

Special Needs Assessment Procedures and Realizing Equity: A Contradiction?

Procedure di valutazione delle esigenze speciali e realizzazione dell'equità: una contraddizione?

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ABSTRACT

Special needs assessment procedures (SNAPs) are well-organized and more or less standardized processes, which are initiated once a child shows difficulties in its learning setting – potentially leading to the child's enrolment in a special needs school. This possible outcome has a substantial impact on the child's future. Due to the assessment by different professions, a child might be labelled "a-normal", a label that might be persistent and depriving the child of certain educational and occupational opportunities. Although SNAPs comprise reoccurring structures, they are heavily dependent on their cultural context, especially regarding their underlying definition of special needs and the "normal" child as assessment criteria to which the assessed child is automatically (and unconsciously) compared. This is why this article looks at SNAPs in different countries (Germany and Italy) and time spans (German partition and present-day) referring to the following research questions: (1) How can SNAPs be theorized in their reoccurring structure as well as in their existing variances? How is an "a-normal" child generated out of an initially "normal" one? (2) How can a theory of SNAPs be transferred onto unique cultural and historical constellations? (3) How do the German and Italian SNAPs relate to the idea of equity and social justice and how does the theoretical approach of SNAPs help to disclose moments of social inequality in general? Using reconstructive research methods as well as international and historical comparative approaches, the analysis shows that SNAPs in Germany are more likely to produce social inequalities than in Italy, as in Italy inequalities are caused by different mechanisms.

Le procedure di valutazione dei bisogni speciali (Special needs assessment procedures - SNAPs) sono processi ben organizzati e più o meno standardizzati, che vengono avviati una volta che il bambino mostra difficoltà nel suo apprendimento - e che potenzialmente portano all'iscrizione del bambino a una scuola per bisogni speciali. Questo possibile risultato ha un impatto sostanziale sul futuro del bambino. A causa della valutazione da parte di diverse professioni, un bambino potrebbe essere etichettato come "a-normale", un'etichetta che potrebbe essere persistente e privare il bambino di determinate opportunità educative e professionali. Sebbene gli SNAPs com-

prendano strutture ricorrenti, essi dipendono fortemente dal loro contesto culturale, soprattutto per quanto riguarda la definizione di bisogni speciali e il bambino "normale" come criterio di valutazione a cui il bambino valutato viene automaticamente (e inconsciamente) confrontato. Per questo motivo questo articolo guarda agli SNAPs in diversi paesi (Germania e Italia) e ai periodi di tempo (partizione tedesca – RDT, Repubblica Democratica Tedesca e attuale) facendo riferimento alle seguenti domande di ricerca: (1) Come si possono teorizzare gli SNAPs nella loro struttura ricorrente e nelle loro varianti esistenti? Come si genera un bambino etichettato "a-normale" rispetto a uno inizialmente etichettato "normale"? (2) Come si può trasferire una teoria degli SNAPs su costellazioni storiche e culturali uniche? (3) Come si rapportano gli SNAPs tedeschi e italiani all'idea di equità e giustizia sociale e come l'apologia teorica degli SNAPs aiuta a rivelare i momenti di disuguaglianza sociale in generale? Utilizzando metodi di ricerca ricostruttiva e approcci comparativi internazionali e storici, l'analisi mostra che gli SNAPs in Germania hanno maggiori probabilità di produrre disuguaglianze sociali rispetto all'Italia, poiché in Italia le disuguaglianze sono causate da meccanismi diversi.

KEYWORDS

Special needs, assessment procedures, international comparative study-qualitative study, Italy, Germany.

Bisogni speciali, procedure di valutazione, studio comparativo internazionale - studio qualitativo, Italia, Germania.

1. Introduction¹

Special needs assessment procedures (SNAPs) are well-organized and more or less standardized processes, which are initiated once a child shows difficulties in its learning setting. This article looks at SNAPs in different countries (Germany and Italy) and time spans and reflects about their similarities and variances. Using reconstructive research methods as well as international and historical comparative approaches, the analysis focusses on Germany during the period of the German partition and on the present-day situation in Italy.

