

## Special Education 2000: Rhetoric or reform?

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*Special Education 2000 is a set of far reaching reforms that have the aim of producing, by 2005, a world class inclusive education system for New Zealand. This paper outlines the development, intentions and outcomes of Special Education 2000 within the framework of educational reform. The philosophy of inclusion is discussed with particular emphasis on the pedagogical implications for teachers and Resource Teachers of Learning and Behaviour. In the conclusion there is an examination of reviews of Special Education 2000, and a discussion regarding the policy in practice.*

The Special Education 2000 policy (Ministry of Education, 1995) represents a new and innovative development in the area of education of children with special needs. These students are, for the first time, recognised primarily as school students. Special Education 2000, in its development and its implementation, is seen as an ambitious and far-reaching set of reforms (Fancy, 1999). However, in order to understand the impact of such reforms, it is necessary to examine the history of special education within New Zealand and also the political context within which the policy was developed.

### **History of Special Education**

Students with special educational needs were excluded from state education at its inception in 1877 as the onus on educating such students was placed on churches and voluntary organisations. By 1917 however, special classes were introduced for less successful learners whilst children with sensory and physical disabilities were more likely to remain in separate establishments often under the jurisdiction of hospitals (Mitchell, 1987). In 1939, Beeby, shortly to become Director of Education, stated that every child had a right to a free education of the kind to which he (sic) was best fitted and to the

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fullest extent of his powers (Dunstall, 1992). However, the education of children with special educational needs continued outside the mainstream as New Zealand followed a general worldwide trend of expansion of segregated and separate education of students with special needs. This was despite a comment from the Department of Education in 1959, which stated that the separation of special needs students from their peers was executed reluctantly (Moore et al., 1999). Development of special education policies during these years was piecemeal, with no clear overview.

During the late 1960s and early 1970s, as disadvantaged groups worldwide were demanding equity, the human rights movement became a driving force behind mainstreaming and integration (Thomson, 1998). In the USA the Education of All Handicapped Children Act was adopted, with the goal of integrating students with special needs into the least restrictive environment. From a New Zealand perspective, Dunstall (1992) notes that state education was informed by the same concepts of social democracy as those influencing housing policies, namely the concepts of cultural uniformity, social integration and equality. It was in the late 1970s and early 1980s that New Zealand adopted the mainstreaming movement.

As a result of this model special classes were disbanded, with satellite classes being established in regular schools, and some special schools were closed down. The 1980s saw a high degree of central control within state sector education. Davies and Prangnell (1999) comment that centralisation and inflexibility in decision making often compromised efficiency and responsiveness in recognising diverse needs within special education. In 1987 a draft review on special education was prepared. This was a result of a highly consultative process involving parents and educators, including the teaching unions. This advocated the gradual integration of resources and students into mainstream classes and also the maintenance of special schools whilst parents still desired this option.

In 1987, with an incoming Labour government, the Treasury attempted to influence education policy with an ideological agenda based on 'New Right' principles. This agenda visualised education as a market commodity with the relationship between the

education system and its participants as that of vendor/customer (Rice, 1992). Thus the previous commitment to an egalitarian welfare state was replaced with an ideology that placed emphasis on individual interests and the promotion of reduced state expenditure on public education, health and welfare (Ballard & MacDonald, 1998). A report on education was commissioned, the Picot Report (Department of Education, 1988a), which culminated in 'Tomorrow's Schools' (Department of Education, 1988b) and the 1989 Education Act (Ministry of Education, 1989). The resulting educational reforms were based on the fundamental principles of equity, quality, efficiency, economy and effectiveness. When applied to the education system, these principles resulted in the abolition of Education Boards and with schools working directly with the Ministry of Education for resourcing and other issues. Community and school partnership were established through Boards of Trustees, and there were opportunities for schools to set local goals. An independent agency was established to implement statutory audits. The educational reforms mirrored the neo-liberalist reforms occurring in the public sector, consisting of minimal public monopolies, government agencies contracting services to private sector organisations, services provided through contracts, a shift in focus from input controls to performance targets and measurable output, and devolved management control (Mitchell, 2000). To understand the significance of Special Education 2000 it is necessary to consider the education of students with special needs against the backdrop of these 1989 neo-liberal reforms (Mitchell, 2000).

