LEGISLATIVE MEASURES OF SPECIAL EDUCATION
IN THE CZECH REPUBLIC AND FINLAND

ЗАКОНОДАВЧІ АСПЕКТИ СПЕЦІАЛЬНОЇ ОСВІТИ
В ЧЕХІЇ ТА ФІНЛЯНДІЇ

У статті автор порівнює законодавчу та установчу безпеку чеської та фінської спеціальної освіти. Вона базована на легкодоступних документах та наукових працях, що зосереджені на інтеграції та приєднанні.

Ключові слова: спеціальна освіта, інтеграція, приєднання, законодавчий аспект.

Finland, a country of thousand lakes, the total area is 338 000 sq km. The number of population is 5,2 milions people (17 people per sq km). The Czech Republic, a country approximately four times smaller (78 866 sq km) and with two times more people than Finland (10 381 130 people, 131 people per sq km). According to demographic data two entirely different countries, which have many common things in this time of globalization, at least the EU’s membership. On the other hand they have many differences because of demography and historical context. We would like to focus on the development of the special education system in both countries since the second half of the twentieth century until now.

Going through the Finnish special education is slightly difficult, because it is basically a part of an ordinary educational system, which can be considered to be a model of inclusive education. An important element, which affects fruitfulness of Finnish inclusive education, is a close connection with social inclusion. The whole Finnish society is on a high level of social inclusion. Despite this fact, Finland asks itself some questions about special education as well as many other European countries.

The level of special education in the Czech Republic is quite different. The report Eurydice (2003) says that the Czech system belongs to multi-track...
approach systems, which are characterized by existence of two parallel systems and by offers of services between both systems and their connection.

*Legislative changes in special education*

The main differences in a contemporary conception of special education in both countries come from the historic context of both countries in the second half of the twentieth century. The period from 1950 to 1990 in the Czech Republic can be characterized by the term segregation. Including both segregation of people with disabilities from the other population and segregation between particular kinds of disabilities (Michaliik, 2003, s. 73). Finland went through a revolutionary reform of special education in the seventies, which was noted for strong integration conception. It combined two parallel systems of education, special and ordinary education and so called comprehensive schools were originated. Their main motto was: *equality of opportunity in education for everybody.*

The time of the eighties in the Czech Republic (it was Czechoslovakia at this time) is characterized by the origin of methodologies, didactic materials, creating special didactic principles and procedures, using compensation and rehabilitative aids, special textbooks, which were created in cooperation with special education teachers. This above mentioned system had some insufficiencies including general conception of learning materials, not individual approach to students, curriculum modified without reference to student’s skills, reducing role of family, boarding schools (Michaliik, 2003). Finland at the same time cancelled institute of exemption from school attendance and started to emphasis individuality and education programs. (Eurydice, 2006).

The times of the nineties were significant for political changes in the world. The Finnish educational system went through the second reform from integration towards inclusion, whereas there were some political changes in the Czechoslovakia/Czech Republic, which notably influenced today’s education system. Promulgation of Ministry of Education from 1991 first mentioned possibility of integration pupils with disabilities to ordinary basic schools, nevertheless its implementation absolutely depended on the willingness of teachers to accept a child with disability to an educational institution (Michaliik, 2005). During following years the situation in integration politics was quite disunited and was solved in different ways. Assistants of pedagogue made one kind of support. The assistans were usually young men in alternate enlistment. After
cancellation of compulsory enlistment, assistants of pedagogue were provided either by non-profit associations or job centers. The role of assistant of pedagogue was legislatively described in the new education law from 2004. This law cancelled the institute of exemption from school attendance as well, individual education plan (IEP) was legislatively described and collective curriculum for all pupils so called General education program for basic schools was determined by this law. IEP is made for children with special education needs or for highly gifted children.

In 1993 the Finnish government transferred responsibility for administration and financing of special education from the state administration to the municipality and gave support to the process of decentralization of all education system. The state divided benefits for special needs children and took control of their using until 1993. This practically ment that benefits covered almost all the costs of special education in the areas with higher concentration of children with disabilities. Tuunained in his work (1994) refers to the demographic factor and his impact on the method of providing special education needs as a result of newly established way of financing (Big schools can have their own special education teacher, whereas smaller schools use rather peripatetic special education teacher). Subsequent updating of Finnish education law and national curriculum contributed to other improvements of actual education system. For better lucidity we introduce in brief above mentioned legislative changes in the following scheme.

