



Study concerning the problematic of special educational requirements and disabilities in educational practices in Romania, England and France

Florentina Olimpia Avram¹, Monica Moraru², Iuliana-Mioara Taşu (Rusu)³

¹Ovidius University of Constanta, Romania; ²Ovidius University of Constanta, Romania,³ General Directorat of Child Assistance and Protection
olimpiaflore@yahoo.fr¹, andrada_mira@yahoo.com², tasuiuliana@yahoo.com³

Abstract. This paper is set to analyze the past and present attitudes and mentalities from specialized literature concerning the problematic of special educational requirements and the problematic of disabilities in educational systems from Romania, England and France. Choosing this theme is justified by the context of the importance of Special Psycho-pedagogy specialization and also the relevance of problematic of children with disabilities, in particular children with special educational requirements, a problem which became a priority in the last 40 years for the specialists in the field of education. According to statistics, more than 10 per cent of the population of a country can be affected by one or more forms of disability. Any child may encounter at a certain given time difficulties in learning, adapting and social interaction, so that children with special needs must be a part of the community, to be integrated and supported in adapting them in the educational environment. The purpose of this paper consists in studying the problematic of disabilities and special educational requirements in Romanian, English and French educational system. For reaching this goal we set out the following objectives: the concept analysis and the specific principles of this field; the historical evolution of concepts of special educational requirements and disabilities in Romania, England and France; presentation of statistical data and statistical regulation concerning education of children with disabilities. The scientific methodology of research includes: theoretical methods of historical and documentary qualitative research, comparative analysis, meta-analysis study.

Keywords. Educational practices, Special Psycho-pedagogy, Romania, England, France,



1. Historical terminological framework of special educational needs and disabilities of concepts in Romania, England and France

2.1 Preliminary specifications

Children with disabilities have represented in Romania the most controversial protected category of children according to Law no.3/1970. In the Communist period, hospitalization of children with disabilities in an institution it was considered the most suitable manner of care and schooling of these children. According to this law, the children were divided in recoverable, partially recoverable and unrecoverable. The recoverable children category was receiving guidance toward schools for hearing, vision or motor impairment and the children with light mental deficiency were guided toward schools for children with special needs. After finishing secondary level they were schooled in special professional schools with the purpose of obtaining a professional qualification. Partially-recoverable children were hospitalized in dormitory schools and they attended elementary educational schools. Unrecoverable children, meaning children diagnosed with severe mental disability or associated deficiencies were hospitalized in dormitories where they received only care, the staff of these institutions was only medically trained (Ciobanu, Grasu, 2012).

After the Revolution of December 1989, in Romania major changes are recorded in the field of education and protection of people with special needs. A first step is accomplished by applying the Constitution from 1991 which provides the Article no.46 concerning the protection of „people with disabilities”: ‘People with disabilities have been privileged with special protection. The State assures the realization of national politics of prevention, treatment, rehabilitation, education, training and social integration of people with disabilities respecting the right and duties of parents and guardians’.

The phrase „incapacitated people” is modified in „people with disabilities” in Emergency Ordinance no.119/1999 concerning special care and integration of people with disabilities in labor market. This modification is encountered in Constitution of 2003, according to the Article no.50 concerning the protection of „people with disabilities”: „People with disabilities have special protection. The state provides the implementation of national politics of equality of chances, prevention and treatment of people with disabilities, with the purpose of effective participation of people with disabilities in active social life, respecting the rights and duties of parents and guardians”.

In Article no.1, Paragraph no.1 of Law no.519/2002 for approval of the Emergency Ordinance of Government no.102/1999 concerning special protection and employment of people with disabilities, we find the following definition: „People with disabilities, in the sense of the present emergency ordinance, are the ones that do not fit in the social environment, because it is inadequate to their physical, sensory, psychological and mental deficiencies, which totally prevents or limits their access to equal opportunities to social life, according to age, sex, individual cultural, social or material factors, requiring measures of special protection in support of their social and professional integration”.

The concept of „disability” is used for the first time in Romanian Legislation after 2000 as an alternative notion to the term ‘handicapped’. So the Order no.18/3989/416/142 from 26th of February 2003, concerning the endorsement of „Methodological Guide for the Assessment of Children with Disabilities and Classification in a Degree of Disability” published in the Official



Monitor, Part I, no.538 from 2003, uses the phrase „children with disabilities” with the purpose of recognizing the concept promoted by the World Health Organization Classification in the sense that not any deficiency determines the appearance of the disability or in any type of condition.

The phrase „special needs” has various meanings in the world. The expression is also used in Romanian with various translation formulas such as „special requirements” and „special needs” (Vrășmaș E., et al, 2015, pg. 57). The phrase „special educational needs” was announced in an academic debate in 1993 in Romania. The concept is used alternatively and/or equivalent with the notion deficiency and disability/handicap in the Law of Education no.84/1995 and in the National Education Law from 2011, but none of the terms is clear enough in meaning.

In 2010 it is posted on the site of Ministry of Education (www.edu.ro) the National Strategy Project regarding the education of people with special educational requirements in the context of inclusive education, which encloses people with special educational requirements (SEN) as a natural segment of the school population.

We encounter the definition of the concept in Article no.14 of Order no. 5.573 in 7 October 2011, according to which the special educational needs (SEN) are additional educational needs, complementary to the general objectives of education, adapted to individual particularities and those characteristics to a certain deficiency/disability or disorder/difficulty in learning or of any other type.

The phrase requirements/special needs has a wider significance than the phrase special educational requirements. Requirements/special needs contains among deficiencies or disorders also educational problems posed by children growing up in disadvantaged environments, delinquent children, children living on the streets or the ones that belong to certain ethnic groups of minority, children with AIDS etc. In this sense, we are getting closer to the wider signification of the phrase „children at risk” or „child in difficulty”.

In England, the expression special educational needs (SEN) was introduced for the first time in the Warnock Report in the late 1970's, but the forerunner of the special educational needs is R. Gulliford (Special Educational Needs, 1971). Gulliford mentions that the expression special needs was used for the first time in the 60's as a result of the growing discontent toward the terminology used by British people in Regulation for pupils with disabilities and in Regulation on school health services.

One of the main premises of the Warnock Report is the fact that all children have the right to education. In addition, he considers that school should be a place for education but also a support center by providing special needs of access to curriculum through equipment, facilities or special resources, changing the physical environment or using specialized teaching techniques; access to a special or modified curriculum, special attention paid to the social structure and to the emotional climate in which the school education takes place.

The Warnock Report establishes three key-principles:

- the term „children with special educational needs” should be used with reference to children with difficulties in learning, who require special support in overcoming these difficulties;
- children with special educational needs must be trained in primary and secondary school and there must be a „positive and challenging” vision on special needs, which highlights the skills and potential of the children;



- schools must take into account the fact that special educational needs may be transitional and that the training program must be delivered, so that these needs can be fulfilled (Velişco et. al., 2017, p. 132).

The Warnock Report constituted the most important document of the special educational reform from Great Britain in 1981 and later. At that time, but also in the present, the significance of special educational needs was based on the existence of learning difficulties, than in fellows of the same age, which could not be solved without special additional support (Vrăşmaş, 2015, p. 17).

In French, the words deficient (*déficient*) and deficiency (*déficience*) are more general terms, the first indicates below average rather than a lack. The terms such as handicapped or handicapped people are used to designate a physical, mental or social disadvantage. The difficulties are applied in learning, even if it is about personality, development or abilities (UNESCO, Paris, 1983, p. 13).

