Also, in General Comment No. 4 on Article 24 (Committee on the Rights of Persons with Disabilities, 2016), the Committee has taken the view that exclusionary or segregated education is a form of discrimination that violates the CRPD and its provisions for equal opportunity (Degener and Uldry, 2018). The Committee states that measures should be taken to '*grant all students with disabilities, regardless of their personal characteristics, the right to access inclusive learning opportunities in the mainstream education system, with access to support services as required*' (Concluding observations on Spain, Committee on the Rights of Persons with Disabilities, 2019, p. 10).

UNESCO set out the clear message that 'every child matters – and matters equally' (UNESCO, 2017 p. 12). The Council of Europe Commissioner for Human Rights (2017) notes that: "*inclusive education requires a mentality shift at societal level, from seeing certain children as a problem to identifying the existing needs and improving the education systems themselves. It is crucial that society at large, decision-makers and all the actors involved in the field of education fully understand the need for this paradigm shift*" (p. 20/21).

A key part of this paradigm shift is the need to listen to the voices of learners. Child participation is a human right recognised by article 24 of the Charter of Fundamental Rights of the European Union (OJ C 364 18.12.2000) while article 12 of the UNCRC declares that state parties shall '*assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child the views of the child being given due weight in accordance with the age and maturity of the child*'.

The European Union Strategy on the Rights of the Child set out in the European Commission Communication of 24th March 2021 (European Commission, 2021a) notes in particular the importance of children as agents of change and the right of children to realise their full potential no matter their social background or other disadvantages they may experience.

Finally, to fulfil the rights agenda, action must be taken across Ministries and sectors such as health, social welfare, family policy and labour as well as education to ensure that efforts towards the inclusion and social justice agenda are aligned. The Council Recommendation establishing a European Child Guarantee (European Commission 2021b) recommends access to education and school-based activities from early childhood onwards as well as health care and healthy meals, further reinforcing need for work across Ministries and sectors.

Measures should ensure that economic, social, cultural or personal circumstances do not turn into sources of discrimination preventing some children from benefitting from a satisfactory learning experience on an equal footing with others. (Commissioner for Human Rights, 2017 p. 17).

The introduction of Education for All in Poland provides an opportunity to implement the UN Conventions and the EU rights agenda to reduce discrimination on any grounds and in particular improve the position of people with disabilities in society. Further there is an opportunity to improve the quality and coherence of services and support to all learners and families across Poland to enable every learner to access and gain maximum benefit from a high-quality education in their local community with their peers.

Assumption 2

> **Schools will act as a catalyst for social inclusion, support all learners to move with their peers through all phases of education and prepare them for the transition into the labour market and adult life.**

Schools should reflect the diversity of their communities in order to prepare all learners for life in a more inclusive society. With a focus on equity, schools should draw on the resources of the local area to provide positive learning opportunities for all learners with their peers. Processes should be in place to ensure that transitions between schools and phases of education provide continuity of learning and support and that information about potentially vulnerable learners is shared.

The recent global education monitoring report (UNESCO, 2020) states that: *Inclusion is a moral imperative and a condition for achieving all the Sustainable Development Goals (SDGs), particularly sustainable, equitable and inclusive societies. It is an expression of justice, not of charity…* (p. 18).

Inclusive schools are intended to change attitudes to difference by educating all students together (Schwab, 2017). Engagement at school has been established as a meaningful predictor of future engagement in society (OECD, 2010), as positive social interactions at school have a direct influence on the social participation of students once they enter adulthood (Graham, 2020). Consequently, segregation into separate educational provision can have a significant impact on the transition to post school and further education and/ or employment opportunities (Mays et al. 2020).

A recent review by the European Agency (2018a) similarly suggests that there is a link between inclusive education and social inclusion in the areas of education, employment and living in the community. The research presented suggests that attending segregated settings reduces opportunities for social inclusion both while children with disabilities are at school and after graduation from secondary education. The review notes: '*Attending a special setting is correlated with poor academic and vocational qualifications, employment in sheltered workshops, financial dependence, fewer opportunities to live independently, and poor social networks after graduation*'. (p. 6).

The Council of Europe Commissioner for Human Rights (2017) stresses that '*the right to education needs to be construed on the basis of an expanded vision of education that goes beyond compulsory and formal education. It should include access to pre-school education and higher education, but also to extra-curricular activities and non-formal education. Persons belonging to disadvantaged groups in society must have access to such learning experiences on an equal footing with others*' (p. 15).

Schools should maintain high expectations and provide valued learning opportunities for all learners using the available flexibility in the curriculum. As learners stressed in the consultation in Poland (December 2020), all learners should receive an entitlement to a full curriculum suited to their needs. Content should not be reduced as a result of low expectations for some learner groups.

Working between Ministries and sectors is crucial to ensure the availability of further educational and vocational opportunities for all learners beyond school and to ensure that

learners develop the skills for participation in all aspects of adult life as active members of their community.

Particularly in the light of COVID 19, schools should review and update careers advice and work preparation for all learners, particularly those from vulnerable groups. One of the six axes of the European Education Area is dedicated to inclusive education and lifelong learning for all. Initiatives such as Pathways to School Success, set out in COM 625 (final), aim to help all learners reach proficiency in basic skills with a focus on learners at risk of under-achievement and early school leaving (European Commission 2020a).