**Actual education system**

Actual Finnish education system has a high level of inclusion and is in the competence of two offices: Ministry of Education and Finnish National Board of Education. Because of the decentralization of the whole system, municipality is responsible for significant part of the education of children with special education needs. They have to develop

<table>
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<th>The seventies</th>
<th>Finnland</th>
<th>The Czechoslovakia/ Czech Republic</th>
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<tr>
<td>1968</td>
<td>Act on the Foundations of the School System</td>
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<td></td>
<td>➢ Integration of existing education system</td>
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<td>➢ Implementation of nine year comprehensive schools</td>
<td>Segregate education system</td>
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— lower six year schools with a form teacher
— higher three year schools with subject teachers

1970
The Comprehensive School Act
- implementation of comprehensive schools
- integration of two parallel systems
- general education
- special education
- equality of opportunity in education for all children

1983
- new legislation
- the development of integration process
- cancelled the term exemption from school attendance

1985
- the responsibility for education of students with mild mental retardation was transferred from social-service work agencies to public schools (Itkonen a Jahnukainen, 2007)
- new comprehensive school national curriculum
  - individualization of education and programs
  - decentralization
  - more emphasised the cooperation with families

1984
Education law
- it did not contain the right to be educated with using a sign language or Braille
- wide range of special schools
- There was no solution or possibility for children with disabilities to attend ordinary schools

Promulgation about basic schools
- the possibility to transfer a child to another school without parents approval (only the duty to inform)
- the possibility of integration is in the competency of the school, teachers and parents

1994
new national curriculum
### 1998
*The Comprehensive Education Law*
- the right of pupils to be educated in an ordinary classroom
- implementation of an individual education plan
- provide financial support for special education according to the individual education plan not according to the place (Itkonen a Jahnukainen, 2007)

### Present

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<tr>
<th>2004</th>
<th>Amendments of Basic Education Act</th>
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<td></td>
<td>integrated national curriculum</td>
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<td>education according to the age and skills of the child</td>
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<td>local offices as providers of education</td>
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<td>pupils should be taught Finnish, Swedish or Saame, eventually Roma and sign language as a native language</td>
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<td>education, textbooks, educational materials and school equipment are provided for free</td>
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<td>children with disabilities or children with special education needs have the right to get services of interpreter or assistant</td>
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<td>remedial classes</td>
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*National curriculum of basic education*
- more accurate and concrete
- The program of national education should contain among other things:
  - native language and literature
  - second national language
  - foreign language (Eurydice, 2006)

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<th>2004</th>
<th>The Basic Education Act</th>
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<td></td>
<td>cancelled the term exemption from school attendance</td>
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<td>integration legislatively described</td>
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<td>the role of assistant of pedagogue legislatively described</td>
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<td>individual education program legislatively described</td>
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<td>General education program for basic schools</td>
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**Promulgation about providing counselling at schools and school counselling facilities**
- special education centre
- pedagogic and psychology centre

**Promulgation about education of children, pupils and students with special education needs and highly gifted children, pupils and students**
- define the content of individual education program
their activities according to the national politics. Obligatory nine year school attendance is divided into two levels; lower one (1. — 6. form) and higher one (7. — 9. form). Children, who reach seven years, start to go to school. Children with special education needs start school a year later. For children with severe combined disability might be the time of going to school two years longer and it can take eleven years overall.

The education system in the Czech Republic is in the competence of Ministry of education, regional authorities and municipality. All the children have to start school after reaching six years and have to attend school for nine years. Now many parents use the possibility to postpone the school attendance for a year by reason of retarded or uneven development of a child. Although many specialists emphasise necessity of preschool education particularly for children with disabilities, it is entirely in the competence of parents whether their child attends a nursery school.

The differences in approach to pupils with disabilities may be seen in particular laws and documents. The Czech education Act from 2004 is in comparison with the Finnish law more extensive and concrete, focused rather on the definitions and regulations. The Finnish education Act talks about children with special education needs only in a few paragraphs and in our opinion it is more focused on procedural aspect of inclusion (Basic Education Act, 2004):

- Pupils who have temporary learning problems or other special education needs shall be given remedial teaching.
- Pupils who have moderate learning or adjustment difficulties shall be entitled to special-needs education alongside other teaching.
- If, owing to a disability, an illness, retarded development, an emotional disturbance or a comparable cause, a pupil cannot be otherwise taught, the pupil must be admitted or transferred to special-needs education. As far as possible, special-needs education shall be organized in conjunction with other education or else in a special-needs classroom or some other appropriate facility.
- Before a decision to admit or transfer a pupil to special-needs education the parent/caree of the pupil shall be consulted and, if possible, a psychological or medical examination or a social background assessment shall be made of the pupil and his or her learning capacity.

Both countries accepted national curriculums in 2004. The curriculums are quite different in their structure. The Finnish document is a complex unit, which is divided into five main parts: general information, instructions for pupils with special needs and immigrants, content of particular
subjects (language competence, natural science subjects, socioscientific subjects), evaluation and instruction refering to pedagogic principles of special education. In the Czech Republic the same function has a system of documents, which theoretically supplement one another, however the competencies in integration are not always clearly defined: Education law, General education program for basic schools, Promulgation about education of children, pupils and students with special education needs and highly gifted children, pupils and students, Promulgation about providing counselling at schools and school counselling facilities.