In France, people with disabilities have been named and labeled in many ways throughout history. Thus, the notion of idiocy was consecrated by Esquirol in the XIX century in order to become a scientific term, so that it would show that there is a delay in intellectual development, but which has been acquired as a negative connotation over time. In 1907, Alfred Binet and Theodore Simon propose the concept of abnormal childhood (*enfance anormale*), the term is encountered afterward in a law project in 1909, through which improvement classes for children with disabilities were created. Burneville proposes the concept of delayed childhood, consecrated in the Law of Education in 1909. The term debility has been used for quite a long period of time to outline the state of sensitive and sickly individuals. The term has become synonymous with the delay of cognitive development. Hoffer the pedagogue medic launched in 1936 a new notion: deficient childhood. The notion includes intellectual, sensory and motor deficiencies but also behavioral disorders. After 1943, in France, the official used term is *maladaptive childhood*.

In 1940, in *Petit Robert Dictionary* the „physical deficiency” term is used. The word „deficiency” becomes a legal term, being used for the first time in French legislation in the Law from 23th of November 1957 concerning the re-classification of „workers with deficiencies”.

A more current definition of disability we encounter in Law no.102/2005 concerning the rights and equal chances, participation and citizenship of people with disabilities, according to which: a disability consists of any type of limitation from activity or restriction of participation to social life, suffered by a person in his/her environment because of a substantial, lasting or permanent impairment of one or more of the physical, sensory, mental, cognitive or psychic function due to multiple deficiency or due to a state of health which leads to dysfunction (Vrăşmaş, 2015, p. 96, apud EADSNE, 2012, p. 24).

2.2 UNESCO Vision about Special Educational Needs

Starting with the 1990s, the concept of special educational needs was taken over and developed by UNESCO, being enriched with new significations. In November 1992, UNESCO organized at Vienne a regional seminar in which is highlighted the idea that the term special educational needs reflects specific educational needs manifested by people with a variety of difficulties in learning determined or not by a disability. (Velişco, N., et. al., 2017).

Between June 7 and 10 of 1994, „Access and Quality” World Conference organized by UNESCO and the Spanish Ministry of Education takes place at Salamanca (Spain) in order to



promote the objective of „Education for Everyone” through fundamental political changes necessarily for promoting an integrative approach of education, respectively, to enable schools so they may be put in service of all children, particularly, in service of those with special educational needs. During the conference, The Framework for Action and The Salamanca Declaration have been promulgated concerning the principles, politics and practices of special educational needs field. These two documents are based on the principles of integration and recognition of necessity to act for creating ‚schools for everyone’, respectively, institutions that can include all children and to respect the differences between them, to support the pupils in the process of learning and to respond to individual needs to all the children, in particular to those with special educational needs.

The fundamental principle of inclusive school is that all children should learn together, regardless of the difficulties which they encounter or the differences between them. Inclusive school must recognize and react to different needs of pupils, on one hand, harmonizing with different styles and rhythms of learning and on the other hand, to ensure a quality education for all through appropriate curricula, good organization, teaching strategies, optimal usage of resources and partnership with the members of the community in which they function.

The vision on special schools is another important aspect highlighted in The Declaration. Thus, the distribution in special schools or special classes/sections in a school must be an exception, this solution being recommended only in those rare cases, in which it has been clearly demonstrated that education in regular classes cannot meet the social or educational needs of the child or when it is necessary for the well-being of the child in question or of the others. Special schools can represent a valuable source for inclusive schools development from various points of view: the staff of these special institutions has the necessary experience for early detection and identification of children with disabilities; special schools or special units from regular schools might continue to provide the most suited education for a relatively small number of children with disabilities, who cannot be included in regular school classes.

Regarding the partnership with parents, in Declaration it is specified that the education of children with special needs is a task that must be shared between their parents and professionals. A positive attitude from the parents favors social and school integration. The parents need support to take on the role of parents to children with special needs.

Salamanca Conference represents a remarkable worldwide event, in which UNESCO replaced the term special education with special needs education. The explication of this terminological replacement is that special education actually insinuates an inclusive, discriminatory approach, while special needs education suggests that certain children may have some special needs and that these can be met in inclusive, regular schools.

2.3 Special Educational Needs in the Vision of Organization for Economic Co-operation and Development (OECD)

According to reports and publications in the recent years, the Organization for Economic Co-operation and Development has important concerns in education, so in these documents the following definition is encountered: *Pupils with special educational needs are mainly defined by public and/or private supplementary resources ensured to come to the aid of their education, if these pupils have difficulties in accessing the curriculum offered in elementary schools.* (Vrășmaș, 2015, p.25, apud Deluca, 2012).



According to OECD in the sphere of CES the following categories of situations and persons can be included:

- *category A/disabilities* – it refers to educational requirements of pupils with disabilities (disabled), for example, visually impaired or partially visually impaired (amblyopic), auditory impaired or partially auditory impaired (hipoacusia), with profound or severe mental disability (handicap), with multiple disabilities. These conditions affect pupils in all occupations and social classes. In medical terms, these are considered to be organic disorders attributed to organic pathologies (for example, with sensory, motor or neurological defects);
- *category B/difficulties* – it refers to educational requirements of pupils who have difficulties in learning and/or in way of behaving which do not appear evidently directly linked to factors which may justify inclusion in category A or C;
- *category C/disadvantages* – it refers to educational requirements of pupils which are considered to appear firstly from socio-economic, cultural and/or linguistic factors. The educational need is to compensate the disadvantages which can be attributed to these factors. (OECD, 2000, p. 9).

In publications of OCDE from 1998, 2000 and 2009 it is mentioned that every child/pupil may have special educational needs in one or another period of his/hers time in school, on different periods of time and at different levels and intensities of request for support.

All OCDE countries offer supplementary resources in helping pupils with disabilities, in order to eliminate the disadvantages of lack of access to curricula and to benefit from a complex system of education. These resources can be by many types: staff resources: additional teachers, assistants or any other type of personnel; training programs for teachers; material resources: different types of support and help (modifications or adaptation to class, hearing aids, Braille, specialized teaching materials); financial resources: financing formulas which are more favorable for special need people.

According to European Commission Report from 2013, 22 countries responded to the invitation of OCDE to reorganize the educational systems of special educational requirements of identification, according to the classification made by OCDE.

2.4 The Vision of World Health Organization on the Concept of Disability (OMS)

World Health Organization played a significant role in the way the term disability is defined internationally, the organization proposing more perspectives over the years.

In 1980, World Health Organization published a document with a major contribution to public health: International Classification of Impairments, Disabilities and Handicaps- ICDH. The document defines the terminological group deficiency – disability (incapacity) – handicap. It represents a first attempt of the scientific world to detach from the predominant previous medical vision, which to a large extent equated the term handicap with the one called disease (Vrășmaș, 2015, p.45).

In the document from 1980 we encounter the following definitions of the three terms. Deficiency (English impairment, French déficience) means the absence or the alteration of a structure or a function (anatomical lesion, psychological or physiological disorder); deficiency may occur because of an illness or an accident, but also from some negative conditions from the growth and development environment of a child, especially psycho-affective deficiencies. Disability



(incapacity) (English disability, French incapacite) represents any type of restriction or lack (resulted from a deficiency) of the ability to perform an activity in within normal limits for a human being. Handicap represents the disadvantage for a certain individual resulted from a deficiency or disability which limits or impedes fulfilling of a role considered to be normal for that individual in terms of age, gender, social and cultural factors.

