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Inclusion – movement for open and fair education

Inkluzija – pokret za otvoreno i pravično obrazovanje

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Abstract: *Education is of inestimable importance for a person. The process of education implies the acquisition of knowledge and acquisition of skills and habits for developing abilities, forming a view of the world, as well as nurturing work on self-learning. However, there are also students with special educational needs who need to be included in the educational process. Inclusion is a new model of organized teaching and learning that implies not only the inclusion of children with disabilities in the regular educational system, but also the inclusion of the child in the social life of the community at all levels. Within the model of inclusive teaching, the rights of every child to education have been recognized and conditions have been created for the realization of that right. The sources of legal regulations on which inclusive education relies can be found in internationally ratified documents and documents of a national character that relate in whole or in part to inclusion. Having in mind the topicality of this problem and its application in the education system, inclusive education should be the subject of further research in our environment, because previous research has mainly focused on examining attitudes towards children with disabilities in inclusive education.*
Keywords: *inclusive education, practice, law, research.*

Rezime: *Obrazovanje ima neprocenjiv značaj za čoveka. Proces obrazovanja podrazumeva usvajanje znanja i sticanje veština i navika na razvijanje sposobnosti, formiranje pogleda na svet, kao i negovanje rada na osbosobljavanju za samoučenje. Međutim, postoje i učenici sa posebnim obrazovnim potrebama koje treba uključiti u obrazovni proces. Inkluzija, upravo predstavlja nov model organizovanog poučavanja i učenja koji podrazumeva ne samo uključivanje dece sa teškoćama u razvoju u redovan vaspitno-obrazovni sistem, već i uključivanje deteta u društveni život zajednice na svim nivoima. U okviru modela inkluzivne nastave, prepoznata su prava svakog deteta na obrazovanje i stvoreni su uslovi za realizaciju*

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tog prava. Izvori pravne regulative na koje se oslanja inkluzivno obrazovanje se mogu naći u međunarodnim ratifikovanim dokumentima i dokumentima nacionalnog karaktera koja se u celini ili nekim svojim delom odnose na inkluziju. Imajući u vidu aktuelnost ovog problema i primenu u sistemu obrazovanja, inkluzivno obrazovanje bi trebalo da bude predmet daljih istraživanja u našim sredinama, jer su dosadašnja istraživanja, uglavnom, bila usmerena na ispitivanje stavova prema deci sa teškoćama u razvoju i učenju u inkluzivnom obrazovanju.
***Ključne reči**: inkluzivno obrazovanje, praksa, zakon, istraživanja.*

1. Introduction

At the beginning of the twentieth century, primary education became compulsory in many countries. It was then that the schools first encountered the fact that some children were not able to attend classes with their peers, so based on that, it was decided that it was best to prepare special schools for those children, as well as special teachers. That is how special schools were created. In addition to the many advantages that this approach has had, such as adjusted curricula according to the degree of disability, a smaller number of students in the class and the like, it has been shown that there are numerous indicators that reduce the value of special schools. The most noticeable is the negative social division of students. In the seventies of the last century, there was a turnaround when in some countries children with disabilities were included in regular schools. There is a mass abolition of special schools, which also leads to new problems because teachers are not prepared to work with these children. Educational systems around the world face the challenge of providing effective education for all children and young people. In poorer countries, there are about 72 million of children who do not go to school. However, in richer countries, many young people drop out school without adequate qualifications, others take up jobs for which they are not qualified for, and some simply drop out school because schooling seems irrelevant to their lives. Faced with these challenges, there is a growing interest in the idea of inclusive education. Education as one of the central didactic (teaching) concepts is regarded as the core of the educational process. There is still certain confusion about the very notion and its content. In broader sense, it comprises the entire educational concept, a constant and complex process, a permanent comprehensive approach, a specific philosophy of education and a unique educational policy. Also, the total adjustment of all conditions, environment, expected outcomes, content of tasks, forms, methods, i.e. everything that students needs to make progress in learning, behavior and development of all their potentials. “In the case of inclusion, there is no classification of classes into regular or special, or according to any other parameter” (Vukajlović, 2010, p. 36). In a narrower sense, inclusive education implies a concept that developmentally stimulates children and youth with disabilities (or with special educational needs) and all other students in learning and participation in permanent optimal individualized learning, acquisition and developing of knowledge, skills development, nurturing habits, forming valuable information and views on life (Vukajlović, 2010, p. 36). In some countries, inclusion is still seen as an approach that serves children with disabilities in general education. At the international level, this is increasingly seen as a reform that supports and welcomes differences among all participants (Understanding and Responding to Children’s Needs in Inclusive Classrooms. Guide for Teachers Inclusive. UNESCO, 2001). This concept of inclusion points out that the goal of inclusive education is to eliminate social exclusion

