CHAPTER FIVE

RESPONSE TO INTERVENTION AND GRADUATED RESPONSE

An alternative to categorisations such as those outlined in the previous chapter is Response to Intervention (RtI). In brief, this involves (a) tracking the rate of growth in core subjects for all students in the class; (b) identifying students whose levels and rates of performance are significantly below their peers; and (c) systematically assessing the impact of evidence–based teaching adaptations on their achievement (Shaddock et al., 2009). Above all, RtI is an approach focused on outcomes and on the evaluation of intervention; it thus integrates student assessment and instructional intervention. The RtI framework provides a system for delivering interventions of increasing intensity. Data based decision-making is the essence of good RtI practice.

RtI can be considered a being roughly equivalent to other approaches, known variously as ‘student progress monitoring’ and ‘data-based decision making within a problem-solving framework’ (NASDSE and CASE, 2006).

RtI is widely used in the US and Canada, but the writer was unable to find any significant reference to its use outside North America. However, RtI bears a close resemblance to the ‘Graduated Response’ model of intervention in England, as outlined in the 2001 Code of Practice. This will be summarised later in this chapter.

The material relating to RtI is synthesised from Ervin (2010), Gerber (2010), the National Association of State Directors of Special Education and the Council of Administrators of Special Education (2006), the National Center on Response to Intervention (2010), and Wikipedia (2010).

5.1 Background

In the US, RtI has a statutory and regulatory foundation. Thus, the re-authorisation of IDEA in 2004 proscribed the identification of a child with a specific learning difficulty on the basis of a severe discrepancy between achievement and intellectual ability. Instead, it favoured a process in which the child ‘responds to scientific, research-based intervention’ [P.L. 108-446, §614(b)(6)(B)]. Further, subsequent regulations required that prior to being referred for classification as a child with a specific learning disability, he or she should have been provided with ‘appropriate high quality, research-based instruction in regular education settings’, and that ‘data-based documentation of
repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction’ be provided. Only then, if the child has not made adequate progress after an appropriate period of time, could the child be referred for an evaluation to determine if special education should be provided.

RtI builds on two recommendations made by the President’s Commission on Excellence in Special Education (2002):

Consider children with disabilities as general education children first…In instruction, the systems must work together to provide effective teaching.

Embrace a model of prevention not a model of failure. The current model guiding special education focuses on waiting for a child to fail, not on early intervention to prevent failure. Reforms must move the system toward early identification and swift intervention, using scientifically based instruction and teaching methods (p.9).

The Commission also specifically recommended the use of an RtI model:

Implement models during the identification and assessment process that are based on response to intervention and progress monitoring. Use data from these processes to assess progress in children who receive special education services (p.21).

It would seem, too, that the development of RtI was provoked, at least in part, by concern that over 50% of IDEA funding was being spent in learning disability programmes, with around 70% of special education activities being related to learning disability cases (Batsche, 2006). However, it must be emphasised that RtI is not limited to students with learning disabilities, but is intended for all those who are at risk for school failure, as well as students with identified disabilities.

5.2 Definition of RtI

The National Center on Response to Intervention (2010) in the US defines RtI as follows:

Response to intervention integrates assessment and intervention within a multi-level prevention system to maximize student achievement and to reduce behavior problems. With RtI, schools identify students at risk for poor learning outcomes, monitor student progress, provide evidence-based interventions and adjust the intensity and nature of those interventions depending on a student’s responsiveness, and identify students with learning disabilities or other disabilities (p.2).

Another definition is provided by the National Association of State Directors of Special Education and the Council of Administrators of Special Education (2006):

RtI is the practice of providing high-quality instruction and interventions matched to student need, monitoring progress frequently to make decisions about changes in instruction or goals and applying child response data to important educational decisions. RtI should be used for making decisions about general, compensatory
and special education, creating a well-integrated system of instruction/intervention guided by child outcome data (p.2).

5.3 Components of RtI

According to the National Association of State Directors of Special Education and the Council of Administrators of Special Education (2006), there are three key components of RtI:

*High-quality instruction/intervention*, defined as instruction or intervention matched to student need that has been demonstrated through scientific research and practice to produce high learning rates for most students. Individual responses are assessed in RtI and modifications to instruction/intervention or goals are made depending on results with individual students.

*Learning rate and level of performance* are the primary sources of information used in ongoing decision-making. Learning rate refers to a student’s growth in achievement or behaviour competencies over time compared to prior levels of performance and peer growth rates. Level of performance refers to a student’s relative standing on some dimension of achievement/performance compared to expected performance (either criterion- or norm-referenced). Decisions about the use of more or less intense interventions are made using information on learning rate and level. More intense interventions may occur in general education classrooms or pull-out programmes supported by general, compensatory or special education funding.

*Important educational decisions* about the intensity and the likely duration of interventions are based on an individual student’s response to instruction across multiple tiers of intervention. Decisions about the necessity of more intense interventions, including eligibility for special education, exit from special education or other services, are informed by data on learning rate and level.

What follows is a more detailed explanation of the ‘multiple tiers of intervention’, referred to in the last of the above points, and sometimes described as ‘levels’. Most writers identify three tiers, but sometimes four are described. Each tier provides progressively more intense and individualised intervention, with the aim of preventing, as far as possible, serious and continuing learning difficulties.