The New Zealand Education Act (Ministry of Education, 1989) entitled all children to receive a free education at any state school. The responsibility for ensuring students with special needs were receiving an education appropriate to their needs was placed with individual schools through the National Administrative Guidelines and National Education Guidelines (Ministry of Education, 1989). These outlined the obligations of Boards of Trustees and included the need to address barriers to learning, provide equal educational opportunities and ensure the success of students with special needs by identifying needs and providing appropriate support. This legislation was supported by Section 57 of the Human Rights Act 1993 (cited in Mitchell, 2000) which prohibited educational establishments from refusing to enrol students with a disability unless

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necessary special services and facilities could not be reasonably made available. The newly published National Curriculum Framework document (Ministry of Education, 1993) also supported the education of students with special needs in an inclusive setting through the principles, essential skills and attitudes and values. The framework upheld the curriculum statements as being sufficiently flexible and broad enough to enable teachers to design programmes appropriate to the individual needs of all students. At this time the contract for providing special education services (including support, advice, guidance, communication services and teacher aide funding) was passed to a specially created agency, the Specialist Education Service (SES). This was another example of government restructuring for devolved management control. Section eight of the Education Act (Ministry of Education, 1989) retained the right for parents to choose whether to enrol their special needs child in a state school or special class, school or clinic; thus special classes and schools remained available.

Although no specific policy development relating to special needs occurred during the major educational reforms, it had been the intention of the then Labour government to carry out special education reforms within the next two years (Davies & Prangnell, 1999). A change of government resulted in the National party, in 1991, issuing a statement of intent for special education in New Zealand. This was followed by consultation, reports, and the establishment of the National Advisory Committee on Special Education. By this time there was growing pressure from parents and educators regarding the existing criteria for the distribution of resources, the difficulties in coordinating health, education and welfare services, and the still 'piecemeal' policy development (Brodie, 1998). The time was ripe for a major reform of special education. The result was a policy now known as Special Education 2000 (Ministry of Education, 1995).

**Special Education 2000**

Mitchell (2000) refers to Special Education 2000 as a set of complex, interlocking provisions with the aim of producing a world class inclusive education system within New Zealand by 2005. The policy is novel in its intent to address all aspects of the education of students with diverse special needs. The key policy objectives (Ministry of Education, 1995) aim to improve educational opportunities and outcomes for students in schools and early childhood centres who have special educational needs. It also aims to provide a framework ensuring resourcing is equitable, clear and consistent, irrespective of school setting or geographic location. The policy intends to assist schools to take ownership in meeting the diverse needs of students. The policy guidelines (Ministry of Education, 1995) outline special education principles with indicators stating how the principles will be visible in practice.

The complex and interlocking provisions referred to by Mitchell (2000) are comprised of a number of key elements. These are as follows: special education resourcing for children from birth to school entry, an ongoing resourcing scheme for school students with high or very high needs, a newly created special education grant for schools based on size and decile rating, and the provision of services for students with moderate needs who are not catered for by other components of the policy. Three major components of the policy are a severe behaviour initiative for students with extreme behaviour difficulties (perceived to be in the top three percent of behaviour problems), a communication initiative for students with speech/language difficulties, and the creation of a mostly itinerant school based resource, Resource Teachers of Learning and Behaviour, who would support schools in assisting students in years one to ten with moderate to high behaviour and learning needs. Other aspects of the policy included professional development for boards, principals and teachers to support the implementation of the policy, accountability and monitoring of schools by the Education Review Office, increased accountability of reporting requirements for all providers relating to specific performance outcomes and independent research on the implementation of the policy and resource outcomes.