The document which took over and nuanced the terminology of OMS from 1980 was Rules and Standard for Equalization of Chances of People with Disabilities adopted by the United Nations Organization in 1993. But this document no longer considers the term deficiency as a basic one, but it is rather presented and analyzed as being incorporated in the term disability. Disability sums up a number of functional limitations which can be found in any population of every country in the world. Disabilities can be caused by deficiencies (physical, sensory or intellectual), they can be caused by health conditions (mental or neuropsychiatric illnesses) or can be influenced by environment. Disabilities (as well as deficiencies) can be visible or invisible, permanent or temporary, progressive or regressive.

French version for ICIDH uses the term disadvantage instead of the one called handicap to avoid confusions. In French the term handicap is more used in legislation and specialty literature.

The term handicap is defined in the ON document as a loss or limitation of opportunities of a person because of the presence of a deficiency or disability (incapacity) of taking part to social life at an equal level with others.

In International Classification of deficiencies, disabilities and handicaps from 1980 we encounter the following graphic scheme of three terms:

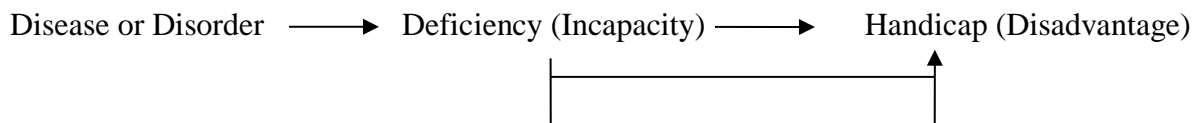


Figure. 1. Graphical correlation of concepts
(Vrăsmaş, 2015, p. 47)

Progression from the first term is not linear. It can be noticed that presence of a deficiency may lead directly to a handicap without restriction or lack of ability (incapacity), for example: a child with a celiac disease who is functionally limited may be capable of living a pretty normal life and not suffer activity restrictions, but may also encounter obstacles in the exercise of social roles. More important than these incomplete sequences is the possibility that the sequencing can be interrupted at any stage. As a result, someone may have a deficiency without having a disability or may have a disability without having a handicap. For example, an individual with rheumatoid arthritis may have a light disability and yet a severe handicap (disadvantage), while another person with the same disorder who has a more severe disability may have a light handicap (disadvantage) probably because of a greater support from the family (ICDH, WHO, 1980, p.30).

Although at that time it represented an important step forward, the definition of OMS from 1980 it has later controversial and more widely criticized, mainly because it was yet influenced by the medical model which does not reflect enough the human rights. ICDH is on one hand the first attempt of the scientific world, especially in health, to effectively surpass the medical model but



also to make a distinction as clear as possible between the three most used terms in the world (deficiency – disability – handicap). On the other hand, some limitations of this taxonomy are recognized even in the field itself (Vrășmaș, 2015, pp. 47-48).

A second revised edition of the classification was published on the 22th of May 2001, in order to be used by all state members of OMS to the extent of health and disability. The process of revision of ICIDH started in 1993 and lasted 7 years. Eight centers of OMS have collaborated at the process of elaborating this documents, from Australia, Canada, France, Japan, Holland, Nordic countries, Great Britain, USA, other organizations from UN system (UNICEF, OIM, Statistical Division, The UN Institute of Statistics for Asia and Pacific), nongovernmental organizations from USA, Europe, OMS consultants and numerous individual participants from various countries of the world.

The document was translated and published in Rumanian with the help of UNICEF in 2004.

OMS classification from 2001 no longer uses the English version of the term *handicap*, this term is being incorporated as the one *deficiency* into disability. In French version of the document the term *disability* is expressed by that of *handicap*. The concept of *disability* has a more complex meaning than the one from the classification of 1980 and it appears as a result of the interaction of several factors. The presence of a disease, affection or a deficiency (affection) does not necessarily lead to disability (handicap), the medical diagnosis alone is not enough to determine the state of disability but a psychosocial assessment is needed.

Other terms which describe and explain the OMS classification in 2001:

- *the functions of the body* – the functions of the body as a system/ human body (including the functions of the brain);
- *the structures of the body* – the anatomical, structural parts: organs, limbs and their parts;
- *deficiency (affection)* – the absence, loss or deterioration in the structures or functions of the body (including the psychic ones);
- *activity* – performing a task or an action by a person; represents the individual perspective of functioning;
- *activity limitations* – difficulties that an individual may have in executing the activities; limitation may vary from light to severe in matter of quality, quantity and manner of execution. It is the term that in good authority replaces the term disability (incapacity) from the old definition – from 1980);
- *participation* – involvement of a person in life situations; signifies the social perspective of functioning;
- *participation restrictions* – are problems that an individual may have in getting involved in life situations; is the term which replaces in good authority the term handicap from OMS 1980 definition;
- *contextual factors* – those who form together (environment, and personal factors) the complete context of life of an individual;
- *environmental factors* – it refers to all external aspects of the world which form the context of the life of an individual: the natural physical world, the artificial physical world, the other humans, in different relations and roles, attitudes and social values, systems and services, politics, laws and rules;
- *facilitators* – factors in a person's environment , which improve functionality and reduce disability through their absence or presence;



- *barriers* – factors from a person’s environment who limit the functionality and create or increase disability through their absence or presence;
- *personal factors* – contextual factors tied to individual such as: age, sex, social status, life experience, psychic particularities (CIF, 2004, p. 19).

In CIF it is graphically represented the interaction between different components (CIF, 2004, p. 18).

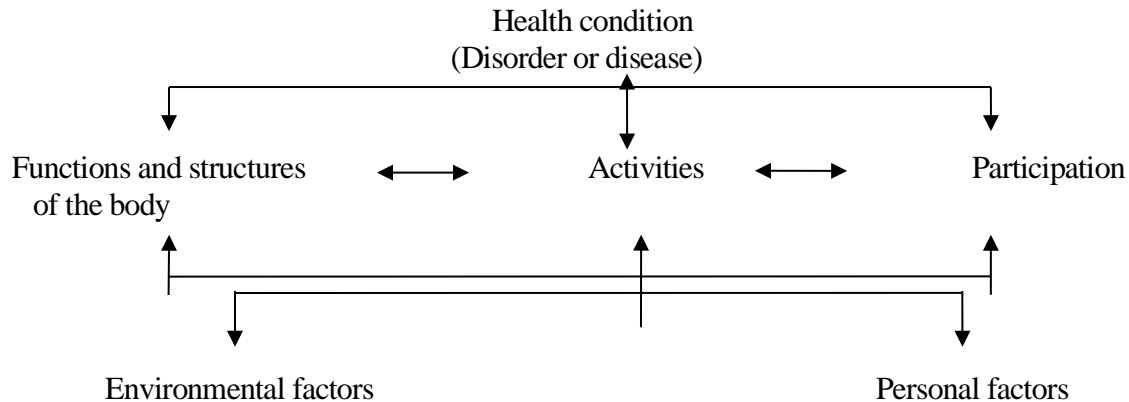


Figure 2. Interactions between CIF components
1. (OMS, 2004, p. 19)

In the graphic representation, the functioning of an individual in a certain domain is an interaction or a complex relation between his health condition and contextual factors (for example, environment factors and personal ones). For example, an individual may have some affections without having capacity limitations also (for example, the disfigurement produced by leprosy may not affect the capacity of the person); to have performance problems and capacity limitations without an obvious disorder (for example, diminished performance in finishing daily activities associated with many illnesses); to be in a situation which influences in the opposite way (for example, the lack of limbs can lead to muscle atrophy; institutionalization may lead to loss of social skills) (CIF, 2004, p. 19).