With regard to persons with disabilities in particular, the European approach to accreditation of learning and achievement of qualifications, through flexible and modular learning pathways set out in COM 101, *Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030* can have a positive impact on employability and lifelong learning (European Commission, 2021c).

The introduction of Education for All therefore provides an opportunity to increase the effectiveness of cross-ministerial and cross-sector collaboration in developing wider lifelong learning and employment opportunities, in particular for the most vulnerable learners, recognising that '*inclusion in education is but a sub-set of social inclusion*' (UNESCO, 2021a. p. 152).

Schools have the potential to be 'hubs of integration' for children and their families (European Commission, 2020b p. 8) and future developments should build on inclusive schools that 'feed' into a more inclusive society with benefits for everyone.

Assumption 3

> **Funding mechanisms will support equitable resourcing without the need to label learners and focus on enabling communities to increase the capacity of all schools to support all learners.**

Funding must increase system capacity and provide flexibility to ensure that learners can access support as soon as any barriers to learning are identified. Arrangements for the funding of collaborative work between different sectors and agencies who support learners and schools should be clear to ensure that learners' wider health, social and other needs are met, with effective monitoring to ensure that funds are used for the intended purpose.

The importance of financing as a tool to improve equity has been recognised in a Sustainable Development Goal (SDG) 4 thematic indicator on the existence of funding mechanisms to reallocate education resources to disadvantaged populations. This emphasises the formative aspect of monitoring and the need for countries to learn from each other (UNESCO, 2021b).

During the consultation on the assumptions, participants stressed that funding policy should consider the long-term impact of inclusive education. The long-term social and economic benefits of targeting public resources towards marginalised learners far outweighs the costs and can result in more equitable learning outcomes (UNESCO, 2015). Learners who disengage from education or who do not experience success at school for

whatever reason, are more likely to require additional services as adults (e.g. income support, housing, health care) with a high economic and social cost to society (OECD, 2010, 2015). It therefore follows that an inclusive education system that is able to respond to the needs of all learners has the potential to break cycles of disadvantage (Snow and Powell, 2012) and reduce inequalities, leading to increased productivity and longer-term economic viability (OECD, 2010) to benefit everyone.

Participants in consultation activities also noted that resources can be used more effectively where there is a synergy across sectors, with co-operation between schools and other institutions and services. This is in line with UNESCO (2021a) who stress that sharing expertise and resources is '*the only way to sustain a transition to inclusion*' (p. 153).

However, UNESCO (2021b) note that transfers to learners managed by education ministries, often experience problems as capacity is lacking to target those most in need. This capacity tends to be stronger among social protection ministries, and the full potential of such cash transfer programmes could be better exploited through integrated planning and joint programme design (p. 16).

In order to include all learners in local schools, a school-development approach is needed to move from individual needs-based financing to universal support for all learners through flexible and varied learner-centred strategies that enable personalised learning. Schools should focus on reducing barriers to learning and discriminatory practices by transforming organisation, teaching practices and classroom environments (European Agency 2018b, OECD 2016). It should be recognised that individual and compensatory approaches generally lead to higher costs as more external support is needed to make up for teachers' lack of preparation for diversity.

A school development approach involves creating partnerships, collaborating and engaging in shared activities to bring about sustainable development (European Agency, 2018c). Schools' capacity can be increased by flexible funding that enables schools to access support from the local community, with a focus on prevention measures (e.g., learner engagement through broader curriculum opportunities, mentoring).

When local governments make decisions on the basis of information from school support services or advisory centres, and schools have some leeway in their spending decisions, budgets tend to be more effective and efficient in achieving the objectives of inclusive education (European Agency, 2016a) (UNESCO, 2021a p. 78).

The issue of flexibility was raised in consultation and stakeholders suggested that funds allocated to municipalities, communes and voivodships, support services, networks or individual schools should 'follow learners' and provide support without the need for formal assessment or the creation of 'hard boundaries' between learners who do or do not receive additional funds. In this way, strategic behaviours that may result in more labelling and less inclusion and also higher costs should be avoided (European Agency, 2016a).

During consultation, participants also expressed concern that more specialist staff would be needed to improve support, in particular to learners with more complex needs. Funding therefore needs to account for specialist staff in schools as well as time and resources for collaboration with staff in special settings, resources centres etc. Resourcing

for special settings to support mainstream schools should avoid perpetuating a medical approach to disability and have a clear plan for working towards the elimination of parallel systems (European Agency, 2018a).

Funding mechanisms must link to learner outcomes and focus attention on learner progress, rather than providing only for access (e.g., placement in mainstream) and participation in activities without real learning. Consideration of such mechanisms should encompass the following:

- *equity in access,*

- *equity in distribution of learning opportunities and appropriate support,*

- *equity in achieving opportunities and possibilities for success in academic and social learning and in the transition opportunities,*

- *equity in reaching personal autonomy during and after formal education and the affiliation opportunities open to learners with SEN that support their inclusion in wider society* (European Agency, 2011, p. 56).

As learner outcomes are closely related to teachers' skills and capacities, a high priority is the funding of teacher education and continuing professional development. High quality teaching is the key to learner achievement, especially for those who experience barriers to learning. For this reason, '*resource allocation to support recruitment, retention and development of strong teachers and leaders is critical to the development of an effective inclusive system*' (Barrett, 2014, p. 81).

The implementation of the MEiN Education for All model provides opportunities to increase autonomy and flexibility within the funding and resource allocation system to increase equity and support greater cooperation and partnership working to maximise the efficient use of funds.