The goal of this reflection about SNAPs under different local and temporal circumstances is to find out more about a potentially existing theory of assessment procedures in educational settings of the past and present.

2. Literature Review

Because of its specific investigative concerns, this project is interdisciplinary in nature. Relevant to its interests are historical studies of childhood, of schooling and of educational psychology as assessment procedures are often related to psychological approaches, ideas and test instruments.

Historical studies of childhood with the societal standardization and normal-

1 This contribution is the result of collaborative work, however, the sections 1, 2 and 5 have been written by Michaela Vogt, and the sections 3, 4 and 6 by Vanessa Macchia, while section 7 has been jointly written.

ization of childhood development and behavior. Examples are the studies by Reh (2008) and Moser (2013) for the German context as well Pirka's (2010) study from an international point of view.

In terms of historical research on schools and schooling Hofsäss (1993) for example investigated the formal process of the special education intake procedure and its diachronic development over the twentieth century. Also Möckel (2001) mentions SNAPs for the German context but does not focus on them. Within international school research, the studies by Osgood (2000) and Powell (2011) merit attention.

Historical studies of educational psychology relevant to this project discuss historically specific instruments and tests, which, for example, have been employed in special education intake procedures. This research includes the work of Ingenkamp (1992) and Laux (1990). In Italy you find in Crispiani (2016) and in Kari et al. (2018) some accent.

Based on the short glimpse into the existing literature we can easily conclude that there currently exists no study, that focusses on assessment procedures themselves and also no aiming for theorizing SNAPs based on international-comparative findings.

3. Research Questions

Special needs assessment procedures (SNAPs) can be seen as generally well-organized and more or less standardized processes. They are normally initiated by different persons (professionals or parents) as soon as the child shows difficulties in a regular learning environment. After the initiation, SNAPs are followed by different actions involving various professionals, diverse tests and questionnaires as well as the reference to dominating diagnostic patterns. Additionally, these procedures are linked to a certain outcome that focusses on the further learning support of the child – if seen as necessary. Also they rely on several constructs and ideas, for example about the “normal” child or understandings of special needs. Therefore they strongly refer to the cultural, local and personal settings and shared knowledge amongst different groups (see Link, 1997, Berger & Luckmann, 1969). One consequence of this dependency on multiple factors might be, that their administration contradicts ideas of equality and social justice in the school systems of different countries in various ways. This perspective can be also linked to ideas about inclusive education as the United Nations Educational, Scientific and Cultural Organization (UNESCO) (2009) clearly indicates that inclusive education is a question of equity and therefore a question of quality that has an impact on all pupils. Three statements on inclusive education are highlighted: inclusion and quality are reciprocal; access and quality are linked and mutually reinforcing. And, last but not least, quality and equity are fundamental to ensuring inclusive education.

Regarding to the theoretical approaches that relate to the conduction of assessment procedures in varying educational settings the article focusses on three goals or research questions:

1. How can special needs assessment procedures be theorized in their determining elements and basic, reoccurring structure as well as in their existing variances? This theorization is also connected to ideas of how assessments generate an “a-normal” child out of an initially “normal” one and how contextual settings influence these processes.

2. How can a theory of special needs assessment procedures be transferred onto unique cultural and historical constellations? The basis for this second goal are research results about special needs assessment procedures in the two parts of Germany during the German partition and in the present-day northern part of Italy.
3. How do the SNAPs being analyzed in different countries relate to the idea of equity and social justice and how does the theoretical approach of SNAPs help to disclose moments of social inequality in general?

4. Methodological design of the comparative study

By using reconstructive research methods, the reconstruction of the assessment procedures themselves as well as of the influence of different sources of evidence on these procedures in different countries becomes possible. Besides reconstructive methods that are mainly such of a qualitative and content-analyzing type, approaches from the area of international and historical comparative research are of relevance, as the findings rely on different countries as well as time spans (see Hilker, 1962).

