

## **Human Rights Council Resolution 22/3 – "The work and employment of persons with disabilities"**

### **Views and information in relation to the following questions from The Norwegian Ministry of Education and Research**

*1. Do the national or local constitutions or laws in your country prevent or restrict access to any student with disabilities to regular schools at any levels? (e.g. based on a diagnosis or an assessment of their capabilities)*

No, there are no such restrictions. On the contrary, all children in Norway have a right to attend kindergartens and educational institutions, to attend their local school and to receive special educational assistance and special needs education when required. These rights shall be granted unconditionally.

Marks achieved in the upper secondary education are used to apply for higher/tertiary education.

*2. Is all education of children and adults with disabilities under the control of the ministry of education?*

Yes.

*3. Does your country have a plan or program that progressively promotes the transformation of the education system into an inclusive education system including some or all of the following measures?*

Inclusion already forms a basic tenet of the Norwegian Government's educational policies.

The Act of 17 July 1998 no. 61 relating to Primary and Secondary Education and Training (The Education Act) explicitly states that education shall be adapted to the abilities and aptitudes of the individual pupil, apprentice and training candidate. Pupils who either do not or are unable to benefit satisfactorily from ordinary teaching have the right to special education. In assessing what kind of instruction shall be provided, particular emphasis shall be placed on the pupil's developmental prospects. The content of the courses offered shall be such that the pupil receives adequate benefit from the instruction as a whole in relation to other pupils and in relation to educational objectives that are realistic for the pupil.

Stortinget (Parliament) adopted the Government's white paper entitled *Learning Together* in 2011. The white paper aims to prepare and enable local and regional authorities, kindergartens and schools to better understand and appreciate diversity and to handle diversity in the best possible manner. The goal being that all children are met with realistic expectations from a competent educational staff within the framework of a stimulating and safe learning environment.

*a. Merge budgets and administration of special education and regular education within a geographical area*

In Norway, the municipalities are responsible for operating and administering primary

and lower secondary schools, whereas the county authorities are responsible for upper secondary education and training. The state is responsible for universities and university colleges, which are directly subordinate to the Ministry of Education and Research.

The state's economic control of the municipal sector occurs partly through a fixed framework for transfers from the state to the municipalities (block grants) and partly through regulating the municipalities' opportunities to acquire revenues. This means that the state largely controls the overall framework for municipal economies. The municipal sector's use of resources is substantially linked to responsibility for national welfare services. Kindergartens, schools and the health and social sector account for nearly 80 per cent of the municipalities' gross operating expenditure.

Children and young people are obliged to attend primary and lower secondary education, and have the right to a public primary and lower secondary education. Young people who have completed primary and lower secondary education or the equivalent have, on application, the right to three years' full-time upper secondary education and training. A pupil who has the right to special education, has the right to a maximum of two years' additional upper secondary education and training if this is necessary with regard to the pupil's individual educational objectives. All public education in Norway is free of charge.

*b. Transform existing special education resources – special schools or classes – into resources to assist the mainstream system to accommodate students with disabilities*

In Norway, all pupils in primary and lower secondary school have the right to attend the school that is closest to where they live or the school designated for the catchment area where they live (local school). For the individual school, inclusion will mean actively taking into consideration and accommodating for the variation in the abilities and capacities of pupils, with respect to both organisation and teaching.

Each municipality and county authority shall provide an educational and psychological counselling service. The service shall ensure that expert assessments are prepared, and assist the school in work on competence enhancement and organisational development in order to improve the adaptation of the education for pupils with special needs.

Statped, the Norwegian State Support System for Special Needs Education, is currently (2012 – 2016) undergoing a reform intended to strengthen equal access to Statped's services all over the country. The services of Statped will through this reform become more accessible to local and authorities looking for support in a variety of special educational areas of expertise. The local authorities will apply for part-time services from Statped as part of their responsibility as school owners.

The services the local and state-run support systems provide for children, young people and adults in need of special educational assistance and support are free of charge.