*Tier I: core classroom instruction.* Sometimes referred to as ‘primary prevention’, this is the foundation of RtI and contains the core curriculum (both academic and
behavioral). The core curriculum should be effective for approximately 80% -85% of the students. If a significant number of students are not successful in the core curriculum, RtI suggests that instructional variables, curricular variables and structural variables (e.g., building schedules) should be examined to determine where instruction needs to be strengthened, while at the same time addressing the learning needs of the students not being successful. Tier I interventions focus on in-class support and group interventions for all students and are characterised as preventive and proactive. The teaching programme should comprise evidence-based instruction and curriculum and should be the responsibility of the general education teacher. At this level, there should be careful monitoring of all students’ progress and universal screening to identify at-risk students.

*Tier II: supplemental instruction.* Sometimes referred to as ‘secondary prevention’, interventions at this level are of moderate intensity and serve approximately 15-20% of students (some writers go as high as 30%) who have been identified as having continuing difficulties and who have not responded to normal instruction. Interventions at this level comprise targeted small group interventions (two to four students) for about an additional hour per week. Instruction is both more extensive and intensive than at Tier I and there should be weekly progress monitoring of target skills to ensure adequate progress (and that the intervention is working). Students at Tier II continue to receive Tier I instruction in addition to Tier II interventions. Based on performance data, students move fluidly between Tier I and Tier II. This tier is still the responsibility of the general education teacher, but with the assistance of a relevant specialist.

*Tier III: Instruction for intensive intervention.* Sometimes referred to as ‘tertiary prevention’, this tier serves approximately 5-10% (some say as few as 2%) of students and is targeted at those with extreme difficulties in academic, social and/or behavioural domains who have not responded adequately to Tier I and Tier II efforts. The goal is remediation of existing problems and the prevention of more severe problems. Students at this tier receive intensive, individual and/or small group interventions for an additional hour (two thirty minute sessions) per day, with daily progress monitoring of critical skills. Special education programmes are designed to supplement and support Tier I and Tier III instruction. At this level, a trained specialist would be involved. Once students reach target skills levels, the intensity and/or level of support is adjusted. These
students also move fluidly among and between the tiers. If Tier III is not successful, a student is considered for the first time in RtI as being potentially disabled.6

These three Tiers are sometimes referred to as ‘universal’ (Tier I), ‘targeted group’ (Tier II), and ‘individual’ (Tier III).

A caveat should be entered at this point: there should be a mechanism through which students with severe or significant academic, social-emotional of behavioural problems which would allow them to be ‘triaged’ directly into Tier III, rather than requiring them to go through Tiers I and II. This procedure should be used with caution, however.

Figure 5.1 provides a graphic depiction of this three-tier model (National Association of State Directors of Special Education and the Council of Administrators of Special Education, 2006):

Figure 5.1 The three-tier model of Response to Intervention

5.4 Implications of Implementing RtI

For RtI to be effectively implemented, several conditions have to be met:

a effective assessment procedures – for screening, diagnosis and progress monitoring- have to be put in place (see also Chapter Nine of this review);

b evidence-based teaching strategies should be employed (see also Chapter Ten of this review);

c a structured, systematic problem-solving process should be implemented;

6 To these three Tiers, Gerber (2010) adds a fourth to encompass students with 'extraordinary needs,' who require 'highly specialized methods'.

d it is important to see RtI as a flexible and fluid model, based on student need and not premised on particular labels or special education programmes;

e there should be school-wide responsibility for all students, including SWSEN;

f teachers, principals and specialists should receive appropriate pre-service training and in-service professional development on RtI (see also Chapter Thirteen of this review);

g adequate resources need to be made available;

h parents should be involved in the decision-making processes in RtI (see also Chapter Fifteen of this review);

i exemplar RtI models should be developed before RtI is fully implemented;

j it takes time and can be costly to implement; Batsche (2006), for example, pointed out that evidence from Iowa and Minnesota suggested that it takes 4-6 years (or more) to complete full implementation, including policy and regulatory change, staff development, and development of school/district-based procedures;

k consideration must be given to teachers’ variability in their ‘capacity to respond to differences in students’ response to instruction’ (Gerber, 2005, p.215).

Finally, as Madalaine & Wheldall (2009) pointed out,

There is an enormous amount of support for RtI in the literature but, while it makes very good conceptual sense, there is relatively little scientific evidence about its effectiveness as yet in comparison to other models of identification and remediation (p.9).

However, what research has been reported is encouraging. For example, VanDerHeyden et al. (2007) found that students responded positively to RtI and that African-American students responded more quickly than other ethnic groups. They also reported a significant reduction in the rate of placement in LD programmes. Similarly positive findings have been reported by Marston (2001), who attributed RtI to a drop over a three-year period in the percent of African-American students placed in special education from 67% to 55% (considering that 45% of the student population was comprised of African-American students). Like VanDerHeyden et al. (2007), Marston (2001) also reported a 40% decrease in special education placements for LD programs. He attributed this to the use of RtI to determine eligibility, with students appearing to get the help needed in skill development with the three-tier model of prevention and intervention.