The sources being used are therefore documentations about the SNAPs in the different countries that are part of the study. Additionally contextual documents are of high relevance as they give an insight into the on goings in the different countries and different time spans. Especially documents on the level of general and educational policy as well as academic literature from the field of education, special needs and psychology are of relevance. Also publications in journals, that are mainly focused on the exchange amongst teachers are being looked at.

Before the article can talk about the findings of the study its necessary to give a brief insight into the local and temporary specifics about the SNAPs in the FRG and GDR as well as for the reflections about assessing children in Italy in our days.

5. SNAPs in the FRG and GDR in the 1950s to 1970s – a short Insight

The project that serves as the basis the historical analysis of the SNAPs in the FRG and the GDR is entitled: “Between suitability for primary school and special educational needs. A comparative historical study of professional evaluations from special educational intake procedures in the FRG and the GDR”. The German Research Foundation (DFG) is funding this project, which focusses on the timespan from the 1950s to the end of the 1970s (see Vogt, 2018; Sauer, Floth & Vogt, 2018; Floth, Sauer & Vogt 2017; Sauer & Vogt, 2019; Floth & Vogt, 2019). They will be described briefly in the following:

In West Germany the period under investigation falls into two phases, defined by developments in educational politics and, in part, also organizational politics. In the FRG, the part of Germany organized as a federal system, the years till 1971 as a first phase were marked by efforts within educational policy to further expand the system of special schools and to standardize its legally fragmented situation with central guidelines in the year 1960. These guidelines, which were published by the Central Conference of the Ministers of Education (KMK), included recommendations that the individual states of the FRG could choose to follow but these were not mandatory. According to the 1960 guidelines, the special education system should contain 12 different types of special schools, each responsible for dif-

ferent types of special needs. Furthermore, the varying processes during the SEIP for the different types of special schools were discussed, but in the end were not regulated by these guidelines. The years 1972 till the end of the 1970s included a reform of the West German educational system and were marked by a rethinking of educational policy regarding the separate system of special schools. As a result, in 1972, the KMK published a set of recommendations for the organization of special schools. The recommendations did not expand on the content of the 1960 guidelines regarding the SEIP and its implementation, but rather dealt thoroughly with the question of integrative schooling within the system of regular schools. Because of this shift of focus within educational policy, the SEIP would not be subject to any further structural reform (see Sauer, Floth & Vogt, 2018).

In the GDR, the diachronic changes undergone by the SEIP over the period under investigation can also be traced in two phases, one with primarily school-structural and ideological changes and another with a general upheaval in the practice of referring children for intake into the system of special schools. Concerning the first phase from 1958 to 1972, a fundamental structural and curricular reorganization of the East German school system took place in the context of the so-called 'antifascist, democratic construction' of the GDR state according to the Soviet model. This construction also brought along a restructuring and reorientation of the regular school system alongside a substantial expansion of the special school system. Despite this expansion, the special school system would not be significantly altered until 1968. The principal result of new legislation in this year was a reorganization of parts of the special education system. Also connected to this implementation provision was a more thorough engagement with the task of matching certain groups of students to various types of special schools, which had only been roughly formalized until then. The second phase of the period under investigation, beginning in 1973, was shaped by new regulations concerning the structure of the special education system. Concerning the SEIP, the new guidelines on the one hand brought about an increasing centralization of the SEIP and a growing influence of state organs in the GDR. These organs now had the ability to influence the final schooling decision directly by a mandatory statement during included in the SEIP. On the other hand, the new guidelines formulated explicit criteria for children subject to assessment in an SEIP, based on Soviet developmental and pedagogical models. In addition, the guidelines legally defined which diagnostic instruments were to be used in the SEIP (Floth, Sauer & Vogt, 2017).

Looking at the forms being used as a formal basis of the administration of the SNAPS, the archival work revealed two variations of blank forms in both countries, which were used by the professionals during the period under investigation. In the GDR the change between the first and the second form took place in 1964, in the FRG in 1974. Regarding the involved professionals, who evaluated the children during the SNAP, there are high similarities between the two countries – especially on the basis of the first form. In the FRG as well as in the GDR there were initially always three professionals connected with the process. One was a teacher of the regular school, the second, a teacher of the special school and the final practitioner, a medical specialist involved in the SEIP. In the second form, in the FRG the principals of special schools had to write down an additional statement from 1964 onward. In the GDR, a psychological evaluation was added with the second form sheet in 1974 as well as a politically influenced recommendation on the further school attendance.