that is a consequence of attitudes and responses to diversity, social class, religion, gender, ability. As such, it starts from the belief that education is a basic human right and the basis for a more just society.

2. Legal basis of inclusive education

Education is invaluable for man, because it is one of the conditions of his development and existence. Educators, psychologists, didactics have long tried to define the term education, however, one thing is certain that "education is a systematic, organized and simultaneous process of acquiring knowledge and developing skills that is not limited to teaching in school but takes place as a systematic, organized and simultaneous process of acquiring knowledge, skills and habits with the permanent development of psychophysical abilities and the formation of a scientific view of the world" (Krulj et al., 2010. p. 209). Teaching as an inseparable process of education, is one of the types of intentional influence on the development of personality, it is a form of learning to adopt the heritage of a culture. Teaching as well as education had to change, modernize along with with socio-cultural-historical changes and changes of human needs that are inevitable today. Inclusive teaching is inevitable nowadays (lat. Inclusio - inclusion, inclusion) it is a new didactic system of organized teaching and learning, which comprises and intensively includes students with special educational needs, as well as all students in the class. Any teaching system may be defined as inclusive if it meets the following criteria (Rajčević & Krulj, 2020, p. 50): 1) the inclusion or true acceptance of each student regardless of any differences; 2) pleasant environment, non-violent communication and pleasant emotional atmosphere for all students; 3) equal, partner participation of all students and teachers in deciding on important issues of preparation, implementation and evaluation of teaching; 4) individualization of learning by practicing students' creativity according to their levels and structures of knowledge, abilities and other potentials; 5) additional assistance to students in accordance with their differences; 6) effective teaching planned on the basis of quality of students' work (independent, joint, individualized). A teaching system should be considered in the historical context from the beginning of the school until today, as recommended by prof. Mile Ilić, with the following thoughts, „within the developmental flows of civilization, education has crossed the path from exclusive through segregation, towards integration and finally to inclusive education" (Ilić, 2012). The concept of inclusive education is now accepted in almost all developed countries, as well as in most societies in transition. The sources of legal regulations on which inclusive education relies can be found in internationally ratified documents and documents of a national character that relate in whole or in part to inclusion.

The United Nations Charter was considered incomplete and insufficiently clarified as to the human rights it should protect. On December 10, 1948, the United Nations General Assembly in Paris adopted a new document that fully clarifies the rights of the individual, called the Universal Declaration of Human Rights. The document is based on the tradition of civil law and consists of thirty articles on the essence of human rights. Among the main principles of the declaration, the principle of non-discrimination is recognized and the right to education of every child is proclaimed.

Taking into account the general principles of the Universal Declaration of Human Rights, and invoking the principle of the right to education, in 1960 the Convention against Discrimination in Education was adopted. Discrimination is defined as any discrimination, exclusion, restriction or preference based on race, color, sex, language, religion, political or other opinion, social or economic status, etc. Discrimination in education is considered a violation of the rights set out in the Declaration. The 1989 Convention on the Rights of the Child is based on the general principles of the Universal Declaration of Human Rights, which also guarantees the right to education to every child, without discrimination on any grounds. Based on the data that more than 100 million children in the world do not have primary education, that more than 960 million young people are illiterate and incapable of participating in social life, as well as other data, the World Declaration on Education for All was adopted in 1990. Three years later, the UN Standard Rules on the Equalization of Opportunities for Education for Persons with Disabilities were adopted, where Rule 6 affirms equal rights to education for all children, youth and adults with disabilities and promotes education within an "integrative school environment" and a "regular school system". The framework principles for action in the field of education of persons with special needs were presented a year later at the UNESCO World Conference on the Rights of Children and Children with Special Educational Needs, held in June 1994 in the Spanish city of Salamanca, where the Declaration and Framework for an action that gives every child the right to be included in regular schools, regardless of his or her physical, intellectual, emotional, social, linguistic or other condition, was adopted. This statement reaffirms the right to education of every individual from the Universal Declaration of Human Rights, as well as the commitment to the initiative to ensure the right to education for every child regardless of individual differences from the World Declaration on Education for All.