Assumption 4

A continuum of initial teacher education and on-going professional learning opportunities (including attitudes, knowledge, competences and skills) will enable school leaders and teachers to personalise learning and support for all learners in order to raise both academic and wider achievement.

Through initial teacher education and practical professional development activities (e.g., peer learning and networking within and between schools and universities) school leaders and teachers should develop a range of evidence-based strategies to assess all learners, provide access to the curriculum through flexible teaching and learning approaches and work collaboratively with parents and other professionals to overcome any barriers.

In order to ensure high quality entrants to the teaching profession, the status, pay and conditions of service of teachers and school leaders should be addressed so that these roles are increasingly valued in communities. Support and professional development should be available to increase competence and job satisfaction so that people remain in post and experience and expertise is retained.

The Council of the European Union (2020) is aware of the need for the further development of competences and professional autonomy to meet the challenges faced by teachers. Such challenges include providing support for the holistic development of learners with more diverse learning needs, increasing use of digital approaches and the need for constructive and mutually supportive relationships with other stakeholders in schools and communities.

The Council also stress the need for a professional continuum to '*systematically cover learning opportunities related to work in multilingual and multicultural environments, work with learners with special needs and disadvantaged backgrounds, digital pedagogies, sustainable development and healthy lifestyle*' (p. 5).

Work by the European Agency (2015) also highlights the need for clear and coherent links between initial teacher education, induction and continuing professional development to form a continuum of teacher professional learning (including both formal and non-formal learning opportunities). Fragmented initiatives will not be adequate to prepare all teachers to include all learners more systematically and reduce variability in the effectiveness of teachers that impacts on learning. (European Agency, 2019 a p. 6). The further development of teacher education along the continuum will require teacher educators with knowledge and experience of inclusive education as well as experienced staff in schools able to develop competences in others.

The Council of the European Union (op. cit.) also note the need for competence frameworks for teachers and trainers developed with relevant stakeholders, that reflect innovative teaching approaches, strategies and methods.

The Teacher Education for Inclusion Profile of Inclusive Teachers (European Agency, 2012) has been used by a number of Agency member countries to examine the core values and areas of competence needed by all teachers:

Valuing learner diversity

- Conceptions of inclusive education
- Teacher's view of learner difference

Supporting all learners

- Promoting the academic, practical, social and emotional learning of all learners
- Effective teaching approaches in heterogenous classes

Working with others

- Working with parents and families
- Working with a range of other educational professionals

Personal professional development

- Teachers as reflective practitioners
- Initial teacher education as a foundation for ongoing professional learning and development

More recently, the Agency Teacher Professional Learning for Inclusion (TPL4I) project (2019a) has indicated that the Profile of Inclusive Teachers can potentially cover the continuum of TPL4I across teachers' careers, including specialists' and teacher educators' professional learning. Importantly it can inform policy discussions on:

- core values for all professionals working in inclusive settings,

- essential competences and quality of teachers' knowledge, attitudes, skills that develop throughout their careers,

- funding mechanisms and monitoring procedures for professional development.

In the proposed MEiN model of Education for All, the consultation highlighted the need for the roles of all staff, for example inclusion coordinators, learning support staff and specialist teachers, to be clear and linked to the attitudes, skills and competences needed to improve provision for a wider range of diverse learners in every school.

Along the continuum of professional development, an inclusive pedagogical approach should be based on a shift in thinking *away* from the idea of an individualised response to difficulty, that tries to fit the learner to the existing system *towards* a personalised response that extends what is available to include everyone in the learning community.

Further, all leaders, teachers and school staff need to understand the functions of assessment and the use of information to improve learning, provide support to overcome barriers and to monitor and evaluate teaching approaches as well as to report to parents and other stakeholders and judge overall school performance.

A message from the consultation was that teacher education should be more practical and this is in line with international research (Messiou and Ainscow, 2015) which suggests that teacher development should take place primarily in classrooms, with flexible opportunities for teachers to plan together, share ideas and resources and have opportunities to observe one another working. This in turn could develop a common language of practice that helps individuals to reflect on their own ways of working, on the thinking behind their actions, and on how to improve. Messiou and Ainscow also recognise the importance of teacher development that builds on the expertise available within schools, making connections with existing knowledge. This strengthens the case made during consultation for specialists to work within schools – and also for experienced staff to act as mentors to develop competences in others.

Crucially, specific professional development opportunities should be available for staff from special schools to help them to prepare for their new role and make the most effective use of their skills in teaching and supporting diverse learners. School leaders will also need support and development opportunities to enable them to make effective use of increased autonomy – providing leadership in pedagogy, curriculum and assessment as well as school organisation that follows an inclusive ethos.

Finally, the recent pandemic has highlighted the need for teacher educators, leaders and teachers to improve digital skills and work in flexible ways to close learning gaps that may have been increased during school closures.

The implementation of Education for All presents an opportunity to develop and update teacher standards and introduce more relevant qualifications for inclusion and diversity to support teachers to engage in career long learning.

Assumption 5

> **The assessment system will support assessment for and of learning aligned to a flexible curriculum that recognises the academic and wider achievement of all learners. Effective assessment processes will enable teachers to recognise barriers to learning and provide support in flexible ways that do not depend on formal certification.**

It is important for all stakeholders to understand the different functions of assessment and the relationship between them. Different assessments should fit together into a coherent framework that enables school teams to identify and share the information needed to support all learners. Teachers, parents/carers, specialist staff and multi-disciplinary teams should collaborate in the assessment of learners, in particular those with more complex support needs.