5.5 The Graduated Response Model in England

There are marked similarities between RtI in the US and the system of ‘Graduated Response’ in England, particularly with regard to the notion of three tiers and a concern for monitoring student outcomes. As outlined in the Code of Practice (Department for
In order to help children who have special educational needs, schools in the primary phase should adopt a graduated response that encompasses an array of strategies. This approach recognises that there is a continuum of special educational needs and, when necessary, brings increasing specialist expertise to bear on the difficulties that a child may be experiencing. However the school should, other than in exceptional cases, make full use of all available classroom and school resources before expecting to call upon outside resources (p.48).

As in Tier I in the RtI, in the Graduated Response approach it is assumed that classroom teachers should do all they can to provide an appropriate education for all their students through differentiated teaching, with additional action being taken only for those whose progress continues to cause concern. In addition to the assessment data that all schools record for all students, the pupil record for a student with special educational needs should include more detailed information about his or her progress and behaviour. This record should provide ‘information about areas where a child is not progressing satisfactorily, even though the teaching style has been differentiated’ (p.51). From this, the teacher may feel that that his or her teaching strategies are not resulting in the child learning as effectively as possible and will consult with the school’s Special Education Needs Coordinator (SENO) to review the strategies currently being used. Following this consultation, it may be determined that the child requires help over and above what can be provided by the teacher. In that case, consideration may then be given to helping the child through School Action (roughly equivalent to Tier II in the RtI).

In School Action the class teacher or the SENO identifies a child as having special education needs and will ‘provide interventions that are additional to or different from those provided as part of the school’s usual differentiated curriculum’ (p.52, emphasis in the original). The triggers for School Action include (a) the child making little or no progress even when teaching approaches are targeted at a his or her areas of weakness, and (b) the child presenting persistent emotional or behavioural difficulties which are not ameliorated by the behaviour management techniques usually employed in the school. The SENO and the child’s class teacher then decide on the nature of the intervention needed to help the child to progress. This may include the deployment of extra staff to enable individual tuition, the provision of different learning materials or special equipment, and staff training, all to be recorded in an IEP.

7 Similar Graduated Response systems are also in place for early education settings and the secondary sector.
Should further help be required, a request for external services is likely, through what is referred to as School Action Plus. This would follow a decision taken by the SENCO and colleagues, in consultation with parents, at a meeting to review the child’s IEP. The triggers for School Action Plus usually involve the child, despite receiving an individualised programme and concentrated support, (a) continues to make little or no progress in specific areas, (b) continues to work at National Curriculum levels substantially below that expected of children of a similar age, and (c) has emotional or behavioural difficulties which substantially interfere with the child’s own learning and that of the class group. This review would result in a new IEP which sets out fresh strategies for supporting the child’s progress, which are usually implemented in the normal classroom setting.

The next step in the process is for the school to request a statutory assessment. This requires evidence that the child has ‘demonstrated significant cause for concern’ and that ‘any strategy or programme implemented … has been continued for a reasonable period of time without success and that alternatives have been tried…‘ (p.56).

An Ofsted (2006) survey found serious weaknesses in schools and local authorities’ interpretation and operation of the graduated response approach. It considered that the provision of additional resources to students, such as support from teaching assistants, did not ensure good quality intervention or adequate progress. The survey findings showed that key factors for good progress were: the involvement of a specialist teacher; good assessment; work tailored to challenge pupils sufficiently; and commitment from school leaders to ensure good progress for all pupils. Ofsted also felt that students with behavioural, emotional and social difficulties were disadvantaged in that they were the least likely to receive effective support and the most likely to receive support too late.

5.6 Summary

1. Response to Intervention (RtI) focuses on student outcomes and the evaluation of intervention.

2. In the US, RtI has a statutory and regulatory foundation, IDEA 2004 favouring a process in which the child ‘responds to scientific, research-based intervention’. This arose from a recommendation of the President’s Commission on Excellence in
Special Education in 2002.

3. The National Center on Response to Intervention in the US defines RtI as ‘[The integration] of assessment and intervention within a multi-level prevention system to maximise student achievement and to reduce behavior problems. With RtI, schools identify students at risk for poor learning outcomes, monitor student progress, provide evidence-based interventions and adjust the intensity and nature of those interventions depending on a student’s responsiveness, and identify students with learning disabilities’.

4. Important educational decisions about the intensity and the likely duration of interventions are based on an individual student’s response to instruction across multiple (usually three) tiers of intervention:

   **Tier I:** core classroom instruction. This contains the core curriculum (both academic and behavioural), which should be effective for approximately 80%-85% of the students. If a significant number of students are not successful in the core curriculum, RtI suggests that instructional variables, curricular variables and structural variables (e.g., building schedules) should be examined to determine where instruction needs to be strengthened, while at the same time addressing the learning needs of the students not being successful. The teaching programme should comprise evidence-based instruction and curriculum and should be the responsibility of the general education teacher.

   **Tier II:** supplemental (or secondary) instruction. Interventions serve approximately 15-20% of students (some writers go as high as 30%) who have been identified as having continuing difficulties and who have not responded to normal instruction. This tier is still the responsibility of the general education teacher, but with the assistance of a relevant specialist.