In addition to a number of documents adopted at United Nations sessions, the most important one is the 2006 Convention on the Rights of Persons with Disabilities, which promotes the protection and assurance of the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and the promotion of their inherent dignity.

The Constitution of the Republic of Serbia, as the main legal document, in its second part, Human and Minority Rights and Freedoms, interprets the stated provisions in favor of improving the values of a democratic society, in accordance with valid international standards of human and minority rights and Article 71 provides the right to education for all. The 2006 Law on Prevention of Discrimination against Persons with Disabilities (Zakon o sprečavanju osoba sa invaliditetom, 2006) regulates the general regime of prohibition of discrimination on the grounds of disability, special cases of discrimination against persons with disabilities, the procedure for protection of persons exposed to discrimination and measures taken to promote equality and social inclusion of persons with disabilities.

The Law on the Fundamentals of the Education System entered into force in 2017 (Zakon o osnovama sistema obrazovanja i vaspitanja, 2017). This law regulates the basics of the system of preschool, primary and secondary education, as follows: principles, goals and standards of education, manner and conditions for performing

activities at all levels of education, types of educational and upbringing programs, establishment, organization, financing and supervision of the work of educational institutions, as well as other issues of importance for education and upbringing. In addition to the changes related to the organization of work and management of schools, the new system for assuring quality, significant changes have also occurred in the enrollment policy. Namely, the examination is done after enrolling in school, the assessment of readiness for school has been changed, individual programs are being created for students and adults with disabilities, for gifted children and for all other children who need it. In addition to the Law on the Fundamentals of the Education System, the Rulebook on Detailed Instructions for Determining the Right to an Individual Education Plan (IEP) was adopted in the same year, which also refers to its application and evaluation in preschool, primary and secondary schools. The aim is to achieve optimal inclusion of children and students in regular educational work, progress and independence in the peer team. This also refers to students with exceptional abilities.

The insight into the text of the Law on the Fundamentals of the Education System, as well as the articles of the Law concerning the inclusive process, leads to the conclusion that the Law is not binding in any article and leaves room for institutions and school principals to make final decisions in accordance with their capabilities and affinities. The law provides for support, equal right to education and upbringing, states the general principles of the system, the right to adjust the program and the individual educational plan, but in no article does the school explicitly oblige to accept students with special educational needs. There is also an inclusive (professional) team elected by the school principal, in order to help children with special educational needs, which is more precisely defined by the Rulebook on detailed instructions for determining the right to an individual educational plan, its application and evaluation. The Rulebook clearly emphasizes that the professional team consists of: a teacher or class teacher, a parent or guardian, a professional associate, a pedagogical assistant and, at the suggestion of the parents, an expert outside the school.

In addition to the mentioned documents, inclusion in education also relies on the experiences of other countries that have adopted this system before our country, on examples of good practice, various projects, national reports, etc.

3. Experiences in inclusive education

In Italy, Maria Montessori made a great contribution to the development of the inclusive idea (Italy was the first in Europe to implement complete inclusion in 1986). Karl Steiner in Austria and Eduard Clapared in Switzerland also provided the basis for founding the movement, which we now refer to as the inclusive movement in education. Radovan Damjanović in his Lexicon of pedagogical-psychological terms and expressions, believes that it is „a movement that through a holistic approach in the educational system implies respect for individual differences of each individual, and in terms of education inclusive approach requires to the maximum individualized adaptation to educational programs for all students respecting their individual differences and needs" (Damjanović, 2012, p. 98). The idea of inclusive education has

met with many conflicting opinions for decades. Many arguments were made in favor of inclusion, as well as those against.