On the level of the specific questions asked in the forms, there are many similarities, again especially in the first version of the form. Generally speaking, professionals had to answer questions about the following topics: (1) The basic

cognitive abilities of the children, (2) their abilities in different areas of knowledge such as writing or reading, (3) their behavior in class and out of school, (4) their physical development, (5) their volitive and emotional status, (6) their personality in general and (7) their social surroundings and their living conditions. The second form shows a divergence in different direction for each of the two German countries: In the FRG, the density and the extent of the questions having to be answered in the new form decreases significantly. Therefore, since 1964 professionals had more freedom to fill in a wider range of observations. They could now draw various conclusions about the potential need for special education as well as about possible explanations for this need. As opposed to this development, the second form in the GDR from 1974 onward becomes much more detailed in its questions in comparison to the first variation and at the same time more limited in the possibilities of filling in appropriate answers by professionals. The questions now being asked generally focus on the indicators of the potential existence of an identifiable “debility.” Initiated by political guidelines which were influenced by developments in the Soviet Union, the diagnosis of “debility” became the main justification for a need for special education since the beginning of the 1970s in the GDR. Other reasons for this need were neither discussed nor could be written down in the second form by professionals. As a result, the SEIP generally became more variable in its diagnostic process in the FRG and more standardized in the GDR during the period under investigation (see Floth, Sauer & Vogt, 2017; Sauer & Vogt, 2019; Floth & Vogt, 2019).

6. SNAPs in Italy in present-days – a short Insight

The conceptual elaboration on disability has been transformed in a non-linear way, proceeding with overhangs and stratifications, freeing itself from the irrationality of the ancient to the rationality of science. The imagery on disability, detectable in myth, in ancient literature, in medieval iconography expressed a denied, devalued, hidden image of the disabled person because his imperfect body did not conform to the prevailing model (Zappaterra, 2003; 2010). Until the medieval age the disabled person, because sick, weak, imperfect, deformed, is stigmatized and placed *ex limine* with respect to the ideological-cultural space of the city (Foucault, 1961). Only from the contemporary age could this image be nourished by a scientific anchorage. Today we know detailed aspects of the functioning of the human body and the pathogenesis of many disorders, while the concept of disability has taken on a social value. Disability has seen a remarkable semantic, institutional and categorical transformation (d’Alonzo & Caldin, 2012; Pavone, 2010).

Equity and inclusion are fundamental elements of the Italian education and training system. The Italian school, as provided for in art. 33 of the Constitution, is a school open to all, welcoming and supportive, which guarantees everyone the right to education referred to in art. 26 of the Universal Declaration of Human Rights.

What are Special Educational Needs (SEN) and what is their current regulatory framework in Italy? To understand this, it is necessary to refer to the most recent legislation on the subject.

“The concept of Special Educational Needs is a macro-category that includes within itself all the possible educational and learning difficulties of the students [...]. All these situations are very different from each other, but in their clamorous

diversity there is, however, a fact that brings them closer, and that makes them [...] substantially the same in their right to receive sufficiently individualized and effective educational-didactic attention: all these people have a functioning for some problematic aspect, which makes it more difficult for them to find an adequate response to their needs" (Ianes and Macchia, 2008, p.14; WHO, 2007)

The OECD (Organisation for Economic Co-operation and Development) classification identifies three types of students with Special Educational Needs (SENs). Let's see them:

- (1) Pupils with disabilities: these are pupils with disabilities or deficits that can be defined in medical-sanitary terms, which derive from organic-functional deficiencies attributable to organic impairments and/or pathologies (sensory, motor or neurological deficits). In Italy the certifications (Law n. 104 of 1992) concern this category.
- (2) Pupils with specific developmental disorders: in addition to specific learning disorders (DSA such as dyslexia), these pupils may show hyperactivity, language and attention deficits, slight mental delays and maturation delays, or other types of deficits or disorders.
- (3) Pupils with disadvantages: this is the case of those pupils who show problems due to their socio-economic, linguistic and cultural background.

