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Evaluation of the Status of Inclusive Education in Law and Practice in Turkey and the European Context

Engin Yılmaz¹

Eskisehir Osmangazi University, Eskisehir, TURKEY

Macid Ayhan Melekoğlu²

Eskisehir Osmangazi University, Eskisehir, TURKEY

Abstract

Inclusive education is defined as education practice in which the needs of individuals with special needs are determined, accompanied by the guidance of individualized education program and the provision of the necessary supportive education services, and with their peers in general education classes. While national and universal legal regulations state the right to education of the individual as the most basic right, inclusive education in which the vast majority of individuals with special needs are involved is also legally secured. The aim of this study is to descriptively examine the situation of inclusive education related legal regulations and laws in practice in Turkey and Europe. In this direction, the Google Academic search engine was first screened with the keywords "mainstreaming law" and "inclusion law". In addition, screening was carried out by the authors with the keywords "mainstreaming" and "inclusion" in the National Thesis Center of the Council of Higher Education. Besides, the database of Eskisehir Osmangazi University Library has been screened online with the "inclusive education law", "inclusive education act", "inclusive education Europe", "inclusive education policy" and "inclusion" keywords. Some countries examined in this study were Turkey, United Kingdom, Sweden, Denmark, Spain, Greece and Lithuania, and although inclusive education is based on laws and regulations in those countries, problems and shortcomings are observed in implementation. On the contrary, in other countries examined in this study, Italy and Ireland, it can be said that there is no problem in the implementation of regulations. It is considered that through such practices including arranging class size of an inclusive classroom for students with special needs, supporting those inclusive classrooms with support teachers educated in the field of special education, having schools the responsibility to prepare individualized education plan for students and evaluate the achievement of the targeted goals at the end of the school year, providing in-service training to principals and teachers, preparing internet based educational software to reach the information easily, getting support of the non-governmental organizations for works related to special education such as

¹ Corresponding author: PhD. Student, Eskisehir Osmangazi University, Department of Special Education, e-mail: [enginyilmaz59\[at\]gmail.com](mailto:enginyilmaz59[at]gmail.com)

² Assoc. Prof., Eskisehir Osmangazi University, Department of Special Education, e-mail: [macidayhan\[at\]gmail.com](mailto:macidayhan[at]gmail.com)

in the Irish example more successful implementation of inclusive education practices will take place.

Keywords

Inclusive Education, Legal Regulations in Special Education, Descriptive Analysis.

Inclusion is defined as education of students with special needs with the necessary support services on a full or part-time basis in the least restrictive educational environment, where is considered general education classes (Eripek, 2007). Besides, Sucuoğlu and Kargın (2006) define inclusion as maintaining education of students with special needs in same schools and classrooms where their peers attend. Additionally, inclusive education is defined as “an implementation of special education based on education of the individuals with special needs with their typically developing peers together by providing support education services in public and private early childhood, elementary, secondary and non-formal education institutions” in the Special Education Services Regulation (Ministry of National Education [MEB], 2006).

With regard to inclusive education, the annual education statistics report published by the Ministry of National Education Strategy Development Presidency in Turkey indicate that the number of students with special needs has been increasing in inclusive classrooms each year. According to the report, the ratio of students with special needs in inclusive classrooms was 70% in 2011-2012 school year, 73% in 2012-2013 school year, 71% in 2013-2014 school year, 71% in 2014-2015 school year, 70% in 2015-2016 school year, and 73% in 2016-2017 school year (MEB, 2018). The fact that the proportion of students with special needs on inclusive education is high among all students in special education system indicates that inclusive education is a matter to be emphasized, and if emphasis is placed on rehabilitation studies, the results will affect a large population. In this direction, social, cultural, educational and legal arrangements are made concerning the individuals who constitute the quantitative majority within the scope of special education and participate in the inclusive education, and the inclusive education is included in many national and international legal regulations.