European countries can be grouped into three categories in terms of inclusive education practices. The first group applies inclusive education fully. In 1979, Italy abolished special schools in order to include or include almost all students in regular education. This group also includes Greece, Cyprus, Spain, Portugal, Sweden, Norway and Ireland. The second group of countries applies blended education and is represented by countries that have inclusive schools, but have retained a smaller number of special schools, where numerous services are developed between the regular and special education systems. This category includes: Finland, Denmark, Britain, France, Poland, the Czech Republic, Lithuania and others. The third group applies parallel education and includes countries with two parallel and separate systems of regular and special education that are interconnected. This group includes: Belgium, Switzerland, Germany, Serbia and Montenegro.

So far, inclusive education has been implemented in our country only within the projects of the Ministry of Education. Until last year, the project was successfully implemented in couple of schools in Serbia, where children with special educational needs enrolled without problems and where very good and extraordinary results were achieved. The project includes several schools from many cities in Serbia and many papers and examples of good practice have been published. The current situation in our country is such that inclusion can legally fully rely only on the Constitution of the Republic of Serbia (Ustav Republike Srbije, 2006), which establishes the right to education for all, on the Convention on the Rights of the Child (signed by our country) and partially on the Law on Fundamentals of Education. The economic situation in the country and the part of the budget allocated for education is insufficient for the current educational system. Since inclusion is a process that requires large investments, both financially and morally, ethically and professionally, it is obvious that the country is only at the very beginning of the process.

Based on the results of previous research in schools, and society as a whole, a high degree of acceptance of inclusive education was found, which is a support and a basis for its' further implementation.

The research conducted in 2011 by the Provincial Ombudsman of the Autonomous Province of Vojvodina provided relevant data and proposals for overcoming existing problems and better implementation of the inclusion process (Velišek-Braško, 2015). The aim of the research was to determine the most important problems that school staff encounter, how much the teaching staff is acquainted with the theoretical framework, how much they are practically prepared to work with children with special educational needs. The aim of the research was to define guidelines and proposals for more successful implementation of inclusive education. The results of the research do not differ much from many others conducted in our country. The established essential facts are the following (Muškinja et al., 2011):

- the degree of acceptance of inclusion is not sufficient but not worrying because there is a real interest;

- one of the basic problems in the implementation of inclusive education, which teachers specify, is insufficient training and incompetence of teaching staff to work with children with special educational needs;
- lack of support from experts or pedagogical assistants;
- large number of students in the classes.

In December 2011, the Forum of Belgrade Primary Schools conducted a survey in a few primary schools in Belgrade related to the acceptance and implementation of inclusive education (Forum of Belgrade Primary Schools, 2011). School principals and team leaders for inclusive education were interviewed. Following issues were examined examined: for how many students an IEP was made, how many in younger, how many in older classes, whether for one or more subjects; what activities have been carried out in order to remove barriers for children with disabilities; how many pedagogical assistants were there in schools; what teaching aids are used in working with children with special educational needs; what is the cooperation with special schools, etc.

The data obtained from this survey are partly worrying. It was concluded that inclusion is in the same place as before the introduction of the legal framework, and that apart from the good will, awareness and interest of the teaching staff in inclusive education, not much progress has been made. The lack of financial resources hinders and prevents the training and work of teaching staff, the lack of professional assistance, pedagogical assistants, the impossibility of removing physical obstacles and procuring the necessary teaching aids, etc. One of the interesting data obtained by this survey is the following: comparing data on the total number of children with IEP in regular schools and the number of students in special schools, it was concluded that the number of children with disabilities decreased by enrollment in regular schools. The fact that the consent of the parents is needed in order to work with their children according to the IEP, has enabled many parents to refuse and in that way to create the „illusion" that their children will be like the others, i.e. not to be „marked". The ignorance and lack of awareness of parents about the importance and existence of the IEP prevents the its' implementation and is one of the burning issues.

Research regarding abovementioned issues, conducted by school administrations, has identified similar problems and reached identical conclusions (Forum of Belgrade Primary Schools, 2011). Work on the draft of the Strategy for the Development of Education until 2020 is in progress. The strategy is expected to determine the goals, directions, instruments and mechanisms for the development of education over the next 10 years. It is also expected to determine the competencies of certain institutions for inclusive education, the distribution of responsibilities and greater participation of the state and the media in achieving the inclusive process. The research conducted up to now has mainly focused on the attitudes towards children with difficulties, in the process of their inclusive education. Further research should focus on identifying barriers to learning and to participation of all children, as well as examining other conditions in schools. The research of that kind will further encourage the even inclusion, in all school activities, of children with disabilities, with their peers.