General education program for basic schools, which characterizes contest of particular subjects, has been obligatory for all kinds of basic schools since 1th September 2007. Those schools are partly independent in ways of implementation of this program. It is a turning point in the conception of education pupils with special education needs, to be concrete for example for pupils with hearing disability, for who the programs have been regulated so far no matter their skills and abilities. The main idea of the new document is the equality of opportunity in education and respect for pupil’s individuality.

The Finnish National Core Curricula for Basic Education (2004) emphasizes cooperation between school and parents, creating learning plans and characterizes possibilities of support for pupils for example remedial teaching or part-time special education. Remedial teaching is the first step to solve learning problems and is not considered to be a kind of special education. If the remedial teaching is not adequate, the next step is part-time special education, which is provided for pupils with mild learning difficulties or adjustment problems. This teaching is organized individually or in small groups. For pupils, who get part-time education, is created a learning plan in cooperation with parents, teachers and other specialists. When a pupil starts full-time special education (individual, special education class or group, special education school), it is necessary to have parents’ approval and special examination. A learning plan is replaced by an individual education plan, which is a necessary condition for increasing financial coefficient per pupil. Pupils, who attend full-time special education, can also get part-time special education. The document also characterizes education of pupils with severe disabilities or diseases. This education is based on activating methods. It includes motoric skills, language and communication skills, social skills, skills for every day life and cognitive skills.

The conception of above mentioned documents has certainly very significant impact on the real situation of education system in both countries.
We consider the inclusive education in Finland to be a result of wide social inclusion, which is characterized by providing equal opportunity for all people and high level of toleration of individuality. We see the main difference of approach to pupils with specific education needs in full-area early intervention as an instrument of primary prevention, in cooperation between school and parents, in individual approach to pupils and last but not least in characterization of pupils with special education needs. Whereas in the Czech Republic pupils with specific learning disabilities (dyslexia, dyscalculation, attention-deficit disorder) have made approximately 90 percent of individually integrated pupils from nineties (the whole number of individually integrated pupils is 5.2 percent), in Finland there is support for those pupils in a form of remedial teaching or part-time education. None of those possibilities is considered to be special education support a posteriori the Czech integration and there is no increasing the financial coefficient per pupil. In 2005 there was one fifth of children using part-time special education from approximately 18 percent (data from 2003) of pupils attending basic school, who were classified as children with specific education needs (Kivirauma, Ruoho, 2007). We think that accessible statistic data, which say that 70 percent of students from the first to the fifth grade will use part-time special education and that there are only 28 percent of those children from the sixth to ninth grade, confirm utility of the Finnish model of special education (Itkonen a Jahnukainen, 2007).

**Conclusion**

Considering the actual definition of education as a neverending life-long process with emphasis on respecting individuality in heterogenous culture, all the methods and approaches in education will probably go together with many scientific and also laic discussions no matter the place, time and religion. However the fact is, that Finland is a country, which is an example of practical inclusion and because of the new law the Czech Republic gained all the presumptions for the transfer from integrative approach to inclusive approach in education of pupils with special education needs.

*In the article the author compares legislative and institutional security of the Czech and Finnish special education. It is based on readily available documents and studies focused on integration and inclusion.*

**Key words:** special education, integration, inclusion, legislative
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COOPERATION BETWEEN FAMILY, SPECIAL ADVISOR AND NGO’S AS RELEVANT CONDITION FOR SPECIAL CARE SUPPORTING INTEGRATION

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СПІВПРАЦЯ МІЖ РОДИНОЮ, СПЕЦІАЛЬНИМ РАДНИКОМ ТА ГРОМАДСЬКИМИ ОРГАНІЗАЦІЯМИ ЯК ВАГОМА УМОВА ДЛЯ ІНТЕГРАЦІЇ ПІДТРИМКИ СПЕЦІАЛЬНОГО ДОГЛЯДУ

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Народження дитини з тяжкими або численними вадами не тільки перешкоджають життю та розвитку дитини, але й впливають на стан здоров’я та спосіб життя її батьків та найближчих родичів.

Базований на останніх даних про важливість впливу родини на розвиток дитини, спеціальний освітній догляд сьогодні орієнтований на надання допомоги, освіти, створення мотивації та способів раннього втручання в родини з неповносправними дітьми. Умови, до яких потрапляють родини та батьки неповносправних дітей, вельми суттєво впливають на їхні емоції та якість їхнього життя впродовж адаптації до складної ситуації.