   **Tier III:** Instruction for intensive intervention (tertiary). This tier serves approximately 5-10% (some say as few as 2%) of students and is targeted at those with extreme difficulties in academic, social and/or behavioural domains who have not responded adequately to Tier I and Tier II efforts. Students at this tier receive intensive, individual and/or small group interventions for an additional hour per day, with daily progress monitoring of critical skills. At
this level a trained specialist would be involved. If Tier III is not successful, a student is considered for the first time in RtI as being potentially disabled.

5. For RtI to be effectively implemented, several conditions have to be met. These include:
   a. effective assessment procedures should be in place;
   b. evidence-based teaching strategies should be employed;
   c. a structured, systematic problem-solving process should be implemented;
   d. teachers, principals and specialists should receive appropriate pre-service training and in-service professional development on RtI;
   e. adequate resources need to be made available; and
   f. parents should be involved in the decision-making processes.

6. Although there is relatively little evidence as to the effectiveness of RtI, what research has been reported is encouraging.

7. In England, the system of ‘Graduated Response’ bears a close similarity to RtI. This approach recognises that there is a continuum of special educational needs and brings increasing specialist expertise to bear. The first level assumes that the classroom teachers do all they can do to provide an appropriate education for their students through differentiated teaching. If this is not succeeding, the second level, ‘School Action’ is implemented. This involves providing interventions that are additional to or different from those provided as part of the school’s differentiated curriculum. Should further help be required, a request for external services is likely, through what is referred to as ‘School Action Plus’. The next step in the process is for the school to request a statutory assessment.
CHAPTER SIX
THE EDUCATIONAL CONTEXT

Policies and practices relating to the education of SWSEN must take account of the general educational context, especially those aspects that are derived from such neo-liberal philosophies as marketisation, decentralisation/devolution, choice, competition, and the setting of accountability criteria such as standards and high-stakes testing. According to some writers, the broader educational contexts provided by neo-liberal market philosophies, which have characterised education reforms in many countries in the past couple of decades, contain many elements that tend to work against equity, the valuing of diversity and inclusive education (Blackmore, 2000; Dyson, 2005; Meijer et al., 2003; Mitchell, 1996; Thurlow, 2000). This chapter will examine (a) contestability and competition, (b) decentralisation/devolution, (c) parental choice, (d) accountability, (e) standards-based reforms, and (f) leadership.

6.1 Contestability and Competition

It is frequently assumed that the adoption of marketisation approaches to education will lead to excellence. However, most writers would agree with Blackmore’s (2000) perception that marketisation and the associated competitive relationships between schools and students have negative impacts on SWSEN. Such students, she argued, are seen as ‘non-marketable commodities’ (p.381). Several writers took up this point. Thus, Dyson (2005) noted that since low-attaining students are likely to depress schools’ performance scores, they are wary about accepting such students, or will place them in one of the multiple forms of segregated grouping, or seek to have them assessed as having special educational needs. According to Rouse & Florian (1997), too, the main features of market-oriented reforms taking place in the UK and in many other countries include the pursuit of academic excellence, choice and competition. They claimed that in such a climate, SWSEN are particularly vulnerable and inclusive education is jeopardised. For example, some schools, given increased autonomy, discriminate against students with disabilities while trying to attract greater numbers of high-achieving students. Furthermore, Rouse & Florian noted, local education authorities have only limited ability to guide school policies; and many parents of such students do not have the knowledge, skills and contacts to comprehend an increasingly

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8 This chapter draws upon Mitchell (2004a, 2004b, and 2005).
deregulated system. In a similar vein, Barton (1999), another English writer, wrote that ‘the impact of market ideologies on the governance, process and outcomes of education has been to establish a more hierarchical, status-ridden and selective system in which exclusionary policies and practices have become more prominent’ (p.54). These ideologies, he claimed, exacerbate the deep structural socio-economic conditions in society that serve to maintain inequalities, discrimination and exclusionary practices. Similar concerns have been expressed in Europe, where Meijer et al. (2003) noted that ‘schools are most likely to favour pupils who contribute to higher outputs’ and that ‘pupils with special needs not only contribute to more variance within the class but also lower average achievements’ (p.15).

Similarly, Slee (2005) writing from an Australian perspective, noted that the intensification of competition between schools, resulting from parents choosing schools based on student results, amplifies and reinforces social division. This is compounded when schools are given permission through a quasi-market to become selective of their student cohort. Slee felt that the implications of this for students who are likely to jeopardise school results on academic performance league tables, and therefore for notions of inclusive education, are stark. In Singapore, too, where there is increasing stress on competition, with schools being ranked annually, the capacity of some schools to be selective provides them with an incentive for attracting students who are likely to be assets and, conversely, deters them from accepting students who might depress their scores (Mitchell & Desai, 2005).

If the foregoing risks to the education of SWSEN, particularly inclusive education, are to be avoided or ameliorated, there is an obligation on the state to intervene. As Blackmore (2000) argued, ‘The first condition for quality education for all students is a reassertion of the value of a strong state supporting public education systems’ (p.383). Dyson (2005) took a similar tack, recommending that the operation of the market be supplemented with vigorous state intervention to ensure that its more perverse consequences are avoided. In particular, there is a need to ensure that those who are vulnerable in the market place are not so much protected as ‘empowered to succeed’. This may require appropriate legislation or regulation and close monitoring of schools’ behaviour.
6.2 Decentralisation/devolution

The previous point regarding state intervention runs up against another aspect of educational reforms, namely the principle of decentralisation or devolution. According to the European Agency for Development in Special Needs Education (2003), decentralisation has been subject to legislative change in many countries, particularly in the Czech Republic, Finland, Lithuania, the Netherlands, Sweden and the UK. The US, of course, has always decentralised its education system, with states enjoying considerable autonomy from the federal system and districts also enjoying a high degree of independence from state administrations. The same would be broadly true of Canada and Australia (and, more recently, Mexico, according to Fletcher & Artiles, 2005), although districts in those countries generally have less autonomy than in the US.