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Special schools still remained in order that parents/caregivers might retain the right of choice over schooling for students with special needs. This indicates that Special Education 2000 is a continuation of educational reforms based on the neo-liberalist ideology of customer choice. Mitchell (2000) suggests other examples which demonstrate a decentralised approach. One such example is the change from the centrally administered Special Education Discretionary Allowance (SEDA) to the Special Education Grant (SEG), payable to all schools on a formula basis and which can be used creatively at the discretion of each school. Another example is Resource Teachers of Learning and Behaviour (RTLB) who are appointed to clusters of schools and are funded and managed by and are accountable to those clusters, rather than to the Ministry of Education and finally, schools or special education facilities as opposed to the Ministry may be the nominated fundholders for students who are verified under the Ongoing Resourcing Scheme. From within this perspective, Special Education 2000 presents an interesting juxtaposition. The policy aims for equity of resources and educational opportunities for students with special educational needs. To this end, the Ministry of Education devolved decision making processes regarding enrolment, resourcing and allocation of services to a local level and created an external agency for the review of schools' performance in meeting special educational needs.

Mitchell (2000) argues for greater accountability in these areas, suggesting further mechanisms are necessary in order to ensure schools are held more accountable for meeting students' needs appropriately and successfully. Codd (2000), however, believes self-management to be an illusion and the dominant managerialist culture prevailing in education has led to a culture of performativity where documentation and performance outcomes are valued more than the educative process. Is it possible the needs of the students may be compromised to meet the greater need for performance accountability within the self-managing philosophy of Special Education 2000?

Not only does Special Education 2000 (Ministry of Education cited in Davies & Prangnell, 1999) seek to encompass all aspects of special education within one policy, it also challenges the philosophy of inclusion. The policy states the intention of providing a

world class inclusive system but does not explicitly define inclusion (Thomson, 1998). Historically, mainstreaming has enabled students who have previously been segregated to attend schools. However within Special Education 2000 inclusion means more than this. Thomson (1998) believes inclusion requires the organisational structures within schools to change to accommodate the needs of a diverse range of student needs. Davies and Prangnell (ibid) comment that inclusion is a philosophy and practice, forming a responsibility to children which is more than a student's physical placement or setting. They refer to the definition by Stainback and Stainback as an ideal summary of inclusion, a school wherein everyone belongs and supports, or is supported by, peers and the school community whilst having their individual educational needs met. Fancy (1999) acknowledges the emphasis within Special Education 2000 on ensuring good quality learning contexts within classrooms for all students (Ministry of Education cited in Davies & Prangnell, 1999). Skrtic (cited in Thomson, 1998) defines inclusion as a new paradigm for the education of students with special needs. Rather than define students by their deficit in ability and attempt to meet student need with the support of resources but little systems change, the inclusive paradigm seeks to assess the learning environment in order to make adaptations to ensure student need is met. This requires a move away from a belief that the deficit lies with the student to an understanding that the special needs of a student are seen as a social construct in the interaction between the student and the learning environment (Davies & Prangnell, 1999).

Thus within the reform of special needs education, schools (and teachers in particular) are required to question their culture in terms of attitudes, practices and beliefs. A further feature of the environmental or ecological paradigm is to examine the student not only in the immediate learning context but in the wider school community and home context. The Special Education 2000 policy guidelines (Ministry of Education, 1995) detail the importance of partnership between students' families, community and learning environment.

A collaborative and consultative philosophy underpins the Special Education 2000 model. The policy also advocates the importance of language and culture through the use

of appropriately skilled staff, ensuring needs are met in a culturally appropriate manner and the need for special education to be responsive to the preferences of tangata whenua.