Educating individuals with special needs in general education classes is not a new idea. Changes in general and special education fields, the importance of human being in the sciences of psychology and sociology, and the developments in the field of human rights have contributed to evolution of the idea of inclusion. Along with differences in practices today, many countries are adopting the idea of inclusion (Sucuoğlu and Kargın, 2006). According to the related literature, for example while initially the term “mainstreaming” but later “inclusion” was historically used in the United States, such terms including “mainstreaming, education together, inclusion” has been used for this concept in Turkey (Diken and Batu, 2010, Mastropieri and Scruggs, 2004; Salend, 2008). Long after P.L. 94-142 Education for All Handicapped Children Act, which was enacted in 1975 in the United States, was also adopted in other countries, the inclusive education was legally adopted by the Children with Special Educational Needs Law No. 2916 in 1983 in Turkey. It should also be stated that inclusive education practices have started in accordance with the law, not the people's needs and requests in Turkey (Diken and Batu, 2010).

Inclusive Education in Legislations in Turkey

In Turkey, there are some legal regulations concerning inclusive education of individuals with special needs. Some of these legal regulations consist of laws, decrees, regulations and circulars as follows: Law on the Individuals with Disabilities No. 5378 (Ministry of Family and Social Policy [ASP], 2005), Decree law on Special Education No. 573 (MEB, 1997), Regulation on Guidance and Psychological Counseling Services

(MEB, 2001), Regulation on Special Education Services (MEB, 2006), Circular on Inclusive Education Practices (MEB, 2008), Circular on Project of Dissemination of Inclusive Education in Preschool Period (MEB, 2009), Circular on Opening Resource Room (MEB, 2015).

Considering the legal regulations mentioned above in Turkey, inclusive education takes place in the following way: In Decree Law on Special Education No. 573 (MEB, 1997), there is this statement: "Education of individuals with special needs continues with their peers in all types and stages of schools and institutions by using adequate methods and techniques in accordance with their individualized education plans." As another legal regulation, in the 15th Article of Law on the Individuals with Disabilities No. 5378 (ASP, 2005), it is emphasized that individuals with disabilities cannot be hindered from receiving education for any reason; they need to receive education by taking their special circumstances and differences into consideration, in integrated environment where they live, on the basis of equality, without discrimination for lifelong education opportunities; inclusive education plans that will allow them to receive education in the general education system at all levels need be provided; students with special needs need to receive education with their typically developing peers. In addition, in the Regulation on Special Education Services (MEB, 2006), it is indicated that individuals with special needs must be educated in the same institutions with their peers; they can receive part-time or full-time inclusive education; Individualized Education Program (IEP) must be prepared according to educational performance and needs; IEP Development Unit and resource room need to be established. Besides, in the same regulation, it is pointed out that in early childhood schools there must be maximum of 10 students when there are two students with special needs, and maximum of 20 students where there is one student with special needs in a classroom. In other levels of education, there must be maximum of 25 students when there are two students with special needs, and maximum of 35 students where there is one student with special needs in a classroom. As another legal regulation, in the Regulation on Guidance and Psychological Counseling Services (MEB, 2001), it is expressed that when there are students with special needs or inclusive education is maintained, one of the duties of the school psychological counselor is to provide guidance and psychological counseling services to those students and their families in cooperation with guidance and research centers. In addition to the legal regulations related to inclusive education in Turkey, inclusive education is based on a legal ground in international legislations.

Inclusive Education in International Legal Regulations

When international legal regulations are examined, the Salamanca Declaration and the Convention on the Rights of the Disabled are at the forefront among international conventions declared by the United Nations regarding education of individuals with special needs. The Salamanca Declaration was accepted by a committee consisted of educators, administrators, specialists and institutional representatives from 92 states and 25 institutions and assembled in 1994 in Salamanca city of Spain to disseminate inclusive education and education for all practices for children with special needs. Although inclusive education is not a directly mentioned concept in this declaration, it is stated that the opportunities to attend normal schools need to be provided for individuals with special needs and these schools need to meet the needs of these students within a child centered education system. It is also stated in this report that normal schools are the most effective means of fighting against the discriminative attitudes towards individuals with special needs and creating an accepting society. Besides, it is required

from all governments that all children need to be enrolled in normal schools and inclusive education principle needs to be accepted as a legal and political issue (Dede, 1996).