*c. Train special educators to serve as additional resources to regular teachers*

Special education needs are taught by many higher education institutions, both at bachelor and master levels. Quite a large proportion of the candidates are themselves teachers and work in schools. Others go to jobs in the local support system, i.e. the educational and psychological counselling service and the state run Support System for Special Needs

Education (Statped) or else in habilitation and rehabilitation. The schools themselves may define positions in school for special educators, and many larger schools or municipalities engage special educators. How schools utilize the special needs resources and competences in their staff are up to them or the municipality.

Through the initiative *Better learning environment* (2009-2014), The Norwegian Directorate for Education and Training has initiated local development projects and disseminates research-based knowledge. The comprehensive goal of this is that all pupils shall feel that they have a good, inclusive learning environment that promotes their security, health, well-being and learning. If this is to become a reality, all school owners, school administrators and teachers must conduct a systematic, continuous, knowledge-based effort to improve the pupils' learning environment. The goal of *Better learning environment* is to help ensure that improving the pupils' learning environment is given high priority by all school employees and school owners.

When needed, the local authorities will receive support from Statped which possess a broader range of qualifications and in-depth expertise.

*d. progressively transfer all students from special programmes to regular classes supported by the resource staff*

All children in Norway have a right to attend kindergartens and educational institutions and to receive special educational assistance and special needs education at their local school when this is required. In principle, all special educational assistance and special needs education should be provided in a form that promotes inclusion.

The pupil or the parents of the pupil may require the school to carry out the necessary investigations to establish whether the pupil needs special education, and, if so, what form of education the pupil needs. The teaching staff shall consider whether a pupil needs special education, and notify the head teacher about any such need. Before an expert assessment is undertaken by the educational and psychological service, the school must have considered and tested out, if relevant, measures within the ordinary education facilities that might make the pupil benefit satisfactorily.

The local support system, the educational and psychological service, shall assist the school in work on competence enhancement and organisational development in order to improve the adaptation of the education for pupils with special needs. When required, the local authorities will receive support from Statped which possess a broader range of qualifications and expertise.

*e. allocate financial resources for the adequate accommodation, including reasonable accommodation, of all students and for technical assistance to support ministry of education officials, at the district, school and classroom level*

Pupils have the right to free public education. The municipality cannot require pupils or their parents to cover the costs in connection with primary and lower secondary education, for example costs associated with teaching materials, transportation during school hours, stays at school camps, excursions or other outings that are part of primary and lower secondary education.

According to the Education Act, visually impaired and blind pupils have the right to necessary instruction in the use of Braille and necessary technical aids. Such pupils have also the right to

necessary orientation and mobility tuition in connection with movement at school, to and from school and at home.

Pupils who are partially or totally without functional speech and who require alternative and supplementary communication, shall be allowed to use their own forms of communication and the necessary means of communication in their education as well as necessary training in the use of alternative and supplementary communication.

For more information on sign language, please see letter *i*.

Regulations for getting assistive aid in daily life is under the responsibility of health authorities:

Persons whose functional capacity is permanently (more than two years) and significantly impaired due to illness, injury or bodily defect are entitled to receive financial support for assistive aids under the National Insurance Scheme. Persons who have a temporary need for assistive aids must apply for financial support elsewhere, usually through the local authorities.

The National Insurance Scheme provides assistive aids and grants in a number of areas, such as:

- Hearing aids and interpreter assistance for the hard of hearing
- Interpreter and escort assistance for deaf-blind people
- Guide dogs and reading and secretarial assistance for people with impaired vision
- Computer equipment as a means of communication
- Computer equipment for the training, stimulation and activation of children and young people
- Educational aids
- Motorised vehicles and other means of transport

However, certain conditions are attached to some of these areas, such as limits for grants and number of times a year.

*f. Revise testing methods to ensure that accommodation is made for students with disabilities and that they allow accessing adequate certification to reach the next level of education or graduate when finished*

Pupils who either do not or are unable to benefit satisfactorily from mainstream tuition have the right to special education. In assessing what kind of tuition shall be provided in order to give the best possible learning outcome, particular emphasis shall be placed on the pupil's developmental prospects. The content of the courses offered shall be such that the pupil receives adequate benefit from the tuition as a whole in relation to other pupils and in relation to educational objectives that are realistic for the pupil. Pupils who receive special education shall have the same total number of teaching hours as other pupils.

