



HELLENIC REPUBLIC

GREEK NATIONAL COMMISSION FOR HUMAN RIGHTS

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Proposals regarding the implementation of Law 3699/2008 “Special Education of Persons with Disabilities or Special Educational Needs”

- 9 April 2009 -

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Introduction

NCHR has organized a consultation with professionals, parents and academics in order to identify the most important issues arising as regards the effective access of persons with special educational needs to education. The proposals below do not attempt a complete and exhaustive approach of the organisation of special education. They aim to contribute to the more effective implementation of the provisions adopted in the context of the State obligations.

I. Proposals for the fulfilment of compulsory Special Education and Training

NCHR stresses the importance of the immediate adoption of all the Presidential Decrees and Ministerial Decisions provided for in Article 34 (enabling provisions) in order to accelerate the implementation of the Law. NCHR formulates proposals for: a) local structures issues and b) addressing special educational needs.

A. Local structures issues

1. Early Intervention Centres

➤ All interested actors supported the dire need to establish *Early/Timely Intervention Centres*. These centres must be built beyond nursery schools for children aged 0-4 years, therefore at the crucial age for the diagnosis and development and for their parents as well as they should be appropriately manned with educational, medical and special teaching staff¹ (Article 34 paragraph 4).

2. Daily Life Training Centres

➤ They are essential to children with considerable special needs, intellectual disability, functional autism or multiple disabilities, who cannot attend vocational education programs, but are in need of training in everyday skills and creative activities (Article 34 paragraph 4).

¹ ‘Early/Timely Intervention Centres’ differ from ‘Early Intervention Centres’ provided for in Article 8 paragraph 1 aa) of Law 3699/2008, which are erroneously called like that, since it is likely to offer pre-primary education services inside nursery schools.

3. Special Education and Training School Units

- Establishment of school buildings fulfilling the necessary accessibility and functionality specifications for all students with special educational needs (Article 34 paragraph 7a).
- Determination of analytical training program regarding Special Education and Training School Units in order to meet special educational needs of all students by appropriate teachers (Article 34 paragraph 6g).
- Monitoring of the implementation of the Individualized Education Program so as to ensure that every student is being properly educated (Article 34 paragraph 6g).
- Immediate recruitment and appointment of the needed personnel at the beginning of new school year (Article 34 paragraph 1b, 4, 6h and 7a).
- Immediate adoption of the Presidential Decrees and Ministerial Decisions referred to in Law 3699/2008 in order to regulate all issues concerning:
 - a) the selection procedure of Advisers to Special Teaching Staff (Article 34 paragraph 1) and every detail regarding their duties, competences and obligations, b) the definition of the typical qualifications for being appointed as Teaching Staff, Special Teaching Staff and Special Support Staff and every detail regarding the criteria, the requirements and the appointment procedure for Special Education and Training Personnel (Article 34 paragraph 1b).

4. Addressing deficiencies at General Schools

Special Education and Training Classes

- It is recommended to create a Special Education and Training class in every three schools for students with marginal or normal IQ with severe behaviour problems as well as emotional fulfilment problems, language development problems, psychiatric or physical problems (epilepsy, serious illnesses) functional autism or even a slight mental and cognitive immaturity and are incapable of keeping up with their classmates.

In so doing, students with these educational needs, which would be aggravated by attending Special Education and Training School Units, would essentially benefit from mainstream education (Article 34 paragraph 4).

Inclusive Classes

- In every school (at all levels) there should be an inclusive class manned by Special Education and Training teachers in order to address learning difficulties promptly and in a specialized way and

to avoid deficiencies which render impossible some students' inclusion in the general program (Article 34 paragraph 4).

Incorporation of new specialties in teaching personnel (Article 34 paragraph 1b)

- Class enforcement with assistant teachers to facilitate permanent surveillance and to promote an enhanced learning pathway to students.
- Manning of nursery schools with speech therapists to promptly address language disorders or deficiencies which result in learning difficulties.
- Manning of general schools with psychologists and social workers to manage socioeconomic changes.
- To establish the Administrative Board of the Special Teaching Staff at the Central Body of the Ministry of Education and Religious Affairs (Article 24 paragraph 3), the following specialties are proposed: child psychiatrists, social workers, psychologists, speech therapists, occupational therapists, physical therapists, experts on matters concerning the blind and deaf as well as school nurses to be recruitment assessed almost exclusively by teachers.