As another international convention, the Convention on the Rights of Persons with Disabilities (Ministry of Foreign Affairs of the Republic of Turkey, 2009) states that parties to the convention (the United Nations and Turkey) need to provide equal opportunities in education for individuals with disabilities and make necessary arrangements so that individuals with disabilities are not excluded from the general education, they are integrated in the environment they live in, reasonable arrangements are made according to their needs, they receive the support they need within the general education system, and they can receive elementary and secondary education equally as other members of the society. Although concepts are defined by different names in the convention, while inclusive education is expressed in the sense that individuals with special needs are educated in the general education environments at the basic level with their typically developing peers; accommodations are used to indicate preparation of IEP and the necessity of making physical arrangements. According to the report of the European Agency (2018), an independent platform aimed at cooperating with the ministries of education of member states in the European Union, the current situation in some European countries related to inclusive education in Europe has been presented.

Inclusive Education in Europe

In this section of the study, there are information on individuals with special needs and inclusive education; legal regulations, budgeting, determining the need for special education, and information on special education and teacher education within the education system in some member states of the European Union (while identifying these countries it is required that an article needs to be published on inclusive education in that country in the databases searched with the keywords mentioned in the method section; European Agency, 2018a).

Inclusive education in Italy. The Constitution of Italy states that the Italian Republic guarantees provision of education for all (Article 34) and compulsory education must be completed (Article 2). In addition, the third article states that the state will equally support people's development and remove the obstacles that impede their freedom. The Italian education system is founded on the principle of subsidiarity and autonomy. The state shares the responsibility for legislative competence with local authorities. Schools show autonomy in educational, organizational and research activities. This autonomy means that schools can be flexible in adapting teaching time, making changes to the curriculum, and providing accommodations on education of children with learning difficulties. Schools can provide supportive education in terms of social, cultural and economic context (European Agency, 2018b).

Before inclusive education, there were schools for students with special needs and under-performing students in Italy. Inclusive education started in 1971 in Italy. According to the the Ministerial Directive on 27 December 2012; a general framework for the identification and inclusion of students with special educational needs has been established. The concept of disability includes specific learning disabilities, developmental disorders, social, economic and cultural deficiencies, language disorders and need for special education/protection. In this context, it is necessary to develop more individual and personal education plans and implement more inclusive education in classrooms (European Agency, 2018b).

In Italy, individuals with special needs generally attend schools providing inclusive education at all levels of education, and these individuals can receive compulsory education until the age of 18. A maximum of two students with special needs may be enrolled in a class in which inclusive education is practiced, and these classes are arranged so that the total number of students does not exceed 20. An IEP is prepared for students with special needs within a process including teachers, health personnel, family and other specialists. Starting from the 2013-2014 academic year, each school prepares "Education Policy Plan". According to this plan, schools measure their competence on inclusive education and report to the Ministry of Education at the end of school year (European Agency, 2018b).

Inclusive education in England. The United Kingdom (UK) education system consists of separate legislations for England, Wales, Northern Ireland and Scotland, and has many regional differences. The Children and Families Act, which was enacted in England in 2014, is a law in which the duties related to children's education are clearly defined and put into practice. This law gives the administrators the responsibility for the provision of educational services. Within the framework of the the Education Act for Individuals with Special Educational Needs, which was enacted in 1996 in the UK, the Child and Family Act also imposed certain duties on administrators. Besides, Learning and Skills Act, issued in 2000, has created administrative regulations for individuals with learning disabilities and special needs (European Agency, 2018c).

The Child and Family Act states that special educational needs of children and young people (up to 25 years of age) need to be identified, and they need to be assessed to determine how to benefit from educational, medical, psychological and other supportive services for education, health and care needs. According to this legislation, an education, health and care plan must be formally formulated to meet the identified needs. According to UK laws, state-funded schools are obliged to provide the best education for children and young people with special needs. According to the Childcare Act, local authorities in the UK are required to provide 570 hours of early childhood education services to children with or without special needs aged three to four in minimum of 38 weeks annually. This responsibility for early childhood education services has been given to schools and local authorities. Furthermore, according to the Child and Family Act, it is compulsory for children and young people with special needs to be educated on the inclusive education settings or in separate educational institutions (European Agency, 2018c).