### **Resource Teachers of Learning and Behaviour (RTLB)**

Fancy (1999) believes the effectiveness of the Special Education 2000 policy will depend on the skills and capabilities of schools and teachers and they will need to be supported through the philosophical shift from mainstreaming to inclusion. Resource Teachers of Learning and Behaviour (RTLB) are a key factor in this support. The Ministry of Education has made a commitment in resourcing and training of RTLB, demonstrating the belief in RTLB as a central component of Special Education 2000. RTLB, as a requirement of the position, complete the equivalent of one year full time graduate or post graduate study. Perspectives of the training include focusing upon collaboration and consultation, inclusion and strategic teaching, bicultural and multicultural perspectives, applied behavioural perspectives and reflective practice with the aim of transferring theory into RTLB practice. Moore, Glynn and Gold (cited in Brown, 1998) comment that without external support schools encounter difficulties in dealing with the implementation of new developments and often revert to the withdrawal model for students with special needs. Moore et al. (1999) acknowledge teachers need support to provide appropriate learning environments and contexts for students with learning and behaviour problems as many teachers are not sufficiently knowledgeable of inclusion, and what the consequences of this ecological paradigm may mean to their own practice.

Glynn (1998) explains the RTLB role as supporting colleagues to modify the curriculum, teaching practices and school systems in order to meet the needs of students with learning and behaviour difficulties. Thomson (1998) believes much will be expected of RTLB, as they will need to understand the history of special education and acknowledge their own beliefs, values and attitudes and the implication of this on their practice. They must also be familiar with the legislation pertaining to students with special educational needs, ensuring their practice reflects this, and they must be able to assist schools to meet their legal obligations by acquiring knowledge of school systems and practices. Thomson (1998) lists a thorough knowledge of the curriculum framework and principles of

curriculum adaptation, and skills in equity pedagogy, as necessary for RTLB practice of inclusion.

The most effective and skilled RTLB is, however, likely to encounter resistance to change or lack of acceptance of the ecological philosophy of inclusion. Brown (1998) notes that principals and teachers who are not supportive of the inclusive philosophy of Special Education 2000 (Ministry of Education cited in Davies & Prangnell, 1999) raise issues of consistency and implementation for RTLB. For this reason, RTLB must be prepared to work at 'grass roots' level with students, teachers and parents to advocate for systems change in a 'bottom up' manner. This process, advocated by Dimmock (1995), is the most likely to succeed. Although Special Education 2000 promotes fundamental changes, part of the role of an RTLB is to encourage teachers to make incremental changes (see Cuban, 1996). Teachers can be asked to significantly adapt existing practices in order to support the inclusion of special needs students. It may also be necessary to work collaboratively at management level to address schoolwide systems and culture such as timetables, allocation of resources, flexibility of student grouping and subject choices. Dimmock (1995) maintains that school management and organisation styles can conflict with, and obstruct, the process of student learning.

In the role of advocacy for students with special needs through collaboration and consultation with teaching colleagues, the RTLB must be wary of the 'hidden curriculum' within schools lest the attitudes and values of the prevailing school culture disadvantages students with special learning, behaviour or social needs. The National Curriculum Framework (Ministry of Education, 1993) seeks to prepare students for a highly skilled and adaptable work force, aiming to enable them to develop potential and participate effectively and productively in a competitive world economy. Teachers may unconsciously (or consciously) reproduce the societal expectations that special needs students will not be skilled or highly achieving members of the work force by limiting learning experiences or denying learning opportunities afforded more able students, simply by lack of curriculum adaptation and pedagogical practices (Anyon, 1987; Bowles

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& Gintis cited in Carpenter 2001). RTLB must constantly reflect upon whose 'world view' prevails within the classroom.

Brantlinger and Majd-Jabbari (1998), while discussing the philosophy of progressivism, outline reasons why teachers may be resistant to making changes in pedagogy. Their views are applicable to the practice of inclusion in New Zealand. They maintain that conservative practices are easier to implement as existing resources such as worksheets and text books are available, easier to utilise, and assessment is standardised. National control is also mentioned as a constraining factor, whereby curriculum documents promote high standards of achievement for the economic good of the nation (a mandate which can discount students who may never achieve what is perceived to be 'high standards'?). Absence of support for progressive pedagogy is likely due to the domination of the school system by the achieving middle class who have no desire to change a system in which their children succeed. These cautions emphasise the importance of RTLB intervention at class, community and school systems levels, and the development of trusting and supportive relationships.