In most countries, the direction of the shifts in administration has been centrifugal (i.e., away from the centre), but in some it has been centripetal (towards the centre), and in still others there have been fluctuations in the balance as new settlements are reached (Dyson, 1997). In any case, it is not an either/or issue, for as Bray (1991) has argued, in his general analysis of centralisation and decentralisation in educational administration,

It is misleading to present centralization versus decentralization as a simple dichotomy. Many alternative patterns may be devised, and systems may be centralized in some respects and decentralized in others. Appropriate balances depend strongly on the political values of particular societies and the influence of specific contextual conditions (p.384).

Conyers (1986) presented a similar argument, noting that it is not realistic to have either a totally centralised or totally decentralised system of government. Rather,

It is more accurate ... to envisage a series of continua, one for each relevant criterion, rather than a single one. It then becomes possible to understand how, in many countries, ... 'centralisation' and 'decentralisation' appear to be occurring simultaneously (p.90).

Before proceeding, it might be helpful to distinguish between two forms of the centrifugal shift: 'decentralisation' and 'devolution'. These two concepts should not be seen as synonymous. The political science literature usually defines decentralisation, on the one hand, as involving the transfer of responsibility from the centre, or higher level of government, to an agency at a lower level - a position taken by Rondinelli (1981) when he defined it as ‘the transfer of authority to plan, make decisions and manage public functions’ (p.137). Devolution, on the other hand, involves a more genuine transfer of power from the centre.
As noted in the previous section, the issue of decentralisation (or devolution) raises the question of how far can special education policies, as well as management decisions, be devolved to the local level? Elsewhere, the author (Mitchell, 1996; Mitchell, 1997) has argued there is a risk that unless there are strong safeguards at the centre, individual schools could pursue their own idiosyncratic policies with respect to students with special education needs. This could very well result in marginalisation of such students (Dyson, 1997), a lack of equity and an incoherent pattern of service provision across the country. Such undesirable consequences can be avoided by requiring that schools continue to conform to ‘hard-wired’ central legislation and policy guidelines, with clear accountability procedures.

Perhaps the major unresolved issue is how accountability mechanisms can be introduced without unduly threatening the centripetal/centrifugal balance of responsibility.

Sweden is a particularly interesting case. As described by Riddell et al. (2006), education in Sweden has traditionally been organised within the public sector, with a highly centralised regime of governance. Through legislation, regulations and specified curricula, the state issued detailed instructions and rules on educational activities and the allocation of funds. The development of a comprehensive system of education under the guiding principle of a ‘school for all’ (Persson, 2000) was a central pillar in Sweden’s efforts to shape a welfare system founded on democratic representation, social redistribution, and the public provision of services. For this reason, equal educational opportunities were viewed as an essential element of democratic rights. This central state control included tight regulations and checks over the form and content of schooling by the National Agency for Education (Riddell et al., 2006). More recently, however, the education system underwent reforms that led to a change in the role of the state, with far more delegation of decision-making to the local level and more emphasis on competition and individual choice. Indeed, over the course of a few years Sweden went from having one of the most centralised to one of the most decentralised education systems in the Western world (Lundahl, 2002). Under the decentralised regime, for example, the state leaves decisions on the allocation of additional resources to municipalities and schools. Consequently, there is no guarantee that SWSEN in a mainstream setting will attract additional funding; as a result some mainstream schools have become increasingly reluctant to accept some children with special educational
needs. According to Riddell et al., these reforms arose partly from political pressures, including the political dominance of right-wing parties during the 1990s, which promoted a neoliberal market-based agenda in education. However, towards the end of the decade, there was a return to more centralised controls in an attempt to secure greater social inclusion and equality of experience across what had become a very decentralised system. According to Riddell et al. (2006), ‘the legacy of these educational reforms is a model of governance employing central steering through target-setting and audit, alongside decentralised responsibilities for delivery mechanisms’ (p.40).

Inevitably, with responsibility for education split (or shared, to employ a more generous term), this can give rise to tensions. In Canada, for example, McLaughlin & Jordan (2005) referred to a ‘disjunction between the federal and provincial political contexts that sets the stage for the push and pull for and against inclusive education’ (p.91).

Such tensions are further exacerbated when they are combined with the diffusion of responsibility for special needs education among different ministries and, in some countries among various NGOs. Meijer et al. (2003) cited France and Portugal as clear European examples of countries where responsibility for educational provisions for SWSEN is divided among different ministries.

### 6.3 Parental choice

One of the keystones of recent education reforms is the principle of choice. The coexistence of inclusive education provisions and special schools (which is the case in almost every country) suggests that choices must be exercised as to where SWSEN are ‘placed’. In this process, the relative weight given to the preferences of SWSEN and their parents and those who administer education systems constitutes a major point of tension. Subsidiary issues centre on how parents negotiate any choices that are at least nominally available to them and how they can be assisted to make informed choices.