International classification of functioning, disabilities and health from 2001 represents an important contribution for the disability problematic by the fact that it is asserted more on the need of the social participation and equal opportunities for children and people with disabilities as means of promoting the human rights.

In 2007 an OMS classification for children and young people was developed: *International Classification of functioning, disability and health for children and young people (CIF – CT)*. It derives from *International Classification of Functioning, Disability and Health (CIF, 2001)*. Being a derived classification it includes detailed information about the application of CIF concerning the relevant aspects of functioning and health of children and young people. The classification is designed to highlight the child’s characteristics being in a process of development and the influence of the environment in which he/she lives. The classification offers a common and universal language for applications in the clinical field, of public health and research to facilitate



documentation and assessing health and disabilities of children and young people. CIF – CT is based on the conceptual framework of CIF and uses a common language and terminology to record problems which involve the functions and structures of the body, activity limitations and participation restriction which manifest in the first months of life, during childhood and adolescence as well as relevant environment factors. CIF – CT has been created as a response to the need of a CIF version which can be used universally for children and young people, in health, education and social sectors (CIF – CT, 2012, p. 6).

The manifestation of disability and health in children and teenagers is different in nature, intensity and impact compared to adults. These are the differences, which must be taken into account, and that is the reason is why the content of the classification is highly sensitive at associated changes with development and it includes characteristics of different groups of age and living environment (CIF – CT, 2012, p. 7). The classification brings new aspects, one of the most important being the ones referring to: delay in development, the child in family context, participation and environment factors.

The international Classification of Functioning, Disability and Health for Children and Young Adults (CIF – CT) is a document which brings important innovative perspective for the problematic of children with disabilities by the fact that it extends the coverage areas from the *Classification* from 2001 and adds supplementary details to include the functions and structures of the body, activities and participation in specific environments for toddlers, young children, children and teenagers.

In a study of the World Bank in 1994, four models of disability approach are presented, namely:

1. *the medical model* emphasizes on the biological deficiencies and on the total and partial healing actions;
2. *the model of social pathology* considers that the difficulties of the child appear on the background of long-term effects of some predominantly social factors, for example, the way a child was raised and educated or discrimination and prejudice to which he has been exposed to due to his deficiencies;
3. *the ecological model* considers the child with disabilities as school child whose capacity of learning may be affected due to lack of adaptation to the educational system; this model emphasizes on the early integration of these children and introduction of special education in traditional educational system. The model is found in USA, Great Britain and the Scandinavian countries;
4. *the anthropological model* is inspired by politics as the ones from Italy or Spain, it has common elements like the ecological one, but it differentiates by the fact that disability is a social result (Vrășmaș, 2015).

Regarding the social vision on disability, OMS considers that disability is not an attribute of an individual, but rather a complex of conditions created in the social environment. Because of this, the management of this problem requires social action and it is the common responsibility of the entire society (CIF, 2004, p. 20). From the perspective of this model, the interventions are focused on the environment, aiming to eliminate the restrictions, the barriers which prevent the participation of people with deficiencies at different aspects of social life (Manea, 2006). The social model has the purpose of community integration of people with disabilities, being more efficient



on the long-term than the medical one. This one emphasizes on the rehabilitation process of people to get as close to normal as possible.

2. Meta-analysis Study Concerning the Problematic of Special Educational Requirements in Educational Practices in Romania, England and France

The meta-analytical approach of the proposed topic unfolds on the following fundamental taxonomy categories from the three countries: legislative normativity, statistical data concerning the population affected by the special educational needs and by disability, specialized institutions in educating children with disabilities and special educational requirements.

2.5 Legislative Normativity Concerning the Education of People with Special Educational Needs and Disability

The Legislation and the International Agreements regulate full recognition of children with disabilities as human beings. So, the most relevant documents are the ones concerning the rights, inclusion and integration of children with disabilities, with clear implications in the evolution of teaching practices: *The ONU Convention concerning the Child Rights* (1989), *World Declaration on Education for all* (1990), *Standard Rules of United Nations concerning ensuring equal chances for people with disabilities* (1993), *The UNESCO Declaration of Salamanca* and *The Action Framework in special educational needs* (1994). The perspective promoted by these documents highlights a series of fundamental principles: non-discrimination, the best interest of the child, ensuring survival and development, the right to education based on equal opportunities, expression of the child's opinion (Sălceanu, 2018).

From the perspective of accepting the rights of all children of having a quality education, integration of children with special educational needs in mass education has become an education policy of paramount importance to all the countries of the world but also a type of global approach to children's personality development. Most European countries have included legal provisions related to special educational requirements and disabilities in general Legislation.

2.6 Romania

Romania took into account the international Legislation concerning the special education, so, the content of international documents has respected and applied by elaborating Legislation through which it was emphasized the development directions of this type of education. Romanian Legislation includes people with disabilities in the category of people with special educational needs and contains a series of normative acts which regulates their rights and situation: the Romanian Constitution adopted by Referendum on 8th December 1991; Government Decision no.586/1990 and modified in 1992, concerning the organization of special education; the Norms no.9233/1995 concerning home schooling for people with deficiency in movement; MEN Order no.4323/13.08.1998 concerning the endorsement of Educational Framework for special education in primary and secondary school; the Law of Education no. 84/1995, republished in the Official Monitor of Romania, Part I, no. 606 from 10th December 1999; MEN Order no. 3796/11.05.1999



concerning the approval of the Educational Framework for special vocational education; MEN Order no. 4378/7.09.1999 concerning the approval of the program: „Organizational measures of special education”; MEN Order no. 3634/12.04.2000 concerning the approval of the national program: „Children’s integration and rehabilitation into community”; MEC Order no. 4653/8.10.2001 concerning the approval of the Methodology for organizing and functioning of educational services for completely disabled children/pupils in public school, through itinerant and supportive teachers; MEN Order no. 4217/1999 concerning the approval of Organization and Functioning Regulation of special education; MEC Order no. 4747/17.10.2001 concerning the Regulation for the Organization and Functioning of pre-university education units, which has chapter 8 dedicated to special education; MEC Order no. 3662/27.03.2003 concerning the endorsement of Methodology of Foundation and Functioning of Internal Commission of Continuous Evaluation; Common Order no.18/3989/416/142 from 2003 concerning the endorsement of Methodological Guide for child with disabilities assessment and placing him/her in a degree of disability; MECT Order no.3372/08.03.2004 concerning the endorsement Educational Framework Plan for arts and crafts schools – special education; Government Decision no. 1437/2004 concerning Organization and Function Methodology of the Committee for child protection published in the Official Monitor of Romania, Part 1, nr. 557/23.06.2004; MEC Order no. 4927/2005 concerning the endorsement of Framework Plan for special education classes/groups or mass education which educate light or moderate deficiencies pupils; MEC Order no. 5418/8.11.2005 through which is approved; Regulation of Functioning and Organization of County Centers of resources and functional assistance; Regulation of Organization and Functioning of Inclusive Education Centers; Regulation Framework of Organization and Functioning of Psycho-Pedagogical Assistance Center; Regulation Framework of Organization and Functioning of Speech Therapy Cabinets and Centers; Government Decision no. 1251/2005 concerning some improvement measures from the activity of learning, training, compensation, recuperation and special protection of children/pupils with CES from special educational system and basic special educational system; Emergency Ordinance no. 51/2017 for modification of Law no.448/2006 concerning protecting and promoting the rights of people with disabilities.