Klein (1992) suggests that for schools to improve, teachers must improve their knowledge and skill in classroom practice, moving from being 'technicians' to practitioners with rights, responsibilities and skills to become curriculum decision makers. This provides an opportunity for RTLB to support teachers with professional development, modelling and inclusive strategies which benefit students with learning and behaviour difficulties. Freire (1972) urges teachers to move towards a reciprocal teaching style where students are partners in the learning process and learning is seen as an act of cognition whereby both teacher and student move forward in knowledge. This is opposed to the 'banking' concept, whereby students are perceived to be empty vessels waiting to be filled with static knowledge defined by the teachers as valid. Freire also advocates structural change which promotes inclusion in the fullest sense. He argues that students who deviate from societal expectations of 'the norm' and are integrated and incorporated into the existing structures should not be seen as 'marginal' – it is the structures that need to transform. Again, the RTLB has a part to play to ensure reciprocal practices are

commonplace in classrooms. Glynn (1998) notes that teachers able to employ a wide range of strategic teaching practices are more likely to include students with special needs in regular teaching routines. A key RTLB role will be to diagnose and trouble shoot instructional practices.

Assessment in schools is often inflexible; its results can be used simply for reporting, selection for classes and ranking. It often takes the form of norm-referenced standardised tests. Dockerell and McShane (cited in Wearmouth, 2001) argue against the validity of such assessment procedures, on the basis that they do not provide details of what a student does or does not know, nor do they indicate difficulties a student may be encountering in the learning process. For assessment procedures to be truly inclusive, they advocate formative, criterion based processes, using task analysis and developmental profiles which allow for analysis of error patterns, and provide a clear indication of what skills need to be taught next. Through working closely with teachers in planning, RTLB are able to suggest assessment practices which adhere to the primary purpose for school based assessment, to improve the quality of students' learning and learning programmes in ways which are fair to all students (Ministry of Education, 1993). In this way, it is possible for teachers to design assessment tasks where the prime consideration is the effect on learning, and decisions on assessment are always made with the specific needs of the learner in mind (Nisbet, 1994).

Fancy (1999) highlights the need for ongoing research and evaluation of Special Education 2000 (Ministry of Education cited in Davies & Prangnell, 1999) which will provide additional insights and ideas for practitioners, parents and policy makers who share a collective responsibility to ensure the findings are disseminated and understood.

From an RTLB perspective this has resulted in the development of a set of professional standards for the appraisal process, which differs from that of a classroom based teacher. The key indicators against which RTLB practice is appraised refer strongly to the professional development undertaken as part of the Special Education 2000 policy (Ministry of Education, 1995) and guidelines for RTLB practice. However, although

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available from the Ministry of Education website and published in the RTLB handbook (Ministry of Education, 2001) appraisal against the professional standards is not yet mandatory. This leads to diversity in RTLB practice between clusters, and digression from the original intent and stated purpose of the RTLB role.

Until recently the Education Review Office (ERO) approach to reviewing RTLB practice has been haphazard with no formalised procedures. Early in 2002 a pilot review against specific criteria was executed in six clusters (Education Review Office, 2002). The results of this review formed the basis of an ERO framework for evaluating the quality of RTLB service provision, and it became a basis for making judgements on practice.

With the decentralised approach to special education promoted by Special Education 2000 (Ministry of Education cited in Davies & Prangnell, 1999) accountability became an important issue. Fancy (1999) recognises the need for research and evaluation of the policy, and examination into whether it is achieving its intended effects. Timperley and Robinson (cited in Moore et al., 1999) view the purpose of examining the experience of policy implementation as the need to inform further policy development. Mitchell (2000) raises the question of how effectively special education policies and management decisions can be devolved to a local level in the overall context of a decentralised education system.