5. Differential Diagnosis, Diagnosis and Special Education Requirements Support Centres (Diagnosis Centres)

- A proportion of one entirely diagnostic team per 5,000 of the school population is proposed (or four diagnostic teams per 20,000) in order to reduce waiting time for diagnosis/evaluation and planning and Diagnosis Centres personnel should come in touch and cooperate with a specific number of schools and teachers (Article 34 paragraph 7e).
- A physical therapist should be added to the inter-scientific team of Diagnosis Centres (Article 4 paragraph 1) to assess physical difficulties and to propose suitable technical requirements (Article 34 paragraph 6i).
- It would be useful to specialize Diagnosis Centres personnel in learning difficulties and not simply in Special Education (Article 34 paragraph 6i).
- For the efficient and appropriate manning of Diagnosis Centres, provision should be made for incentives in order to avoid manning with alternates, whose convention expires each year on the 30th of June and as a result they are becoming weak (Article 34 paragraph 6d).
- Coverage of transport expenditure of Diagnosis Centres personnel to schools, depending on the kilometric distance they have to cover (Article 34 paragraph 6d).
- Training seminars for all staff (Article 34 paragraph 6d).

- Library funding, suitable software, evaluation material as well as petty expenses not covered by the Prefecture.
- It is being proposed to avoid placing secondary school teachers in Diagnosis Centres and expanding to over 50 graduates of “Educational and Social Policy” classes having three-year experience in Special Education and Training School Units, who have only worked with students with deafness, blindness, mental disability, autism, physical disorders or multiple disabilities and lack of the specialized knowledge to assess students’ learning difficulties (Article 34 h).

6. Cooperation framework and sharing of responsibilities between Children's Paediatric Centres (IPD) and Differential Diagnosis, Diagnosis and Special Education Requirements Support Centres

- Diagnosing students’ special educational needs should be assigned to Diagnosis Centres. Students’ psychological and psychiatric support as well as their families’ should be also assigned to IPD.
- Parents are entitled to appeal in case of disagreement between Diagnosis Centres and IPD (Article 5 paragraphs 3 and 4): parents express their strong opposition to the degradation of their role as responsible for their children’s education, as well as their hesitations against time-consuming bureaucratic procedures.

B. Issues of Special Educational Needs

Students with language disorders or neurological or psychiatric diseases

There is a gap for addressing difficulties not deriving from dyslexia.

- Regarding students with language disorders or neurological or psychiatric diseases, the examination method and conditions should be determined so as to respond to the needs of each case. These cases demand more time and a simpler way of exposing issues. Teachers also propose the possibility that students with these specific educational needs could use a dictionary during exams.

Students with hearing problems, students with vision problems and students on the autistic spectrum

The centrepiece is the need to face these specific needs, which differentiate according to the nature of the problem.

- Cases of children with cochlear implants have increased, which imposes reinforcing special education in converting sounds into words within special schools by a team consisting of a speech therapist, a headphone controller, a psychologist, a special teacher, a nursery school teacher etc. Insufficient and inappropriate school education leads children with cochlear implants in general schools to a system where they do not manage to transpose properly in the absence of inclusion classes.
- Lack of special education for students on the autistic spectrum results in attending general schools and mental disability schools, where no special education -which is what they do need- is being provided.

If competent bodies ascertain that accompanying support should be made available to students on the autistic spectrum (Article 7 paragraph 4c) by a special assistant introduced by the student's family on the favourable opinion of the Headmaster of the School Unit and the Teachers Board, then this burden must be obligatorily placed on and covered by the State.

Certification body of the Greek Sign Language and Braille Writing (Article 7 paragraph 3 and article 47 paragraph 7c)

What is especially welcomed is the recognition of the Greek Sign Language and the Braille Writing as first language for children with hearing problems and visually disabled children, and also as a prerequisite of efficient knowledge for the recruitment of teaching personnel at schools with students having these problems.

- However, it is essential that the National Certification Body of Efficient Knowledge of the Greek Sign Language and the Braille Writing ("ENORASIS") benefit from, especially given its limited composition (seven members), the experience of the Hellenic Federation of the Deaf and the Centre of Education and Rehabilitation of the Blind (KEAT), the competent bodies hitherto.

Publication of books and material and technical infrastructure suitably adapted to students' hearing and vision problems (Article 34 paragraph 3)

- Immediate adoption of the Presidential Decree for establishing a department of adapting teaching books to the needs of students with hearing and vision problems.
- Provide special Presidential Decree programs and digital recording depending on the books and writings taught in the educational system.
- Single curriculum and educational objectives design, so as not to depend only on the personal effort of the teachers.