Before the municipality or the county authority takes a decision concerning special education or a decision concerning special educational assistance, an expert assessment shall be made of the pupil's specific needs. The expert assessment shall be prepared by the educational and psychological counselling service and shall be evaluated by the educational and psychological counselling service within three years at the latest.

This assessment shall determine whether the pupil needs special education, and what kind of tuition should be provided. The expert assessment shall consider and determine the following – the pupil’s benefit from mainstream tuition, learning difficulties the pupil has and other special conditions of importance to tuition, realistic educational objectives for the pupil, whether it is possible to provide help for the pupil’s difficulties within mainstream educational provision and what kind of tuition it is appropriate to provide.

If the decision of the municipality or county authority differs from the expert assessment, it shall be explained in the grounds for the decision why the municipality or county authority is of the opinion that the tuition received by the pupil fulfils the pupil’s rights.

*g. provide pre-service and in-service training to teachers so they can respond to diversity in the classroom (eg. Train teachers in classroom techniques such as differentiated instruction and cooperative learning.)*

The Norwegian Ministry of Education and Research provides National Curriculum Regulations for all teacher education programmes, on a general and superior level. All of Norway’s teacher education programmes aim to integrate professional training in all subjects (subject didactics, pedagogy) as well as in the practice training, to obtain holistic, integrated education programmes that produce professional teachers. In the general regulations it is required that the candidates (among other factors)

- has knowledge about children’s and young people’s learning, development and education in different social, multicultural and multilingual contexts and
- is able to adapt his/her teaching to the pupils’ different abilities and talents, interests and socio-cultural backgrounds, motivate them to wish to learn by clarifying the learning objectives and using varied working methods so that the pupils are able to achieve the objectives

Practical training supervised by an experienced teacher is set to 100 days (700 hours) in the programmes for pre-primary and primary teachers. Dependent of programme, practical training for secondary teachers is set to 60 or 100 days (420 or 700 hours). There are separate learning outcomes defined for practice training, and requirements that the training take place in different years in school.

A mandatory subject in initial teacher education programmes for Differentiated Primary and Lower Secondary School for Years 1-7 and Years 5-10 is Pedagogy and Pupil-related Skills. This subject is intended to provide methodological competence and develop skills in addressing relational and social issues, to further inclusion of and satisfactory learning outcome for all pupils. Staff teaching this subject must work more closely with other lecturers and teaching practice supervisors.

In the 4th year of teacher education programmes, one school subject may be replaced by a 30 credit subject relevant for work in schools. This subject may be special needs education.

In addition to initial teacher education, primary and lower secondary school teachers have the opportunity to attend further education through programmes of at least half a year’s duration, while working part time in school. Development and implementation of the *Competence for Quality* strategy is the result of a national collaboration between the Norwegian Association of Local and Regional Authorities (KS), trade unions, teacher training programmes and state

education authorities involved in further education. The objective of *Competence for Quality – Strategy for Continuing and Further Education 2012 – 2015* is to enhance pupils' learning and motivation in primary and secondary education by increasing the competencies of teachers and school leaders. The objective of the commitment to further education is to improve pupils' results in priority subjects by increasing the number of teachers who have up to 60 credits in academic and didactic skills. Also known as in-service training, the purpose of continuing education is to help increase pupils' learning outcomes. Key priorities include teaching of numeracy and literacy, classroom management, assessment for learning, special education and teaching Norwegian as a second language.

*h. Ensure that conditions that constrain teachers to teach inclusively are addressed (eg. Address class size, revise and adapt curriculum content in accordance with best practice, ensure that school buildings and materials are accessible to children with disabilities and universal design is considered in construction)*

The Education Act states that schools shall be planned, constructed, adapted and run in such a way as to provide for the safety, health, well-being and learning of the pupils. The school shall be equipped to provide for the needs of the pupils at the school who have disabilities. The school shall furthermore make active and systematic efforts to promote a good psychosocial environment, where individual pupils can experience security and social belonging. The school management is responsible for the day-to-day operation accordingly. Such efforts shall apply to both the physical and the psychosocial environment.

Individual subject curricula shall be prepared for pupils receiving special education. Such curricula shall specify educational objectives and content and indicate how the teaching is to be carried out.