Parental choice is a legal right in Austria, Belgium (Flemish Community), The Czech Republic, the Netherlands, Lithuania, the UK and the US (European Agency for Development in Special Needs Education, 2003). In Belgium, for example, legislation passed in 2002 gave more rights to parents in decisions about school placement, with parents no longer being compelled to enroll their child with special needs in a special
school. On the other hand, in Greece, although recent legislation gave parents the right to choose the school for their child following appropriate assessment and an IEP, in practice students with the most significant difficulties are rarely included in mainstream settings.

With particular reference to Scotland and England, Riddell (2000) explored the tension between the principles of inclusion and choice. She noted that this relationship works in different ways in different countries and at different periods in their histories. She asserted that there is ‘a danger that the hegemony of individual consumerism [i.e., choice] may cause us to lose sight of the wider ideas of group empowerment [i.e., inclusion]’ (p.100), a view that is espoused by the disability movement, for whom the principle of inclusion is generally prioritised over that of choice.

Parental choice has been increasingly encouraged in Sweden since decentralisation took place in the early 1990s, with funding following the student (European Agency for Development in Special Needs Education, 2005). Thus, for example, parents may choose to use this funding to send their child to an independent school. However, should a parent choose not to send their child to a school designated by their municipality, then the authority is not obliged to cover transportation costs. Also, parental choice is more limited when it comes to SWSEN, when local authorities may impose restrictions on the basis of a school’s capacity to cater for the child’s needs (Rädda Barnen, 2004).

In the US, the President’s Commission (2002) made the following recommendation relating to parental choice:

INCREASE PARENTAL EMPOWERMENT AND SCHOOL CHOICE: Parents should be provided with meaningful information about their children’s progress, based on objective assessment results, and with educational options. The majority of special education students will continue to be in the regular public school system. In that context, IDEA should allow state use of federal special education funds to enable students with disabilities to attend schools or to access services of their family’s choosing, provided states measure and report outcomes for all students benefiting from IDEA funds. IDEA should increase informed opportunities for parents to make choices about their children’s education. Consistent with the No Child Left Behind Act, IDEA funds should be available for parents to choose services or schools, particularly for parents whose children are in schools that have not made adequate yearly progress under IDEA for three consecutive years (p.36).

The Commission went on to argue that parental choice is an important accountability mechanism: ‘Increasing school choice options is an effective means of
achieving accountability in the broad system if parents are able to more easily choose where their child attends school’ (p.40). Further, the Commission pointed out that one way to increase choice is simply to give states more flexibility to use federal IDEA funds for this purpose, making it possible for funds to follow students to the schools their families choose, especially ‘when they choose to opt out of chronically failing schools or districts’ (ibid.).

6.4 Accountability

Accountability boils down to the multi-faceted question of who should be held responsible for what, how they can be evaluated, and with what consequences? Its scope therefore is quite complex. It includes:

(a) Legislators, who are responsible for passing appropriate laws and providing the necessary funds to enable them to be implemented;
(b) policy-makers, who are responsible for advising legislators and for establishing and monitoring effective policies for implementing laws;
(c) schools (through their governing bodies and principals), for translating policies into administrative arrangements and for monitoring their implementation;
(d) teachers and other ‘front-line’ professionals, for implementing policies and employing their professional skills and judgements in effectively teaching individual students (in the present case those with special educational needs).

Increasingly, decisions at all of these levels are evidence-driven, or are being expected to be evidence-driven (see, for example, Shaddock et al., 2009). Thus, referring to education more generally, Hattie (2005) wrote, ‘If we, as educationalists in classrooms and schools do not provide evidence that increased resources make a difference to student learning outcomes, then we will soon be on the back foot, arguing why there should not be decreases in resources’ (p 12).

How to measure the educational performance of SWSEN with validity and reliability is one of the major contemporary challenges facing educators around the world. As Shaddock et al. (2009) have recently noted, the first challenge is to establish the principles that should underpin accountability for the learning outcomes of such students. They cited the National Center on Educational Outcomes (Thurlow et al., 2008) as providing possible approaches for measuring performances. In the UK, the influential government document, Removing barriers to achievement (Department for
Education and Skills, 2004), stressed the need for accountability: ‘Though we do not wish to prescribe one model, we are clear that all local monitoring arrangements should be linked to service standards for SEN specialist support … and should be focused on outcomes for children and school self-evaluation’ (p.78).

Useful guidelines for developing accountability processes in general have been provided by Crooks (2003, pp 2-5) who argued that they should

• preserve and enhance trust among the key participants in the accountability process;
• involve participants in the process, offering them a strong sense of professional responsibility and initiative;
• encourage deep, worthwhile responses rather than surface window dressing;
• recognise the severe limitations of our ability to capture educational quality in performance indicators;
• provide well-founded and effective feedback that promotes insight into performance and supports good decision-making; and
• ensure that as a consequence of the accountability process, the majority of the participants are more enthusiastic and motivated in their work (p.2).