Although the Romanian Legal system reflects the principles and rights of people with disabilities and offers a legal framework of development and adaption to children’s learning possibilities, putting these principles in practice remains problematic. The majority of public services (education, health, administration) are not suitably adapted to their special needs. As a result, we can conclude that from the legislation concerning education of children with disabilities a correct and consistent vision lacks which would place our country in the same place with the other European States.

2.7 England

As we presented in the previous pages, England is the country that launched the concept *special educational needs* in Warnock Report since 1978. The Report is considered a first step in the development and promotion of a new vision on the education of people with disabilities.

In *Special Educational Needs Code of Practice*, 2001, there can be found detailed guidance concerning the identification and evaluation process of children with special educational needs, the need to provide support and counseling to children and parents and the need to work with other institutions. Also, other important obligations are specified concerning children with special



educational needs, which local authorities must fulfill: to identify children with special educational needs; to compose a formal document (declaration) for those needs, to where the necessary measures can be specified for the pupil with special educational needs; to develop policies concerning special educational needs; to publish a *Conduct Support Plan* for those with behavioral difficulties.

A child with special educational needs can attend a mass school only if certain conditions are met: the child must receive special education depending on his needs, adapted to his learning deficiencies; his education must correspond with efficient education provided to the other children with whom he studies.

In 2000 the *Careers and Disabled Children Act* was endorsed, which concludes that people with disabilities of 17 years of age have become eligible for receiving money to pay a caregiver.

In Special Educational Needs and Disability Act – SENDA in 2001, legal rights for pupils with disabilities are being established. The Law forbids pupils with disabilities discrimination through the local authority education and the other colleagues.

The *Law concerning equality* since 2010 (*The Equality Act*) defines a person with disabilities as being a person which has a mental or physical deficiency, on a negative substantial long-term effect on his capacity to carry out day-to-day activities.

In September 2014 by implementing the *Children and Family Act*, a major reform starts of the identification system of special educational needs children and young adults in England, as well as their evaluation and insurance. The Law from 2014 provides the following measures: age extension for children and young adults with special educational needs and disabilities (between 0-25 years); the evaluation of education, health, care necessities of children/ young adults, taking into account educational, medical and psychological factors; promotion of an efficient education compatible with the children's special needs; to foresee the special educational provisions for children with learning difficulties.

(<http://www.essay.uk.com/free-essays/education/history-special-educational-needs-uk.php>).

English Legislation has brought an important contribution in the education problem of people with disabilities and special educational needs by introducing the SEND formula in the Law from 2001, through which a clear distinction was made between special educational needs and disability. So, in England, as well as in other European countries, the education of people with disabilities and other special needs is an integrated part of the systems and educational politics offered to all children and young adults.

2.8 France

According to the analysis of the of historical evolution of *special educational needs* and *disability* concepts we highlighted the fact that in French Legislation concerning the education we do not have an equivalent expression for the term *special educational need*. Throughout history a series of specific terms have been used: *children with handicap, misfits, educational inadequacy*.

In France there is no legal term which would impose children and young adults with special educational needs to be separately trained in specific institutions that are not part of the mass educational system. French Legislation supports pupils schooling, regardless of their needs, in mass schools, and if needed it offers specific assistance including external assistance from support services.



According to the *Law concerning the Equality of Rights and Chances, Participation and Citizenship of People with Disabilities* in 11 February 2005 (*Loi du 11 février 2005 pour l'égalité des droits et des chances, la participation et la citoyenneté des personnes handicapées*), the following are specified: all children have the right to go to school; inclusion of people with disabilities is a principle and a finality which reminds of every person's right to go to a school that is closest to residence, the right to have a continuous and adaptive educational career, the access to the labor market and participation in social and cultural life; it is mandatory that all children between the age of 6 and 16 years old must receive education; before the age of 6 years old children with disabilities benefit of access to all school mass structures, as well as the other children, and they can be registered at nursery or kindergarten; if necessary an admission of a child with disabilities can be supported by a medical, educational and child protection service; the options of schooling and education in specialized structures for a certain period of time or for the entire educational process.

(<https://www.european-agency.org/country-information/france/legislation-and-policy>).

The *Decree no.378* concerning the schooling of children, young adults and adults with disabilities since 2 April 2009 delivers provisions concerning the cooperation between mass and special schools. This decree takes over and resumes the legislative measures mentioned in previous documents and targets basically: facilitating access to health professionals in mass schools and mentioning the founding and organization procedures of educational units in medico-social institutions or medical assistance ones (these units have an inclusive signification).

Several Legislative Regulations were implemented after 2015. It concerns pupils with disabilities, their professional integration and the examination procedures which they have at their disposal; programs for educating pupils with special educational needs (local units for educational inclusion, special needs courses in basic secondary basic schools, primary teaching units for children with autism spectrum disorder); training of specialized teachers by creating the certificate of pedagogical competence in inclusive educational methods; training of support personnel with diploma in educational and social assistance etc.

(<https://www.european-agency.org/country-information/france/legislation-and-policy>).

3. Statistical Data concerning the Population Affected by Special Educational Needs and Disability

In most European countries, an increasing number of children and young adults with special educational needs and disabilities are included in mass educational system due to the implementation of integration and inclusion educational politics from the 20 years. Statistical data concerning special educational needs are provided by European Agency for Special Needs and Inclusive Education – EASNIE). In 1999, the Agency collected for the first time statistical data concerning the number of pupils identified as having special educational needs in 17 member countries. The information collected in 1999 was reviewed and was considered useful reference material for the representatives of the countries in the Agency. A decision was made to collect regularly quantitative data concerning the number of pupils with special educational needs and the institution where they were educated. This data has collected by the representatives of the member countries of the agency and published every two years since 2002. Different publications related



to educational data concerning special educational needs are found on the website of the agency: <http://www.european-agency.org>.

EASNIE founded a new agency in 2015, The European Agency Statistics on Inclusive Education – EASIE). Collecting EASIE data is a long-term activity according to pupils' rights and with aspects concerning quality and efficiency of the educational system as pointed out in The United Nations Conventions concerning child rights in 1989 and the Convention of 2006, as well as the strategic objectives of the European Union in education and professional development. The activity of collecting EASIE data focused on elaborating procedures, indicators and results which offers individual, comparative and aggregated data to offer information concerning the activity related to pupils' access to inclusive education at country level.

(<https://www.european-agency.org/about-us/who-we-are/structure>).

We propose to present the statistical data collected by EASIE in England and France according to reports from that country available on the website of the agency, but for Romania we will present statistical data collected by the National Institute of Statistics and National Authority for people with disabilities (ANPD) since is not a member of the European Agency of the Special Inclusive Educational Needs.