The assessment system should:

- Support learning. This includes monitoring progress, using feedback to improve learning and adjust the curriculum and teaching approaches, identifying and overcoming barriers to learning and informing decisions about the type and level of support required.

- Describe individual learners. This includes summing up, reporting, certifying progress and achievement, allocating resources and grouping learners for data analysis.

- Evaluate schools, initiatives or interventions. This may require aggregation of data to monitor and evaluate support strategies, curriculum, teaching approaches and school organisation as well as work with other professionals.

The function of supporting learning (assessment for development) recognises that on-going assessment by teachers is a key part of the learning process, considering both the characteristics of the learner and the variables of the environment. It covers the full range of learning outcomes (i.e., academic and wider areas of learning) through the curriculum and informal, non- formal and extra-curricular activities.

Such assessment should also enable the early identification of learners who may require additional support (i.e., learners not making expected progress across the curriculum or more able or talented learners who may require a higher level of challenge). When barriers to learning are identified and a range of classroom interventions have not enabled progress, further assessment will be required (maybe involving specialist teachers and/or multi-agency teams). The outcomes of this assessment should provide further guidance for teachers about approaches to learning and support as well as resources needed in the classroom (e.g., ways to access learning materials, to process information and express outcomes).

Assessment may be linked to eligibility for additional resources or services (e.g., input from specialist teachers for learners who are visually impaired) but should not lead to the labelling of learners or separate provision. As discussed above (assumption 3) support should be provided on the basis of learner need without requiring formal certification which can lead to strategic behaviour.

Using assessment information for summing up, reporting or certifying requires critical reflection on the meaning of 'success' (Alves, 2020 p. 291). Achievement goes beyond academic attainment (e.g., as measured on standardised tests) and should consider '*critical thinking, collaborative skills, creativity, independence and problem-solving ability*' (European Agency, 2017b, p. 19). As Alves concludes *notions of achievement are related to the curriculum, and to what types and forms of knowledge are valued.* (p. 282)*.

While there may be some anxiety about the reliability of teacher assessment, this can be improved by moderation (i.e., teachers sharing judgements to increase consistency) which can in itself provide valuable professional development opportunities.

It should be noted that negative impacts can arise when what is assessed reflects only easily tested aspects of learning. These effects are increased if results become 'high stakes' (e.g., being used for school entry, school comparison and ranking). European Commission/EACEA/Eurydice (2020) note that the use of academic admissions criteria strongly correlates with both academic segregation and the impact of socio-economic background on achievement.

Research shows that when there is a heavy reliance on external tests and examinations, teachers may 'teach to the test', narrowing the curriculum and focusing on training learners to pass exams with teaching styles which do not develop real understanding. (Harlen, 2014).

It is clear that formal assessments and examinations play an important role in accrediting learning as a 'gateway' to next steps in education (e.g., entrance to further/higher education). While such assessments can be made accessible for some learners (e.g., Braille papers for learners with visual impairment), there will be a small number of learners, primarily those with intellectual disabilities for whom exams are not appropriate. There should, therefore, be an inclusive framework to accredit the learning and achievement of all learners including those with more complex support needs, in particular intellectual disabilities.

While teacher assessment and tests and examinations both have a place in the overall system, in consultation participants felt that there should be less emphasis on 'high stakes' methods that could encourage teachers to focus on what is easily measured rather than providing learners with high quality feedback that will help further learning and support prevention and early intervention approaches.

Legislation and policy should set out the functions of assessment and in particular consider the link between teachers' day to day assessment (when it suggests a learner is struggling) and more in-depth assessment by school specialists and external multi- agency teams to inform early intervention. Teachers should remain involved in specialist assessments to extend their skills and competences in working with diverse learners and dispel the view that only 'experts' are able to successfully teach learners who need adapted approaches or additional support.

Education for All will provide an opportunity to develop a coherent assessment framework that establishes clear relationships between the different functions of assessment and the subsequent use of information. While the main focus will be on learner development, the new arrangements should include a review of the way information is used to make judgements about schools. This work will require close cooperation between

schools/other centres and agencies to ensure that all learners receive the support they require as soon as any barriers to learning are identified.

Assumption 6

Schools will work collaboratively and use the flexibility available in the curriculum to provide personalised learning and support. Learners, parents, multi-disciplinary professionals and local services will work with school staff to plan relevant programmes with the support needed to ensure the progress of every learner.

Personalisation allows learners to share their strengths, challenges, preferences and needs and be involved in planning how they access and process information, how they engage with content and ideas, and how they express what they know and understand. Rather than planning for most of the class and then differentiating for some, teachers should have a range of strategies to use so that learners do not need to struggle or fail before they can access support.

Schools need to develop an inclusive pedagogical approach, moving away from the idea of responding to individual difficulties (seen as being within the learner) and trying to fit learners into the existing system rather than changing school structures and processes.

A personalised response extends what is available to include everyone in the learning community and applies the principles of universal design for learning to consider all learners as well as the class/school environment. The success of such strategies not only supports access to a full range of learning opportunities with peers but is likely to reduce the need for more intensive support at a later stage.

When learning is personalised, learners increasingly take responsibility for their own learning, participating in its design and being responsible for connecting it with their own interests (Bray and McClaskey, 2014). This differs from individualised learning which is usually teacher-led. Individualisation is often seen as a way to 'include' learners with additional support needs in mainstream settings. Too often, the kinds of individualised responses used in special education are used, rather than the forms of teaching and organisation that can involve all learners in a class.