Inclusive education in Denmark. There are some laws that regulate the education and instruction activities of children, young people and adults in Denmark. Except the Act on Special Education for Adults, other educational issues related to special education are covered by general education laws. The Act on Special Education for Adults, issued in 1980, legally guarantees the education of individuals with physical and psychological disabilities. There is no legal regulation for special education other than this law. Compulsory education includes individuals aged 6-18 years. Families can send their children to a private school or state school (Folkeskolen). Private schools are recognized by the Ministry of Education as educational institutions at the same level as state schools. While 86% of Danish children are educated in Folkeskolen, 14% of students go to special education schools (European Agency, 2018d).

In Denmark, all schools are obliged to provide special education services when needed, and some schools have created special classes or some schools have been converted into special education schools. According to the Folkeskolen Act; special education opportunities are offered when complementary education is inadequate for

students. If a student needs more than nine hours of special education support per day, the student is directed to special education schools. If the student needs less than nine hours of special education support, s/he continues to attend a normal school. This law was adopted in the Danish parliament in May 2012. Denmark restricts special education services for financial reasons and requires schools to direct students less to special education classes or schools by providing educational intervention solutions within regular classrooms (European Agency, 2018d).

Inclusive education in Ireland. Important legal regulations have been carried out in Ireland for the education of children with special needs. The state has made legal arrangements that guarantee the right to education for these students to receive appropriate education according to their needs. These legal regulations include Education Act (1998), Equal Status Act (2000), Equality Act (2004), Education (Welfare) Act (2000), Data Protection Act (1988 and 2003), Education for Individuals with Special Educational Needs Act (2004), and Disability Act (2005). The Irish Department of Education and Abilities has established the foundations of educational policies within these laws. Other government agencies also perform other procedures related to the education of children with special needs (European Agency, 2018e).

Education for Individuals with Special Educational Needs Act (2004) encourages inclusive education of individuals with special needs. In this law, the school administration and teachers are given the responsibilities of identifying and diagnosing the educational needs of students with special needs and preparing IEP. In addition, this law also offers families some rights related to their child's special education needs. In Ireland, on the other hand, there is an organization called "Inclusion Ireland" which supports the families of individuals with intellectual disabilities and all the institutions associated with them. This organization has prepared summaries of studies that have been done in the annual report. Inclusion Ireland has established a family communication network for families of individuals with special needs, set up regional offices, organized various education activities, tried to resolve the shortcomings of counseling, arranged toilets in public places according to the needs of individuals with physical impairments, established rehabilitation services, met and exchanged opinions with the Minister of Education and Abilities, followed legal regulations and practices, and provided support to individuals with disabilities, their family members and other related individuals by offering various trainings (Inclusion Ireland, 2014).

Inclusive education in Sweden. The Swedish education system is formed in accordance with the Swedish Education Act, and the basic principle of the law is to provide education for everyone equally from childcare to transition in school and adult life. Under this law, students who need special support are defined as a different group than other students and the rights of these students are determined separately. The school administration is given the responsibility to prepare action plans for these students. Teachers, parents and special education teachers develop this plan in collaboration as a team. This plan identifies the needs of students, specifies the conditions to meet those needs, measures student's development, and allows changes in its content. The Swedish education system has the philosophy that all students have the same rights in terms of personal development and learning experiences. Although the term "inclusion" doesn't appear in the law, it is encouraged that all students should be in general education classes and child care groups. There is also a special program - sårskola- for individuals with learning disabilities. This program has been executed since 1996 by the local school administrators of the municipalities (European Agency, 2018f).