3.1 Romania

The main source of statistical information at a national level concerning people with disabilities in general and especially children with disabilities is the Ministry of Labor and Social Justice for Child's Rights Protection and Adoption. Unfortunately, we do not have too much statistical information at a national level, concerning children with special educational needs, but more data on children, young adults and adults with disabilities. The RENINCO Romania Association involved in the issue of inclusive education of children with CES highlights this aspects and considers that, the lack of aggregated collecting data mechanisms concerning children with disabilities and children with special educational needs represents a serious problem, an obstacle in taking any initiative.

So, we find statistical data concerning children with CES in *The Situation of Children with Special Educational Needs (CES) integrated in mass educational system* study published in 2009. The data collected from 37 counties refers to a number of 13.125 children with CES integrated in mass educational system in 2008-2009 school year. The distribution analysis of the children's number in counties shows great differences between counties concerning the reported number of children, placing them in a number of minimum 32 children with CES (Arges County) and number of maximum 1170 children with CES (Cluj County). This distribution does not necessarily highlights differences concerning the number of children who obtained certificate and educational orientation and who benefit from special support. The same types of differences between counties have been reported also concerning the number of support teachers for these children. Based on a resistance calculation, the distribution of children with CES is not equally made: over two thirds of all children with CES are integrated in schools from the urban environment and a third is integrated in school from the rural environment (UNICEF, 2013).

According to the National Authority for People with Disabilities, by general direction of social assistance and county child protection, respectively, the local or the ones of sectors from Bucharest County, in 31 December 2018 the total number of children with disabilities is of 65.001. After the type of disability we have the following statistical data: with physical impairment – 4358



children, with somatic impairment – 13.808 children, with auditory impairment – 1.831, with visual impairment – 2.727 children, with mental impairment – 14.757 children, with associative impairment 15.814 children, HIV/AIDS – 195 children, rare diseases – 1409 children (ANPD, *Statistical Buletin*, 2018, p. 15).

Existent data taken from the National Institute of Statistics website (<http://www.insse.ro/cms/>) offers information on the population from schools in special educational system on the following categories: levels of educations number of resistance, types of education units, types of educations and sexes.

The total number of pupils submitted in special educational system in 2017 was 16.881 (compared to 36.362 pupils in 1996), of which:

1. *Level of education and environmental resistance category*: 16.003 in special primary and secondary special education – urban environment, 878 in primary and secondary special education – rural environment; 322 in special post-secondary schools – urban environment (in this category we do not have pupils submitted in rural environment).

2. *Types of special education units category* : 496 in special schools for the visually impaired, 1.395 in special schools for the hearing impaired, 739 in special educational centers, 6.419 in inclusive education centers, 500 in special classes integrated in mass educational system, 6.674 in special schools for severe mental deficiencies, 558 in schools for other physical and mental deficiencies.

3. *Level of education and sexes category*: 4570 male pupils submitted in special primary education and 2.452 female pupils submitted in special primary education, 6337 male pupils submitted in special secondary education and 3574 female pupils submitted in special secondary education (<http://statistici.insse.ro:8077/tempo-online/>).

Also, we considered that it is necessary to specify the number of national special education units at a national level, because it is important aspect that completes the statistical analysis and helps us observe if the educational politics concerning children with CES and disabilities have succeeded or failed at this moment at this point. In 2017, the total number of special educational units was 144 (compared to 203 units in 1990), of which: in special primary education were 9 units (compared to 34 units in 1990), in special primary and secondary education were 97 units (compared to 136 unit in 1990), in special vocational education were 21 units (compared to 6 units in 1990), in special upper secondary education were 17 units (compared to 27 units in 1990) (<http://statistici.insse.ro:8077/tempo-online/>).

3.2 England

Statistical data concerning children/pupils with special educational needs are analyzed by the *European Agency for Inclusive Education Statistics* in 2016 report. Statistical data from this report are taken over from the report made by the Statistical Education Department from England. This statistical publication offers data from 2016 scholar census about the pupils with special educational needs and information concerning the special schools from England. In addition, this publication includes age disintegrations, national study groups divided by years, sex, ethnicity, English as a primary language and free eligibility for school, information about special schools. The scholar census contains data about pupils from all the schools, including free schools, special school state-funded, middle schools, general schools, kindergartens.



In January 2018, we have the following statistical data, in schools from England: the number of pupils with special educational needs has increased for the second year in a row, from 1.244.255 in January 2017 to 1.276.215 in 2016; so, we have a growth from 14,4% to 14,6% (2,9% of the total population of compulsory school age from 5 years to 16 years); the percentage of pupils with CES from special segregated schools is 44,2%; the percentage of pupils with CES from special segregated classes in mass schools is 6,3%; the percentage of pupils with CES in inclusive context is 52,82%; the pupils receiving support for CES have: 24,0% difficulties in moderate learning; 0,3% difficulty in severe learning; 0,1% difficulty in multiple and profound learning; they have hearing impairment, 1,0% have hearing impairment, 22,8% have language and communications disorders, they have physical deficiencies, 28,2% have autism spectrum disorders, 5,1% have other difficulties/disabilities; the disorder from autism spectrum is more common in boys(32,3%), than in girls (17,2%) and language and communication disorder are more common in boys with a percentage of 24,3% compared to the percentage of 20,0% in girls. In exchange, the moderate difficulty of learning has been the most common disability found in girls with a percentage of 27,5%, compared to 22,2% in boys; there are 1033 special schools in England.([https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20UK%20\(England\).pdf](https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20UK%20(England).pdf)).

3.3 France

The statistical data have an even greater importance if we follow the evolution from EASNIE reports after 2008, 2010 and 2012.

Between 2008 and 2010 we have a significant evolution of children with CES from mass schools – 343.902 children in 2008, compared to 356.803 in 2010. But between 2010 and 2012 something very interesting happens, namely, the significant decrease with 6 percent of the number of children with CES and the growth of the number of pupils with CES in special classes. So, between 2008 and 2010, the children with disabilities went rather to mass schools (inclusive contexts), but between 2010-2012, they submitted more in special classes.

According to EASNIE report from 2016, in 2015-2016 school year, the total number of children/pupils submitted with CES was 278.978. In primary education were 160.043 pupils submitted among which: 111.682 in mass school classes and 48.361 in special schools. In secondary education were a total of 118.935 pupils, among which: 82.875 in mass school classes and 36.060 in local units for educational inclusion (<https://www.european-agency.org/country-information/france/systems-of-support-and-specialist-provision>).

3.4 Specialized Institutions in Education of Children with Disabilities and Special Educational Need

In **Romania**, the main institutions involved in conducting training programs, which have the role of ensuring the development and social integration of people with disabilities and special educational needs are: National Authority for People with Disabilities and General Direction of Social Assistance and Child Protection, Ministry of Education, Ministry of Health, National Authority for Child Protection Rights, National Council for Combating Discrimination. Institutions responsible for identification, monitoring and evaluation of children with disabilities are: General Direction of Assistance and Child Protection (DGASPC) by Service of Complex Evaluation (SEC) and Commission of Child Protection (CPC) for grading and type of disability; for evaluation



(survey) and educational and professional orientation by County Center of Educational Assistance (CJRAE/CMBRAE) and Evaluation Service and Educational Orientation (SEOSP).

DGASPC was founded in 1997 and it is an institution subordinated to the county councils which coordinate the way in which politics and social strategies are applied in child protection domain, including the children with disabilities. The evaluation of other groups of special educational needs (besides disability) is made by the: school councils for children with difficulties in learning and/or behavioral disorders, interscholastic speech therapists for primary school children with speech disorders, Internal Commission of Continuous Evaluation from special schools (CIEC) for children with disabilities and difficulties in learning.