4. Teacher education in the inclusion process

Training of teaching staff to work with children with special educational needs in our country began short time before the adoption of the Law on the Fundamentals of the Education System in 2017. Education was conducted through short-term trainings, seminars, workshops, exchange of experiences among teachers and the use of relevant literature. By this education teachers were acquainted with the process and importance of inclusive education, its' goals and tasks and also with examples of good practice from countries where inclusion had been successfully implemented. Only a part of teachers received the training along with professional associates in schools (pedagogues, psychologists).

The faculties for educating future teachers and pedagogical faculties, are the only ones where Methodology of working with children with special needs and Special pedagogy is on curriculum. At few other faculties these courses are elective subject. However, at most of faculties, there are still no courses at which students would theoretically get acquainted with the inclusion.

In some European countries, education of teachers who work with children with special needs is performed at a much higher level. In Germany, teacher training colleges last four and a half years. In order to work with children with disabilities, another two years of schooling and training in two types of disabilities are needed. The system of parallel education (existence of regular and special schools) operates and teachers from special schools work closely with teachers of regular schools. In the Netherlands, inclusive education has been introduced through university education for future teachers, while 25% of total study is an internship. In Great Britain, Malta, Italy and many European countries, education of teachers for working with children with disabilities is done in a one-year training or master's study with practical training.

As for the surrounding countries, the experiences are similar to those in our country, the reform of the educational system is still ongoing. Some of them, e.g. Croatia, Bosnia and Herzegovina, Romania, Bulgaria, have much earlier started to integrate children with special educational needs into regular schools, but they still face similar problems. Unfortunately, the legal provisions guaranteeing the right to education in regular schools are still inadequately monitored in school practice. On the list of issues are large classes with too many students, inadequate teacher expertise, lack of educational and rehabilitation support, inadequate cooperation with other students and their parents, etc. In some of the countries, as provided by the law, cooperation with special educators, speech therapists and other experts is being implemented, which is an obvious progress. In Croatia, the Rulebook on the number of students defines how many students should be in a class in which children with disabilities are included, far less than what takes place in practice.

5. Conclusion

Until now, the experience with inclusive education points to the fact that, despite progress, the creation of an inclusive, non-discriminatory education system is still a challenge for ongoing education reform. However, regardless of the numerous

advantages that inclusion provides to all participants, many factors hinder its successful implementation, so the process of introducing inclusive education is difficult and slow. The existing obstacles are mainly related to the unadjusted educational system, unpreparedness of schools and teachers, lack of financial resources, existence of prejudices and negative attitudes of school staff, other students and their parents towards children with disabilities.

We can say that the state strives to improve the current regulations governing the inclusive education and social integration of persons with disabilities, as well as children with special educational needs. It is important to note that the legislation does not sufficiently follow world and European standards, and has certain shortcomings. One of the biggest is that legal regulations are applied only partially or not applied at all. Children with special educational needs suffer the consequences of not being able to attend regular classes due to the reduced ability of teachers to meet the special educational requirements of such children. The legal obligation to include a pedagogical assistant and an appropriate expert in teaching is minimally or not applied in practice.

It is estimated that a large number of children with special educational needs and developmental difficulties attend regular schools, but their needs have not been determined and, as a rule, have not been met and are not currently covered by the support system. Mitigation programs exist but are being implemented too slowly. The main reason is the low level of economic development. One of the essential conditions for successful inclusive education is the education of the general public and the social community regarding the inclusion of children with special educational needs.

The media do not act enough to change peoples' awareness of inclusion and integration of children with special educational needs, while seminars for teachers and professional associates are formal and deal only with practice and practical action, without influencing people's awareness of the importance of inclusive education. More serious education of educational staff through initial education is necessary, at the faculties where students prepare for future educators. It is essential to acquaint future teachers and professional associates with preliminary diagnostics and train them to recognize the basic categories of children with special educational needs and their basic features. That will enable them to better understand and cooperate with expert specialists, and to work independently with children. In addition to all this, it is necessary to provide certain preconditions for inclusive education, namely: individualization of teaching, differentiation, integration, flexibility of curricula, good professional qualifications of teaching staff.

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