Efforts at inclusion that depend on practices imported from special education tend to foster new and more subtle forms of segregation, albeit in mainstream settings (Florian et al., 2016). Individualisation can also be resource intensive and lead to the conclusion that inclusive education is not possible without significant additional funding.

During the recent consultation, stakeholders in Poland showed support for moving away from a focus on individualised teaching. In particular, they showed concern that individual education should not exclude learners from school and leave them isolated and learning within the home.

The challenges of personalised learning were widely recognised in the consultation and in particular attention should be given to the following:

- Many learners with additional support needs would not be appropriately placed in some current classrooms where the approach is very formal/traditional. Inclusive education requires changes in the system to accommodate learners not vice versa.

Increasing flexibility will benefit all learners allowing, for example, greater attention to more able and talented learners as well as those with more complex support needs.

- Curriculum, assessment and pedagogy are closely linked. A flexible curriculum framework must be developed for ALL learners without any separate curricula for some which may limit expectations and opportunities. Alves (2020) concludes: *If schools are encouraged to be inclusive, but there is a prescriptive curriculum that does not allow teachers to adapt contents, pedagogical approaches, or assessment to different student characteristics and needs, then the resulting paradox can prevent genuine inclusiveness* (p. 282).

- The recent pandemic has also highlighted the need for flexible approaches, in particular blended and e-learning, to manage learners with a range of needs who may work at different paces.

When considering what they can provide for learners, schools should 'map' the range of provision available and show the existing support offered (e.g. reading and basic skills additional tuition, specialist programmes, therapies, input from specialist teachers, LSA support, curriculum flexibility, pedagogy, parental involvement and local multi-agency support).

This will allow schools to monitor and evaluate what works and plan developments, ensuring that all learners including those from disadvantaged groups receive their entitlement to a relevant curriculum and teaching approaches. An effective map can provide a clear link between provision and learner progress and can show gaps where further staff and/or school development is needed. It can also show progression (e.g., when support is reduced) and demonstrate accountability and cost-effectiveness.

Implementing the MEiN model of Education for All will potentially provide opportunities to listen to learners and develop a more flexible curriculum to meet different needs. This in turn can improve the continuity of support with a better flow of information and more effective joint working between agencies.

Assumption 7

The role of specialist provision will be developed to use the experience and expertise of staff to support learners with disabilities and more complex support needs in ways that also increase the capability of mainstream schools to include all learners.

Specialist provision will have a key role in supporting the move towards a rights-based model and including all learners in their local schools. This will depend on the development of structures and processes that enable effective coordination between centres and institutions across the system, also involving parents and stakeholders. Professional development opportunities should be offered to staff in specialist provision to prepare them for their new role and also to ensure that competences are retained in the system (e.g., for low incidence disabilities such as visual, hearing impairment and intellectual disabilities).

The recent consultation showed broad support for changing the role of special schools but it must be clear that this is a long term programme of work. While special schools will not close, they will be developed in order to use specialist expertise in more effective ways to increase the skills and competences of mainstream teachers.

In consultation, there was concern that the new specialist centres would be too few in number and too distant from some schools to play an effective role. This highlights the need for support from such centres to be considered in the overall local/regional picture of provision which also includes specialist staff in mainstream schools and support from other local resources (e.g. NGOs, new inter-sectoral support centres).

Respondents to the consultation noted that pedagogical and psychological centres should continue to support schools and learners and provide a link to the psychological support provided by the health or social service sectors. This should ensure that, in the current climate, the increasing demand for psychological support in all schools is met.

It is clear that, increasingly, parents are choosing mainstream education for their children who require additional support. There is therefore a need to maintain a high quality of specialist support for learners in all settings over a period of change.

UNESCO (2017) recognise the dilemma experienced by some parents and note that it is useful to distinguish between needs, rights and opportunities. They say: *While all learners have needs (e.g., for appropriate teaching), they also have the right to participate fully in a common social institution (that is a local mainstream school) that offers them a range of opportunities. Too often, parents are forced to choose between ensuring that their child's needs are met (which sometimes implies placement in a special school or unit) and ensuring that they have the same rights and opportunities as other learners (which implies placement in a mainstream school)* (p. 231).

Overall, countries should work to create an education system where these choices are no longer necessary. This system should support local schools and teachers to develop their capabilities, including by increasing collaboration across sectors.

It should be recognised too, that segregation contravenes the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). This is reinforced by the UN Committee on the Rights of Persons with Disabilities General Comment No. 6 on Article 5 of the CRPD – Equality and Non-discrimination which states:

The Committee has observed that often disability-based discrimination, such as (…) segregation are incorrectly not regarded as discrimination and are wrongly justified as being carried out among others in order to allegedly protect or care for the person with a disability in question, in his or her best interests, or in the interest of public order. Such practices are in direct contravention of the Convention and its principles, including the respect for the inherent dignity, autonomy, and freedom to make one's choices".

In an exploratory study on the inclusion of pupils with complex support needs in mainstream schools, Inclusion Europe (2018) note that all the countries that took part in the study said that there were possibilities for exemption from the legal obligation to educate children with complex support needs if requested by the parents. The report also acknowledges that 'people *with complex support needs seem to be still 'invisible citizens'*

and do not appear in any general statistics and studies' (p. 22)*. This further emphasises the importance of monitoring provision for this group of learners.