Once every year, the school shall prepare a written summary of the education received by the pupil and an assessment of the pupil's development. The pupil's development must be assessed on the basis of the aims and competence goals stipulated in the pupil's individual curriculum. The school shall send this summary and the assessment to the pupil or to the pupil's parents and to the municipality or county authority.

In order to underline the importance of inclusion and access for all in higher education, the National Coordinator of Accessibility of Higher Education (now Universell) was founded by the Norwegian Ministry of Education in 2003. From 2007 Universell has had a special responsibility for providing information on universal design in higher education. Parts of this project are: information on universal design of learning environments, support programmes for projects and courses on universal design, developing a web portal with guidelines and best practice for universal design.

From 2009 Universell was given the responsibility to coordinate the learning environment committees at all public higher education institutions.

*i. Recognize sign language as a language and teach sign language users in their own language in mainstream schools.*

In Norway, sign language is recognized as an official language. The Education Act states that children under compulsory school age with a special need for sign language instruction, have the right to such instruction at their local schools. Pupils who have sign language as their first language or who on the basis of an expert assessment need such instruction, have the right to

primary and lower secondary instruction both in the use of sign language and through the medium of sign language. Young people who have the right to upper secondary education and who have sign language as their first language or who, following expert assessment, need such instruction, have the right to choose upper secondary education and training in and through the medium of sign language in a sign language environment or the right to use a sign language interpreter in ordinary upper secondary schools. The same applies to adults admitted to upper secondary education. The municipality may decide that instruction through the medium of sign language and in the use of sign language shall be provided at a different location than the pupil's local school, in order for more pupils to receive instruction in the subject together. In such cases, the municipality must provide transport if necessary.

*j. Ensure support to attend to mainstream schools at request on individual basis, as reasonable accommodation measure*

The educational and psychological service shall assist the school in work on competence enhancement and organisational development in order to improve the adaptation of the education for pupils with special needs. When needed, the local and regional authorities will receive support from Statped which possess a broader range of qualifications and in-depth expertise. (Please see letter *f* for more information)

*k. Support organizations of persons with disabilities, civil organizations, including those of children with disabilities, to build capacity on the right to education and how to influence effective policy and practice.*

The National Parents' Committee for Primary and Lower Secondary Education (FUG) is funded by the Norwegian Ministry of Education and Research and acts as an independent advisory body for the Ministry in questions concerning home-school cooperation.

The Ministry of Children, Equality and Social Inclusion coordinates the Government's policy for persons with reduced abilities. An important tool in this work is the State Secretary Committee for the overall policy for persons with disabilities (in Norwegian SSU). The SSU is led by the state secretary of the Ministry of Children, Equality and Social Inclusion who also leads the contact committee for liaison between FFO (the Norwegian Federation of Organisations of Disabled People) and the Government.

The Ministry of Children, Equality and Social Inclusion administers the grants for organisations for the disabled. In 2012, the grants amounted to NOK 166.4 million. More than 120 organisations qualify for grants. The funding is distributed according to rules drawn up by the Ministry. The administration of the rules and the payment of grants are assigned to the Distribution Board for grants to organisations for the disabled.

*4. Does your country have accountability mechanisms in place to monitor exclusion, school registration and completion of education by persons with disabilities and their families directly involved in the process?*

Through the Primary and Lower Secondary School Information System (GSI), data on the total number of pupils in separate units in mainstream schools/ pupils in separate schools are collected.

Statistics on successful completion of upper secondary education and training or on results of national tests for pupils with special education does not exist. Some research within the area of special education exists.

The County Governor supervises the municipal and county authorities' fulfilment of the duties bestowed upon them in the Education Act. The Ministry will supervise that duties other than the municipal duties, in or pursuant to the Education Act, are fulfilled.

*5. Does your country have disaggregated data on children and adults with disabilities in education by facility (mainstream school, special school, social facility or institution, mental health institution, others) gender, impairment and environmental barriers that prevent or restrict access to education (transport, accessibility, affordability of service, other)? Please provide the available data.*

Through the Primary and Lower Secondary School Information System (GSI), data on the total number of pupils and pupils in separate units in mainstream schools/ pupils in separate schools are collected by gender and age. The data are not collected by type of educational need or by type of support. All education of children and adults with disabilities is under the control of the Ministry of Education and Research.