According to Legislation, schooling a child with special educational needs can be achieved through the following forms: in special educational units dedicated exclusively to education and professional guidance of children with special educational needs (separate special education); in classes or groups organized for children with special educational needs in mass education system (partially integrated special education); in groups or classes organized in mass education units (partially integrated special education).

Cooperation between special education institutions and mass education units is very important to ensure equal opportunities for children with disabilities. Children with special educational needs are gradually integrated in mass education schools with the assistance of psycho-pedagogy specialists.

Also, in Rumania some non-governmental organizations work to bring benefits in educating children with disabilities:

- **RENINCO Romania Association** - National Network of Information and Cooperation for community integration of children and young people with special educational needs was founded in 1994 during collaboration between UNICEF Representative from Romania and the Ministry of Education – it has over 74 organizations and 400 individuals;
- **FEDRA** – Federation for Rights and Resources for People with Autism Spectrum Disorders is built of associations and or foundations which activate in the field of social protection of people with disabilities and whose members have persons with disabilities in in their family. The Federation aims to create and preserve a suitable environment for supporting and stimulating people with Autism Spectrum Disorders and their families;
- **FONPC** – Federation of Non-Governmental Organizations for Children, its purpose is to strengthen, unite and represents in a solidary manner the member organizations which activate in the field of child welfare and protection to ensure respect for child's rights as described in the UN Convention concerning the Child's Rights;
- **Federation of Organizations of People Intellectual Disabilities in Romania** has as purpose: Quality of life growth of people with people with intellectual disabilities and their families;
- **ONPHR** – National Organization of People with Disabilities in Romania. ONPHR mission is to unite the efforts of organizations of people with disabilities for making a society which would guarantee respect for the fundamental rights and freedoms of people with disabilities;
- **„Sf. Ana” Association** for helping children with severe disabilities was founded in 1996 having the mission of supporting children and teenagers mentally disabled and severely associated and to keep them in families and to be socially integrated;



- **WE DEFEAT AUTISM Association** was founded in 2009 as a continuation of Together we defeat Autism campaign initiated by Angel Appeal Romanian Foundation, Foundation for the Development of Civil Society and Vodafone Romania Foundation;
- **Romanian Association of Autism and ADHD Therapies** – Therapeutic Recovery Center “ARTA ADHD” comes to the aid of children with developmental disorders (Autism, Asperger, ADHD, ADD, ODD, RETT syndrome, disintegrative developmental disorder, etc);
- **CEDCD** – European Center for Children with Disabilities Rights CEDCD is a non-governmental organization dedicated to promoting the rights of children with disabilities and facilitating their access to care and protection services;
- **Save Children Romania** promotes the child’s rights for 20 years in accordance with the provisions of the United Nations Convention on the Rights of the Child; Mission: guaranteeing equal opportunities for all children, regardless of their background by using their own expertise, as well as lobbying and advocacy on factors;
- **NANE Foundation** for children with disabilities was founded to provide help and assistance to children with disabilities and their families. Mission: to improve the quality of life of children with various disabilities as well as their families by providing them specialized care, therapeutic recreation, psychological support and counseling, individualized social inclusion (UNICEF, 2013).

In England, monitoring, assessment and education of children with CES are carried out by national, local and private institutions.

The Department for Education is the main institution in England which deals with the implementation of educational politics concerning children and young adults with special educational needs. The objective of this department is to achieve a policy to ensure equal rights for all children regardless on their situation. The components of a successful SEND (*special education needs and disability*) system include the following measures: a person-centered approach and a common approach in identifying and meeting the needs of children, young people and their families, so that they have as many options as possible and feel listened to and their concerns are resolved quickly; a clear understanding of support, services and provision as well as how concerns can be raised; the use of effective practices and independent evaluation; establishing clearly defined and understood roles and responsibilities.

The department for Education has the following attributions: establishes the legal framework underlying the SEND system and provides guidance to local authorities and other institutions on how to fulfill their responsibilities; supports the development and exchange of innovative experiences; publishes transparent and accessible data on the education of children with SEN; evaluates the activity of local authorities.

In England, most SEND-related tasks are performed by local authorities in collaboration with Clinical Commissioning Groups (CCGs). These authorities have implemented the reforms set out in *Part three of the Act of 2014 concerning the Children and Families*. The Legislative Act strengthens the duties of the local authorities with regard to children and young people with special educational needs aged 0-25 years old, regardless of the place where they are educated. Locally, an important institution is the Local Service of Social Assistance for Children and Adults, which deals mainly with the integration of children and young people with SEN and disabilities. Another



institution is the Health and Welfare Committee which provides an assessment of the specific needs of children and young people with SEN and disabilities (Department for Education in England, 2015).

Private institutions offer an objective vision on progress through an independent assessment of these children (Department for Education in England, 2015).

In France, the education, assessment and monitoring of children with disabilities and special educational needs is provided primarily by the Department of Special Education. The Law of 11 February 2005 led to the creation of new authorities on people with disabilities:

- Centers for the Disabled (*Maison Départementale des Personnes Handicapées – MDPH*), under the authority of the President of the General Council, they assess the special needs of the child and provide assistance to people with disabilities and their families;
- The Commission for the Rights and Authority of Persons with Disabilities (*Commission des Droits et de l'Autonomie des Personnes Handicapées – CDAPH*), decides on the guidance in the field of education, creates a personalized schooling program for children (PPS), closely involves parents in guidance and according to identified special educational needs, monitoring the child.

Other institutions in France dealing with children with SEN and disabilities: special education and home care services (*Services d'Education Spéciale et de Soins à Domicile – SESSAD*) deals with children and mental, motor and sensory disabilities, offers a bridge between traditional school and additional and rehabilitation treatments school integration classes (*Classes d'Intégration Scolaire - CLIS*) are intended for children with disabilities, but do not require special facilities, it is a special class in primary or secondary school.

Integration pedagogical units (*Unités Pédagogiques d'Intégration - UPI*) for children with cognitive learning disabilities aged 12-16 years old, offer adapted school integration and partial participation through activities.

(<https://www.european-agency.org/country-information/france/legislation-and-policy>).

The assessment of the need of pupil with disability is carried by multidisciplinary assessment team and can take one or more assistance measures for families: allowance for the education of the pupils with disabilities, disability card, specialized transport; educational measures to guide specialized classes in mainstream schools (primary, secondary, college high school or vocational school) or to special schools; therapeutic measures.

Conclusions

The field of disability and special educational need is broad, complex and very important for the society. The study is a relevant synthesis of the issue of education of children/ young adults with disabilities and special educational needs, in general, but also, in particular.

The content of the research ideas clarifies and highlights the close connection of the use of terms of *special educational needs* and *disability* with the provisions of the Legislation of the three countries analyzed in our study: Rumania, England and France.

In Romanian Legislation, the current meaning of *disability* is equivalent of that of *handicap*. We can say that, although the concept of *special educational requirements* has been known in Romania for more than 20 years, we have too little research and implementation attempts according to the educational reality. England is the country that brings a very important contribution to the



education of people with disability, by writing the phrase *special educational requirements* in the Warnock Report. In contrast, in France, this phrase is not even used, but the traditional formula of *special education* is used.