European Agency (2019b) in the Changing Role of Specialist Provision in Supporting Inclusive Education (CROSP) project consider the type of cross-sectoral policy framework needed to effectively support the changing role of specialist provision and the types of developments and reforms required to ensure that all learners' rights to inclusive education are effectively met. The project also provides examples of countries reshaping the relationship between mainstream and specialist provision and developing new support systems.

The CROSP project identified 4 factors considered relevant by policy makers:

1. Governance mechanisms to support co-operation between specialist and mainstream provision at all levels.

2. Funding policies and strategies that support specialist provision to act as a resource for inclusive education.

3. Capacity building mechanisms that enable specialist provision professionals to effectively support stakeholders in mainstream education.

4. Quality assurance mechanisms for specialist provision that promote transparent and accountable systems for inclusive education.

The implementation of the Education for All model has the potential to clarify the new role of special schools/specialist provision*,* making use of information from pilot experiences and from training and integration schools to further increase collaboration between specialist and mainstream settings.

Assumption 8

Standards and indicators agreed with stakeholders will underpin a system wide monitoring and accountability process that ensures high quality inclusive education for all learners. Standards will be consistent across Ministries and sectors and all stakeholders will take responsibility for all learners and be held accountable for their actions.

Quality assurance frameworks can highlight a widely agreed view of effective practice, provide guidance on how to implement inclusive practices at all system levels, and include indicators for evaluation in education and wider services. In developing such frameworks, discussion among stakeholders can challenge underlying assumptions, beliefs and values, identify priorities and evaluate progress (European Agency, 2014a) and also clarify roles, responsibilities and stakeholder accountability.

Accountability can be defined as the management of diverse expectations generated within and outside the organisation which emphasise societal concerns, political pressures, bureaucratic concerns, top-down management, responses to market dynamics, professional responsibility and ethical principles (Koren, 2013). Wide-ranging consultation is needed to collectively agree key outcomes for learners in the education system to clarify the expectations of leaders, teachers and professionals from other sectors, parents, learners and other community stakeholders.

Such a model will support the idea that accountability is owned by stakeholders rather than externally imposed. Gilbert (2012) notes that school-led accountability requires:

- increased teacher and school ownership of accountability to support both their professionalism and learners' learning,

- school evaluation that is dynamic and inclusive, involving pupils, parents, staff, governors and the community in order to lead to better practice,

- a culture of professional reflection, enquiry and learning within and across schools to raise teachers' aspirations and improve practice,

- collaboration embedded within and across schools as an effective tool for improvement,

- school networks that engage all schools to increase capacity,

- focused inspection to provide support for school-led accountability policy and practice.

Accountability to leverage improvement should consider inputs (e.g., resources, support) structures, processes and outcomes and the relationship between them. It should draw on a wide range of sources of information to monitor both quality and equity of educational opportunities and inform further improvement.

Transparency is critical in any accountability system which must be clear about the purpose for which information and data are used within a well-coordinated and manageable system reflecting performance and improvement. *It is important that schools, school systems, and governments develop and utilize accountability processes that promote the goals they seek to attain as these processes can be powerful drivers that influence the allocation of time, energy, fiscal, and professional resources* (Barrett 2014, p. 85).

It follows that a system that sees each learner in a more holistic way will require a more comprehensive set of quality indicators. This will require the use of quantitative information, supplemented by reviews that provide qualitative information on schools. UNESCO (2017) note: *In countries with narrowly conceived criteria for defining success, monitoring mechanisms can impede the development of a more inclusive education system. A well-functioning education system requires policies that focus on the participation and achievement of all learners* (p. 21).

In addition to measuring the skills and competencies needed for success in school and in learners' future lives, accurate and reliable data on resources and on other inputs, structures and processes that ultimately impact on learning must also be included. Such data is particularly important in relation to the experiences of minority groups and those potentially vulnerable to underachievement.

Inputs and resources for schools could be linked to added-value outcomes (measurement that is corrected to allow for learners' baseline achievement levels) so that schools are held accountable for their impact on learning, not for the effect of previous life experiences, school placements etc.

Data analysis should include consideration of access to and participation in the full range of opportunities and progress and achievement in all areas of learning. This will include information on:

- which learners receive what services, as well as when and where, ensuring that all learners are counted,

- the quality of services and the outcomes they lead to (avoiding classifying, categorising and labelling learners in order to provide information on the provision they receive).

In short, *'..asking the right policy questions is the starting point for collecting data that informs policy in significant ways'.* (European Agency, 2014, p. 40). These policy questions can be used to reflect on whether or not key structures and processes are in place. Often framed as questions, indicators can offer a flexible approach to understanding policy, strategy and implementation and reveal how well a system is promoting progressive change (Downes, 2014, 2014a).

Significantly, structural indicators can offer a way to provide an overarching national framework of key issues to address (Downes, 2015), helping to identify enabling conditions for success while respecting the professional judgments of stakeholders and avoiding top-down prescription. Further, indicators can support the sharing of examples by highlighting the components that allow practice to transfer between complex situations.

The development of indicators for inclusive systems in and around schools, should acknowledge that the learner is at the centre of a series of systems that work together to shape the learner's development (European Agency 2016 b, 2017 a). This in turn can support consistency and align actions in planning, implementation, monitoring and evaluation across school, local community, regional and national levels. Quality standards and indicators can therefore help schools to embed quality assurance in their policies and to act as learning organisations aiming to constantly improve their practices. (Ebersold and Meijer, 2016).