With regard to SWSEN, there are major challenges in determining what to measure, how to measure it, the accuracy of measurement, and the meaning of the results (Kauffman & Hallahan, 2005). As noted by Shaddock et al. (2009), disability is not a unitary variable and hence it is difficult to develop a meaningful, common metric. However, they went on to suggest the need for data on results such as (a) the programme and level of schooling achieved, (b) the timeliness of additional support; participation and suspension rates, (c) graduation rates, (d) students’ postsecondary outcomes, (e) students’ time in segregated/integrated settings, (f) parents’/carers’ satisfaction, (g) students’ satisfaction, (h) parents’/carers’ and students’ participation in individual planning; and (i) outcomes of IEPs (e.g., Decline in Performance, No Progress, Some Progress, Expected Progress, or, Better than Expected Progress - can easily be aggregated and reported). The critical conclusion, according to Shaddock et al., is that ‘no student should be left out of accountability policies’ (p.128).

In the US, attempts are made to aggregate data on student outcomes at the state level, with the Department of Education carrying out annual ratings of states’ performances of their special education programmes. These ratings are intended to fulfill IDEA’s requirement that ‘measurable’ and ‘rigorous’ targets be met for students enrolled in special education. Thus, states are required to create a ’state performance plan’ on a six-year cycle that sets goals for special education performances in 20
different areas. Since 2007, the Department of Education has been rating each state annually in four categories: ‘meets requirements’, ‘needs assistance’, ‘needs intervention’, and ‘needs substantial intervention’. To date, no state has received the last rating, but several have been rated in the third category. Alaska, for example, has been consistently rated in the top category. See article in Education Week, July 7, 2010: http://www.edweek.org/ew/articles/2010/07/07/36idea_ep.h29.html?tkn=YLWFFd70n5NecFwB17jAQnnGn2QAbmBQWgkn&print=1

State Performance Plans and Annual Performance Reports are expected to cover 20 areas, including:

- Percent of youth with IEPs graduating from high school with a regular diploma.
- Percent of youth with IEPs dropping out of high school.
- Participation and performance of children with IEPs on statewide assessments, including proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.
- Rates of suspension and expulsion, including percent of districts that have (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions...in a school year for children with IEPs...
- Percent of children with IEPs aged 6 through 21 served
  A. Inside the regular class 80% or more of the day;
  B. Inside the regular class less than 40% of the day; and
  C. In separate schools, residential facilities, or homebound/hospital placements.
- Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.
- Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
- Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs...

Several countries have developed policies requiring SWSEN to have access to general education accountability systems, as summarised in Mitchell et al. (2010). The arrangements in the US will suffice to illustrate these policies. Until recently, in that country, accountability in special education was defined in terms of progress in meeting IEP goals. This all changed in IDEA 97, which required all students, including those with disabilities, to participate in their states’ accountability systems. This was followed...
by a policy memorandum from the U.S. Department of Education (2000), to the effect that an exemption from a state’s assessment programmes was no longer an option for students with disabilities. Both IDEA 97 and the No Child Left Behind Act (NCLBA) of 2002 required the provision of alternate assessment for students who could not participate in state or district assessments with or without accommodations. Districts are permitted to measure up to 3% of their students using alternate assessments (1% against alternate achievement standards and 2% against modified standards). The use of alternate assessment is a decision to be made by a student’s IEP team. To quote IDEIA, IEPs must include ‘a statement of any appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state- and district-wide assessments’ (IDEIA, 2004, p.118). As well, the NCLBA stipulated that student performance be disaggregated by special education status, among others, and, to avoid sanctions, by 2013/2014 schools must show that students in various subgroups are making adequate yearly progress toward mastering content standards.

Of course, effective accountability requires effective monitoring. As Meijer et al. (2003) pointed out from a European perspective, ‘Monitoring and evaluation procedures must be developed and, in general the issue of accountability still has to be addressed within the framework of special needs education’ (p.15).

6.5 Standards-based Reforms

One of the educational battle cries in the US since the 1990s has been for ‘standards-based reform’, with its goal of higher and more rigorous achievement standards for all students. This economics-driven quest for ‘excellence’ or ‘high standards’ is increasingly referred to in the educational literature and in international policies. For example, in his discussion of inclusive education in England, Dyson (2005) outlined the standards-driven, highly accountable post-welfare society with its aim of developing individuals as a means of developing the economy. In this context, the emphasis is on excellence in education. Although the aim is to achieve excellence for the many, not the few, Dyson felt that the shift of focus to outputs in the education system is making ‘unproductive’ students less welcome in schools.