The Italian orientation of school inclusion is considered one of the most advanced reference models in the world. In Italy, in fact, it was among the first at international level to make a choice of integration of students with disabilities in schools and regular classes. The introduction of pupils with disabilities in the common classes has been possible since 1977 (Law no. 517 of 1977), while in some European countries there are still differential classes and special schools for these pupils.

The right to education in common contexts in every school and even beyond - from nursery school to university institutions - was then fully enshrined in Law 104/1992. In this way the "Italian model" of the inclusion of pupils with disabilities in common classes with the support of the support teacher was established abroad. In those same years, at an international level, the construct of inclusive education, enshrined in the Salamanca Convention (UNESCO, 1994), which expresses the following principles, made its way onto the international scene:

1. Every child has a fundamental right to education;
2. Every child has unique characteristics, interests, abilities and learning needs;
3. Education systems should be designed and educational programs should be implemented to bring together the diversity of children;
4. Students with special needs should have access to regular school with appropriate education;
5. Regular school with special needs accommodation and inclusive orientation are the most effective means to fight prejudice and build an inclusive society.

At the international level in 2006 the "UN Convention on the Rights of Persons with Disabilities" confirms the importance of education in common educational contexts, giving reason to the Italian choice made by our country forty years earlier. The Convention, approved by the General Assembly of the United Nations on 13 December 2006, signed by Italy on 30 March 2007 and ratified by Law no. 18 of 3 March 2009, represents today the highest expression of the protection and

promotion of the rights of people with disabilities, marking the culmination of the inclusive process begun in the 20th century.

As indicated by the Ministry of Education, University and Research, the school integration of pupils with disabilities is a strong point of the Italian education system. The Italian school, in fact, wants to be a welcoming community in which all students, regardless of their functional diversity, can realize experiences of individual and social growth. The full inclusion of pupils with disabilities is an objective that the school of autonomy pursues through an intense and articulated planning, enhancing the internal professionalism and resources offered by the territory (Canevaro, 2008; Ianes & Canevaro, 2008).

Facing the integration of students with learning difficulties, at any level, requires teachers to make an effort to avoid controversy, discouragement and resignation. First of all, there is the question of a new approach to the student who, going beyond the "ideal" standards of competence and performance that define the student as "normal" and place him/her in a uniform group, presents individually his/her specific characteristics that make it difficult to associate him/her with others. The problem lies in recognizing the uniqueness and typicality of the student in difficulty and responding adequately to them. But it is also a problem with reference to the human and instrumental resources, internal and external to the school, that every single institute has at its disposal in order to really achieve integration and not just go a little further than incorporation.

The integration of the student with slow and tiring learning rhythms implies the response to two needs: one of an educational nature, the other of a didactic nature. Educatively, the student with SEN is fully entitled to be a member of the group to which he belongs and is required to pursue the educational objectives that the Class Council establishes for its students and to participate fully in class life. The inclusion of these students benefits not only the students, but the whole school community as well, as their presence helps to train young people who are more tolerant, more open and more open to diversity. However, often, and especially if the needs of these students emerge from a declared disability pathology, they live on the margins of class life, since their abilities - which do exist - are not such as to allow them to participate in the educational activities offered to other classmates and are therefore often directed towards tasks that differ in scope and content from the disciplinary work that takes place in class. The risk is that the student will increase his or her discomfort, feel inadequate for school life, increase his or her feeling of diversity with the consequent loss of motivation and personal stimuli. Recovery is always possible when promoting and sustaining her participation in the life of the school community.

Today, the traditional and discriminating opposition between pupils with disabilities and pupils without disabilities no longer reflects the complex reality that is lived within the school classes. Every student, in fact, in a continuous way or only for short periods, can manifest Special Educational Needs, for physical, biological and physiological reasons as well as psychological and social ones, for which it is necessary that the school offers an adequate and personalized response. Naturally, this approach reinforces the inclusive paradigm of our school (Ianes, 2006, Ianes & Macchia, 2008).