The MEiN model of Education for All will potentially contribute to the provision of high-quality education for all learners by improving monitoring and evaluation and extending the ownership of schools and institutions in the process, setting out clear roles and responsibilities regarding who is to be held accountable for ensuring that all learners' rights both to education and in education are realised.

NEXT STEPS AND CONSIDERATIONS FOR IMPLEMENTING THE ASSUMPTIONS

The consultation activities held across Poland during October to December 2020 provided feedback from a wide range of stakeholders. Deliverable 5 set out the proposed amendments that should be made to the assumptions in order to:

- meet the potential challenges identified by stakeholders (please see Deliverable 5, section 4.2),

- build on the potential opportunities identified by stakeholders (please see Deliverable 5, section 4.3).

It is interesting to note that there was a high level of consistency across all consultation activities regarding the issues raised by the assumptions. In many cases, the same issue was seen as both a challenge and an opportunity, depending on the stance of the respondent. As noted above, negative responses appeared to be a comment on the current situation in the education system (i.e., what needs to be addressed by legislation and policy to secure improvement) and here change may be viewed as a challenge. For others who considered the assumptions as a statement of desired long-term outcomes, the change process might be seen as an opportunity to develop a high quality system for all learners.

At the regional meetings, participants expressed the view that the assumptions were 'very general', using language that was described by some participants as 'vague'. However, it was widely agreed that the assumptions were comprehensive in their coverage of issues faced by the Polish education system and there was no consensus on adding further areas to the assumptions.

Some participants held the view that the assumptions were 'lofty' expressing an ideal state without consideration of issues such as human factors, overcoming resistance and problems with infrastructure. Others felt that the assumptions were too idealistic or utopian. As work progresses, there is clearly a need for more dialogue to raise stakeholder awareness of the purpose of the assumptions, to increase understanding of the reasons for their breadth and the lack of detail regarding implementation.

The need for on-going dialogue with stakeholders was seen as a priority. In particular such activity should align with the proposal from Phase I work that: *all new terminology used within the legislation must be clearly explained and reinforced in thinking and action.*

Overall, there was concern that attitudes, values as well as language within a rights-based system should focus on equity and, through a more inclusive education system, support a more inclusive and socially cohesive society. While embracing a broader definition of inclusion, stakeholders advocated better preparation for transition to adult life and better work opportunities, in particular for learners with disabilities.

The need for improved teacher preparation and support was also widely recognised. Stakeholders felt that teacher education and professional development should increase the competences of all staff to enable them to support the learning of all learners.

Crucially, all staff – and other stakeholders - should see learner 'difference' as an opportunity for further learning and development in every school and community.

There was wide agreement that the true test of the assumptions would be in the implementation of the new legislation and policy. The Continuous Improvement Model, included in Deliverable 3 (please see p 8.) sets out the link between the underpinning assumptions that inform system goals and the development of legislation and policy necessary to achieve them. The model also covers implementation through systems and processes that support inclusive practice. Successful implementation will achieve key outcomes for stakeholders at all levels of the education system. Importantly, the model shows the flow of data/evidence needed within and between system levels to ensure a focus on continuous improvement.

Detailed planning (with the full engagement of key stakeholder groups) will be required for each phase of implementation, building on current and future pilots that can then be carefully rolled out over time. Overall, it should be recognised that this will be a long-term change process that should proceed at a realistic pace to ensure effective implementation and success in working towards the agreed goals.

In the next steps of the SRSP work, the focus will move towards implementation. The final Deliverables (7 and 8) will set out some principles to consider when planning pilot projects and also support the identification of priority areas, based both on research and on the outcome of a peer learning activity involving representatives of Ministries of Education from other Agency member countries who will share their experiences.

In this way, the Agency team and MEiN will work with stakeholders to ensure that, in the education system in Poland 'Education for All' becomes a reality.

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ANNEX

Practice Examples

In addition to the references to international and European materials provided for each assumption throughout this document, this Annex includes more specific examples - from Agency work with member countries, as well as other sources - chosen to highlight work around some of the key issues and debates that are most relevant to the situation in Poland.

A folder of Additional Materials with further reading and other support materials is available for each Assumption. Direct links to these materials are indicated below.

Assumption 1

The Agency Organisation of Provision project (OoP) set out to provide concrete examples to help countries to move towards a rights-based approach to education, moving from organising provision for learners with disabilities in terms of individual support (often based on medical diagnosis) to considering how systems can be organised to support mainstream schools to fulfil the rights of all learners. This means that policies should enable all learners to express their views, have access to assistance when needed, to attend their local mainstream school with their peers and enjoy equal access to 'equivalent' educational opportunities without discrimination.

The Increasing Capability Resource brings together materials from the OoP project and other Agency work, along with key materials from other agencies to provide a framework for the collaborative dialogue that is essential for progress. The materials included, when used as a basis for reflection and discussion, should have an impact on the values and attitudes as well as knowledge and understanding of all those engaged in the debate. As well as ensuring 'ownership' of and a shared commitment to inclusive policy and practice among all stakeholders, these materials should help communities to achieve greater clarity around inclusive education and overcome any barriers presented by different professional contexts – different language, culture and traditions.

Further reading and additional support materials can be found here.