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9 This section should be read in conjunction with Section 4 in the recent review of IEPs carried out by the writer and his colleagues at the University of Canterbury (Mitchell et al., 2010). It contains a full review of international trends in policies requiring SWSEnS’ access to general education accountability systems. See also Chapter Nine of the present report.
Canada and the US are also undertaking what McLaughlin & Jordan (2005) referred to as ‘standards-driven reform’, which focuses on increasing the educational performance of all students, assessing these performances through ‘high-stakes testing’ and holding schools to more stringent levels of accountability. In this context, the focus of inclusive education shifts from access to outcomes and it thus becomes a means to an end and not the goal. McLaughlin & Jordan considered that parents seeking inclusive education will increasingly be faced with regular classrooms that have an even more demanding curriculum and a pace of instruction that may not support inclusion. Writing from a US perspective, Thurlow (2000) concluded that students with disabilities do not fare well under these reforms. She cited research showing that such students are frequently excluded from national and state assessments at various points – the setting of standards; participation in assessments; accommodations to enable their abilities, rather than their disabilities, to be assessed; and the reporting of assessment results. Students with disabilities are disadvantaged, too, by the narrowing of the curriculum that emerges as an unintended consequence of the standards-based reforms as teachers focus on the range of knowledge and skills included in assessments. While this latter point could be considered undesirable for all students, Thurlow argued that it is particularly relevant when considering the need for students with disabilities to have access to a broader curriculum. Also writing from a US perspective, Artiles (2003) predicted that the introduction of such education reforms as standards and high-stakes testing may well exacerbate the current trend towards over-representation of ethnic minority groups in special education.

Other writers to touch on these issues include Brown (2005), who noted that in Middle Eastern countries the concept of excellence is perceived as being incongruous with the accommodation of learning diversity, and Slee (2005), who considered that narrowly defined notions of academic outcomes enforced through high stakes testing ‘is not the friend of educational inclusion’ (p.143).

6.6 Leadership\textsuperscript{10}

Effective leadership has been, and always will be, an essential component of education. One test of leadership is the extent it succeeds in achieving positive outcomes for the most disadvantaged, in this case for SWSEN. As noted in Section 6.4, leadership should

\textsuperscript{10} See Chapter Eleven, section 11.4, for further comments on leadership.
be exercised throughout an education system: by legislators, policy-makers, school governing bodies, principals and teachers. Also, leadership should be evidence-driven, focused on student outcomes, and based on a recognition that success comes from individuals working together (Shaddock et al., 2009).

At the school level, according to Mitchell (2008), developing a school culture for SWSEN requires the exercise of leadership, particularly by the principal, but also by others in a school. This was recognised, for example, in the UK document, *Removing barriers to achievement* (Department for Education and Skills, 2004), which stressed the leadership of headteachers in bringing about inclusion. According to Heller & Firestone (1995) and Mayrowetz & Weinstein (1999), too, in order to bring about an inclusive school culture, the following leadership roles need to be exercised:

(a) *provide and sell a vision:* this involves defining the philosophy and goals of inclusion and promulgating them wherever possible, e.g. in school publications, talks to parents and the community, and in casual conversations;

(b) *provide encouragement and recognition:* this can be formal and informal, public or private, but it has the common feature of recognising those who are promoting inclusion;

(c) *obtain resources:* since one of the key barriers to the successful implementation of inclusion in many countries is the lack of appropriate resources, leadership has to advocate for adequate resources to be brought into the school; once these are in the school, leaders should ensure that they are equitably distributed;

(d) *adapt standard operating procedures:* this involves recognising that since rules, regulations and requirements may have evolved without the significant presence of learners with special educational needs in the school, they may have to change; examples here include curriculum, textbooks and examinations that may be inappropriate for these learners;

(e) *monitor improvement:* increasingly, it is not acceptable for leaders just to ‘do good’, but to show that what they are doing is having a positive impact on learners’ achievements and social behaviour;

(f) *handle disturbances:* since inclusive education is rarely a settled and universally agreed policy in any school, it is inevitable that there will be overt and covert resistance that has to be handled.

6.7 Summary

1. *Policies and practices relating to the education of SWSEN must take account of the general educational context, especially those aspects that are derived from such neo-liberal philosophies as marketisation, decentralisation/devolution, choice, competition, and the setting of accountability criteria such as standards and high-stakes testing.*
2. In most countries, the direction of the shifts in administration has been centrifugal (i.e., away from the centre), but in some it has been centripetal (towards the centre), and in still others there have been fluctuations in the balance as new settlements are reached.

3. According to some writers, neo-liberal market philosophies contain many elements that tend to work against equity, the valuing of diversity and inclusive education.

4. The shift of focus to outputs in the education system is making ‘unproductive’ students less welcome in schools.

5. The implication of these (presumably) unintended consequence is that the state may see itself as having an obligation to intervene to ensure that such consequences are prevented or ameliorated. It can do this through legislation or regulation and by close monitoring of schools’ behaviour.

6. The coexistence of inclusive education provisions and special schools (which is the case in almost every country) suggests that choices must be exercised as to where SWSEN are ‘placed’. In this process, the relative weight given to the preferences of SWSEN and their parents and those who administer education systems constitutes a major point of tension.

7. Accountability boils down to the multi-faceted question of who should be held responsible for what, how they can be evaluated, and with what consequences? Its scope therefore is quite complex.

8. Increasingly, decisions at all of these levels are evidence-driven, or are being expected to be evidence-driven.

9. How to measure the educational performance of SWSEN with validity and reliability is one of the major contemporary challenges facing educators around the world.

10. Several countries have developed policies requiring SWSEN to have access to general education accountability systems.

11. One of the educational battle cries in many countries since the 1990s has been for ‘standards-based reform’, with its goal of higher and more rigorous achievement standards for all students, including those with special educational needs.

12. Leadership should be exercised throughout an education system: by legislators, policy-makers, school governing bodies, principals and teachers. At the school level,
developing a school culture for SWSEN requires the exercise of leadership, particularly by the principal, but also by others in a school.