The Wylie Report (cited in Wylie, 2000), an independent review of Special Education 2000 commissioned by the Minister of Education, confirms Mitchell's (2000) concern. The Report suggests that a major theme of the policy has been the fragmentation of responsibilities and provisions, and these have undermined the policy's original intention which was to remain consistent with the philosophy of self-managing schools. The report comprised over 1000 submissions from, and consultation with, a wide cross section of New Zealand including school staff, parents, school visits, public meetings and meetings with relevant organisations and interest groups. Findings noted the quality of student education and support in relation to the professional expertise of teachers, teacher aides and other specialist staff, supporting the belief that the effectiveness of Special Education

2000 depends on appropriate and effective pedagogy (Fancy, 1999; Glynn, 1998; Moore et al., 1999).

One response of the Ministry of Education has been the transfer of the Specialist Education Services, an agency contracted by the Ministry to provide services to schools and students with special needs, to Group Special Education, a division within the Ministry of Education. The aim is the more effective provision of the 'seamless' education system which the policy promises. This will be achieved through the management of funds and a more equitable delegation of resources. At a local level this is expected to result in a more successful school interface with the RTLB service.

A three year study into the Special Education policy, which involved 8000 people, was conducted by Massey University (Ministry of Education, 2002). Findings from this research show increasing satisfaction in schools with most strands of the policy, particularly the RTLB service and school flexibility in the use of the Special Education Grant. However, concern is expressed that more males than females are receiving support, and only some policy initiatives are consistently accessed by Maori learners.

Some parents remain dissatisfied with the Special Education Policy (Ministry of Education, 1995). This has led to a parent filing for a judicial review of the policy in the High Court on behalf of her child, in the belief that the education of students with special educational needs has suffered under Special Education 2000. The judgement concluded that every student with special needs requires an evaluation of, and response to, those particular needs under section nine of the Education Act (Ministry of Education, 1989). Section nine outlines the responsibility of the Secretary and Minister of Education to ensure special educational needs are catered for. Historically this was used to determine the level of resourcing necessary for students, such as placement in a special school, unit, class or mainstreamed with teacher aide support. The courts have ruled that under the Special Education Policy (Ministry of Education, 1995), the Ministry of Education has acted unlawfully by removing section nine agreements and disestablishing some units and special classes. The government is presently appealing the decision.

If the decision is upheld, it has the potential to disempower the overriding inclusive philosophy of Special Education 2000.

The major focus of inclusion has been to promote active change in schools' values, culture and practices. To seek a specific 'label' in the form of a section nine agreement will lead to a return of the deficit model whereby students are seen as 'lacking' and in need of remediation. Wylie (2002) notes that students' individual needs differ widely even within the same broad grouping, and inordinate time and effort may be wasted in seeking a section nine agreement (which contains no criteria and was awarded historically based on funding and resourcing availability rather than categories of actual need). To revert to categorisation of individuals for the purposes of resourcing students with special needs can only be a backward step as special education provisions become once again fragmented and highly contested.

## **Conclusion**

Codd (1987) outlines a number of ethical issues relating to the education of students with special needs. Among these he details the need to avoid ideological domination and social control, the difficulties in ensuring students receive an education appropriate to their individual needs including fair assessment procedures, and also the need for parents to be equal partners in the consulting process where they are treated with respect and cultural sensitivity. He believes these problems cannot be eliminated by policies and legislation but rather by vigilant and critical questioning.

Special Education 2000 (Ministry of Education cited in Davies & Prangnell, 1999) is more than a policy, it is a complete reform of special education for students from birth to school leaving age. It seeks to address issues through a wide range of strategies that include ongoing research, reflection and critical questioning. The flexibility of the reforms, the constant development of new initiatives, and the refining of existing initiatives to meet the diverse needs of learners with special needs will all contribute to the policy's success. By remaining true to its original aim of incorporating independent

research and evaluation with a wide consultation base, practitioners, students, parents/caregivers and communities will remain valuable stakeholders in the education of students with special needs.

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