Assumption 2

The Vocational Education and Training: Policy and Practice in the field of Special Needs Education project (2009–2013), conducted by the European Agency provides a summary of information on policy and practice in 28 member countries.

Relevant here, the report concludes that policies and practices need to balance labour market requirements with the needs of learners, who require access to an umbrella of educational services offering a variety of learning units or subjects by promoting flexibility and also providing links to real life work environments and certified qualifications.

The publication Making the future of work inclusive of persons with disabilities (ILO/ONCE) sets out 5 key objectives for the inclusion of persons with disabilities in the future of work and stresses the importance of enabling a positive relationship between

work and social protection. The report lists key stakeholders to be involved in working towards each objective and notes the link between, for example mental health and well-being.

Further reading and additional support materials can be found here.

Assumption 3

In 2018, the Agency Financing Policies for Inclusive Education Systems project produced a self-review tool. This has the potential to be used as a support for auditing policy frameworks and identifying a baseline of current situations. It also has the potential to be used (after a period of policy change) for monitoring policy implementation, identifying and recognising progress and developments made. It can promote discussion around shared key issues and support the development of shred understanding as well as mapping perceived barriers and facilitators for policy implementation. Finally, it can aid reflection on shared goals and priorities for future action.

As part of the same project, the 6 country partners produced reports on their financing systems. These may further help reflection by illustrating the impact of various policies once put into practice. The partners include: Italy, Lithuania, Netherlands, Norway, Portugal and Slovenia. See: https://www.european-agency.org/projects/financing-policies-inclusive-education-systems/partners

Discussion on financing for equity could be further informed by the UNESCO 2021 paper: How Committed? Unlocking financing for equity in education. This paper discusses four categories of financing policies that can support equity objectives depending on how comprehensive they are, how targeted their coverage is and how much money they allocate. Mapping policies and programmes from 78 countries shows that around 1 in 5 demonstrate a strong level of commitment to equity in education through these different mechanisms.

Further reading and additional support materials can be found here.

Assumption 4

The Agency's Teacher Professional Learning for Inclusion project provides a policy review tool that was used to map the national teacher professional learning for each member country in the project. 26 policy grids are available giving information on the following for each country:

- Vision and main principles of TPL4I policy,

- Goals and continuum of support of TPL4I policy,

- Capacity building, funding and monitoring of TPL4I policy.

https://www.european-agency.org/projects/TPL4I/policy-mapping

A Phase 1 final summary report sets out the findings – essential policy elements for TPL4I; trends and key issues; the role of teacher professional learning in inclusive education systems and links to the Profile of Inclusive Teachers.

Further reading and additional support materials can be found here.

Assumption 5

The materials here describe the journey taken in Wales to review and begin to implement a new national system for curriculum and assessment.

The process is described by OECD in the report 'The Welsh Education Reform Journey' including school improvement reforms from 2011 -2016.

Following this long period of development work, only now are Wales working on implementation. This illustrates the need for work at this level to be planned over a realistic timeframe.

The new curriculum, including areas of learning are set out on the Welsh Government hub including a summary of legislation, the journey to 2022 and an implementation plan. These pages also provide information on designing assessment arrangements within the school curriculum and cross-curricular frameworks.

Finally, the Welsh Government have recently updated assessment materials for learners with profound and multiple learning disabilities – Routes for Learning.

See also information on the New Zealand inclusive curriculum.

Further reading and additional support materials can be found here.

Assumption 6

The Inclusive Practice Project in Aberdeen, UK Scotland is a case study on the Inclusive Education in Action website developed by the Agency in partnership with UNESCO. It provides an example of professional development for inclusive pedagogy.

The European Agency Raising the Achievement of all Learners in Inclusive Education project publication on Key Actions for Raising Achievement – Guidance for Teachers and Leaders provides relevant examples (in section 2,3 and 4 in particular) of personalisation, mutual support and collaboration in practice.

See also the USA school-wide integrated framework for transformation (SWIFT) materials.

Further reading and additional support materials can be found here.

Assumption 7

The Agency Changing Role of Specialist Provision in Supporting Inclusive Education project focuses on the re-organisation of specialist provision to support the right to inclusive education for all learners. The project has produced a multi-media presentation and an infographic with potential use in awareness raising activities.

The report Mapping Specialist Provision Approaches in European Countries examines the cross-sectoral policies needed to support the changing role of specialist provision and the types of developments and reforms needed to ensure that all learners rights to inclusive education are met. Importantly, participating countries highlight the strengths of their policy reforms and benefits of transforming specialist provision. They also identify policy areas for improvement.

Further reading and additional support materials can be found here.

Assumption 8

Following a project on the [Development of a Comprehensive Monitoring Framework for Inclusive Education in Serbia](#), the Social Inclusion and Poverty Reduction Unit in Serbia, together with UNICEF, the Ministry of Education and the Fund for Open Society produced a Framework at three levels – national, municipal and school levels with some instruments for capturing a system of indicators. Importantly, the Framework covers the whole education system before considering specific aspects relating to inclusive education. The background to the development of the framework and recommendations for use are also provided.

A further example of a quality framework comes from Malta where the [National Inclusive Education Framework](#) is designed across 10 themes relevant to the development of high quality inclusive practice. It provides direction for schools in line with the Education Strategy for Malta 2014-2024 based on 5 key principles. It discusses various barriers to progress and provides 'best practice' indicators.

See also the OECD report: The [evaluation and assessment framework](#): embracing a holistic approach.

Further reading and additional support materials can be found [here.](#)