Between these two concepts, the special educational requirements and disability there is a complex relationship. Firstly, we have an overlapping relationship, meaning that children with disabilities have special needs in their educational approach, so they need a special education, and secondly, we have a differentiating relationship, meaning that not all children with disabilities have special educational needs in an educational context; here we refer to those who have disabilities resulted from a deficiency. In exchange, there are children with no disabilities needs but require special educational needs.

In conclusion, the meta-analytical approach highlights the current vision on the problem of education in children with special educational needs and disabilities.

In Romania, the rights and interests of children with disabilities are protected by a legal framework, in which there are provided social protection, assistance, education and medical assistance provisions. Concerning the international obligations, Romania adhered to the international documents which refer to the rights of children with disabilities. So, international principles concerning these children have been transposed in the national legal normative framework. But from the analysis of the specialty literature we notice that there is a discrepancy between the existent legal provisions and their application in practice. So, specialists recommend the development of some efficient protection programs for this category of vulnerable children. There is no general strategy of coordination for this type of programs.

For England, the situation of legislative regulations concerning the education of children with SEN has made remarkable progress in recent years by adopting specific laws not just provisions in general Legislation as we have encountered in the case of Romania.

In France, the Legislation is more focused on disability; after 2015 important regulations are implemented on education of children with SEN.

From the statistical point of view, for England and France we have a general vision on the situation of children with SEN because these countries are part of *European Agency for Special Needs and Inclusive Education*. In its reports, the Agency presents once every two years the statistical situation of children with SEN in all the member countries. About the statistical data from Romania, we have encountered difficulties because we do not have a clear general situation concerning with SEN and disability. That is why it is important that in the future Romania should adhere to *European Agency for Special Needs and Inclusive Education*.

Bibliography

Apostu, O. (2009). *The Situation of Children with Special Educational Needs Included in the Mass Educational System, UNICEF*. <http://www.unicef.ro/wp-content/uploads/Situatia-copiilor-cu-cerinte-educative-speciale-inclusi-in-invatamanul-de-masa.pdf>.

Ciobanu, Grasu, M. (2012). Challenges and Dilemmas in Educating Children with Disabilities, in *The Quality of Life, XXIII, nr.1, pp. 63-68*. <http://www.revistacalitateavietii.ro/2012/CV-1-2012/04.pdf>.

European Agency for Special Needs and Inclusive Education. (2016). *Country Policy Review and Analysis United Kingdom (England)*. [https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20UK%20\(England\).pdf](https://www.european-agency.org/sites/default/files/agency-projects/CPRA/Phase1/CPRA%20UK%20(England).pdf)



Department for Education in England (2015), *Special Education Needs and Disability: supporting local and national*. <https://www.gov.uk/government/publications/send-supporting-local-and-national-accountability>

Manea, L., 2006, Disability as a Risk Factor Concerning the Access to Education Services, in the Quality of Life, XVII, nr. 1-2, pp. 41-50, <https://www.revistacalitateavietii.ro/2011/CV-1-2011/06.pdf>.

National Authority for People with Disabilities in Romania (2018): *Statistical Bulletin*. <http://anpd.gov.ro/web/wp-content/uploads/2019/03/BULETIN-STATISTIC-ANPD-TRIM-IV-2018.pdf>.

OMS (2012). *International Classification of Functioning, Disability and Health, Children and Young Adults version (CIF CT)*, World Health Organization, Ministry of Labor, Family and Social Protection, Alpha MDN Publishing House, Buzău.

OCDE. (2007). *Politics in Education of Pupils at Risk and Pupils with Disabilities in South-East Europe*. <https://www.oecd.org/countries/romania/38614298.pdf>

OMS, 2004, *International Classification of Functioning, Disability and Health (CIF)*, World Health Organization, Romanian version with the help of UNICEF, Marlink Press.

OECD. (2000). *Special Needs Education. Statistics and Indicators*, Paris.

Sălceanu, C. (coordinator). (2018), *Personality and Cognitive Ability. Studies and Applications on the Field of Human*, Vol. II. Craiova: Sitech Publishing House

Stanciu, M. (2013). *The Situation of Children with Disabilities in Romania*, UNICEF. <http://www.unicef.ro/wp-content/uploads/Raport-Copiii-cu-dizabilitati.pdf>.

Velişco, N., Bulat, G. (2017). *Inclusive Education: Course Unit*, revised and completed edition. Chişinău: Bons Offices Publishing House, edited with the support of Lumos Foundation Moldova.

Vrăsmaş, T. (2015). *Special Needs and Disability in Education. An International Perspective*. Bucharest: Didactic and Pedagogical Publishing House.

Vrăsmaş, T. (2013). *Special Educational Needs in Psychotherapy*, in *Guidelines – Education Science Magazine*, nr. 4/2011, pp. 20-37. <https://www.ceeol.com/search/article-detail?id=16281>

Vrăsmaş, T., (coordinator). (2010). *School Inclusion of Children with Special Educational Needs, Aspirations and Realities*. Bucharest: Vanemonde Publishing House.

WHO. (1980). *International Classification of Impairments, Disabilities and Handicaps*. https://apps.who.int/iris/bitstream/handle/10665/41003/9241541261_eng.pdf;jsessionid=5586108611E4D30FCA348B154E8D1D00?sequence=1

https://eacea.ec.europa.eu/national-policies/eurydice/content/special-education-needs-provision-within-mainstream-education-56_ro

<https://ro.thpanorama.com/blog/psicologia/qu-es-el-informe-warnock.html>

[http://statistici.insse.ro:8077/tempo-online/projects/CPRA/PhaseI/CPRA%20UK%20\(England\).pdf](http://statistici.insse.ro:8077/tempo-online/projects/CPRA/PhaseI/CPRA%20UK%20(England).pdf).

<http://www.essay.uk.com/free-essays/education/history-special-educational-needs-uk.php>

<https://www.european-agency.org/country-information/france/legislation-and-policy>

<https://www.european-agency.org/country-information/france/systems-of-support-and-specialist-provision>



Faculty of
Psychology and
Educational Sciences
"Ovidius" University
of Constanta, Romania

BLACK SEA JOURNAL OF PSYCHOLOGY



www.bspsychology.ro



9 772068 464001



<https://www.european-agency.org/sites/default/files/agency>

<https://www.european-agency.org/about-us/who-we-are>

<https://www.european-agency.org/country-information/france/legislation-and-policy>

<https://www.european-agency.org/country-information/uk-england/legislation-and-policy>

<https://www.european-agency.org/about-us/who-we-are/structure>

<https://www.prostemcell.ro/social/noi-beneficii-si-facilitati-pentru-persoanele-cu-dizabilitati.html>

<https://www.rescare.org.uk/history-of-legislation-on-disability-2/>

https://www.right-to-education.org/sites/right-to-education.org/files/resourceattachments/Salamanca_Statement_1994.pdf

*** Standard Rules on Equal Opportunities for People with Disabilities, UN General Assembly Resolution, nr. 48/96 of 1993.

*** Law nr. 19/2002 for the approval of the Government Emergency Ordinance, nr. 102 of June 29, 1999 on the Special Protection and Employment of Persons with Disabilities, published in the Official Monitor, Part I, nr. 310 of June 30, 1999.

***ORDER Nr. 18/3989/416/142 of February, 2003 regarding the approval of the Methodological Guide for the Evaluation of the Child with Disabilities and Classification in a Degree of Disability published in: The Official Monitor of Romania, nr. 538 bis of July 25, 2003.