A personalized learning path:

The "PEI- Piano educativo individualizzato", the individualized teaching plan, aimed at students with disabilities, schools must comply with the obligations introduced by Legislative Decree no. 66/2017, amended by Legislative Decree no. 96/2019.

This document, invaluable for pupils, families and schools, must now be drawn up on an ICF basis, according to the criteria of the bio-psycho-social model of the International Classification of Functioning, Disability and Health (ICF) of the World Health Organization (WHO).

First of all, we remind you that the “PEI” individualized teaching plan is drawn up, in accordance with paragraph 5 art. 12 of Law no. 104 of 1992, jointly by the following operators health care professionals identified by the Local Health Authority and the school’s curricular and support teaching staff and, where present, with the participation of the psycho-pedagogical operator teacher, in collaboration with the parents or parental authority of the student.

The “PEI” takes into account individualized didactic-educational, rehabilitation and socialization projects, as well as forms of integration between school and extracurricular activities.

In most cases, the teacher has to deal with classes with mixed skills, formed by pupils who have skills at different levels. It is therefore necessary to find differentiated and adaptable solutions to the abilities of all and to trace a path of integration of the pupil along the line of learning, customizing it so that it intersects several times with the line of learning of the class. It is therefore a matter of elaborating an individualized path, also through the drafting of a Personalized Didactic Plan, which acts for teachers as a working tool and for families as a document to know the planned intervention strategies.

In addition, schools - by resolution of the Class Councils following the examination of clinical documentation submitted by families and considerations of a psycho-pedagogical and educational nature - for all students with SEN can make use of the compensatory tools and dispensation measures provided for by the provisions of Law no. 170 of 2010.

7. Findings and Conclusions of the comparative study

With regard to the first research question, the idea of a generalization and theorization of the phenomenon of special needs assessment procedures can be proven to be feasible as they consist of reoccurring elements. These elements need to be investigated further on an international level and then they can be reflected theoretically. Already the comparative but very selective perspective on Italy in present days and Germany from a historical perspective strongly indicates that opportunity.

Looking at the second research question, it also needs to be pointed out, that cultural settings need to be reflected as moments of variability in a general theory of special needs assessment procedure. Differences between the two parts of Germany during the German partition are for example traceable when it comes to the contextual references of the procedures and the notions about the “normal” and the “a-normal” child that serve as background information for the decisions being made within the process. Terms being used to describe diagnostically patterns vary amongst the countries the study looked at, even though the basic categories of how to characterize the “a-normal” child are still similar. The explanation for these local differences mainly seems to be based on the fact, that all the professionals being involved in the assessment refer to their own professional knowledge and background when they write their reviews. Another main difference between the current state in Italy and the historical analysis of assessment procedures in Germany can be described regarding the outcome of the process.

As in Italy there is an integrative/ inclusive school system being set up its more likely that the child stays in its familiar learning surrounding even after the assessment and get a specialized treatment – more or less combined with additional resources of teaching hours. Only in the two parts of Germany, the outcome was a decision about a potential transfer of the assessed child to another school type. In the history of the German school system – and also still in present days – the outcome of an assessment procedure therefore often leads to a systematic decision about the kind of school the child should be enrolled. The potential consequences are in this case more massive regarding the learning setting for the child, his or her familiar social surrounding and future educational biography.

Looking at similarities and differences between the analyzed time spans and countries, the third research question can be answered. Assessment procedures in Germany seem to be in general more in risk of producing social inequalities as the schooling decision being made cannot be revised easily. But also in Italy with its inclusive school system, equity is not completely achieved as children are removed from regular classrooms on the insistence of their teachers – notwithstanding the results of the assessment procedures.

All in all the article is a first approach to theorize special needs assessment procedures. By doing so it opens up the opportunity of finding a joined theoretical basis. At the same time the short glimpse into three different countries and two different time spans shows the enormous importance of culturally and locally related variances. Taking the presence and absence of equity, equality and social justice during the administration of a SNAP into account seems to be another important element of the intended theorization process.

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