Inclusive education in Spain. The general laws for the Spanish education system are the Spanish Constitution (1978), the Act on the Right to Education (1978), the Act on Education (2006), and the Act on the Improvement of the Quality of Education (2013). The Spanish Constitution states that education-related rights of all citizens are guaranteed by the state. The Act on the Improvement of the Quality of Education (at the national level) guarantees that the right to education is provided within the legal framework. The state is responsible for providing free, compulsory education to all citizens until the age of 16. The Ministry of Education, Culture and Sports is responsible for education services in central administration (European Agency, 2018g).

Participation of students with special needs in the education system is carried out by inclusive education practices, normalization studies and without discrimination. Special education for these students can last until the age of 21. According to the Law of the Kingdom of Spain, individuals with special needs must be educated in inclusive schools and according to inclusive education curriculum. If it is not appropriate for a student to attend an inclusive school, the student is educated in a special education school. The education system provides the necessary support for the success of individuals with special needs in general education schools. The Act on the Improvement of the Quality of Education mentions four groups that need special education. These groups consist of students with special needs, gifted students, those who are late to the Spanish education system, and students with specific learning disabilities (European Agency, 2018g).

In addition, it is stated in legislation related to education that individuals with special needs may be educated in special education schools or in schools where inclusive education is provided. Therefore, students with special needs can continue to the schools where inclusive education is provided as long as education plans are prepared in accordance with their performances. A new framework has been set up according to the Act on the Improvement of the Quality of Education, and services have been provided to gifted students, students with special needs and immigrants in the context of normalization in education. In this context, individuals with special needs are required to participate in special education classes in inclusive general education schools or in general education classes based on performance and abilities. As a result, the Act on the Improvement of the Quality of Education is developing and disseminating educational requirements related to the inclusive education practices developed in the previous legislation (European Agency, 2018g).

Inclusive education in Greece. The Greek education system offers free education to all citizens at every socio-economic level, and education between the ages of six and fifteen is compulsory. The general approach in Greek law is that all Greek citizens have equal rights and responsibilities without discrimination between men and women. According to the law no 2817/2000; students with intellectual disabilities, hearing impairments, neurological or orthopedic impairments or serious heart problems, speech and language disorders, specific learning disabilities (such as dyslexia), autism or developmental disabilities are defined as students with special needs. The legal regulations on special education also include the inclusion of individuals with special needs into schools where inclusive education for all students is provided (European Agency, 2018h).

Diagnostic Assessment and Support Centers prepare IEP for students and this practice is part of implementation of inclusion laws in schools. According to the law no 2817/2000, special education services are provided to these students in the schools where the inclusive education is provided from the age of four to 22. According to this law, students are placed in normal classes with the support of the teacher assigned by

Diagnostic Assessment and Support Centers. In summary, the law 2817/2000 regulating the education of individuals with special needs facilitates the provision of free public education to all individuals with special needs and the provision of free counseling by Diagnostic Assessment and Support Centers. In addition, Greek sign language and Braille courses are organized and support services are provided for inclusive education arrangements. Besides, there are continuing programs that support early education, and practical educating opportunities are provided for teachers, trainees, educators, social workers, psychologists and other specialists (European Agency, 2018h).

Inclusive education in Lithuania. One of the main legal regulations concerning the education of individuals with special needs in Lithuania is the Education Reform Act, issued on 25 June 1991. With this law, people with disabilities are given the right to work, education and travel. In addition, all citizens with disabilities have the same rights as other citizens of the Republic of Lithuania, regardless of the type and degree of the disability. Another legal regulation concerning the education of students with special needs is the Act of Special Educational Provision for Children with Special Educational Needs in Mainstream Educational Institutions issued in 1993. Under this law, inclusive education curriculum, special education practices, and IEP are used in the classes where inclusive education is provided. In addition, a class for partial inclusion or a special education class can be established (European Agency, 2018i).

After Lithuania gained independence, the Lithuanian Ministry of Education urgently needed to develop special education practices in order to adapt it to the United Nations Universal Declaration of Human Rights, the United Nations Children's Rights, the Salamanca Declaration and the World Education Forum (Dakar). Every year in Lithuania, the number of students receiving special education services are increasing. In the 2010-2011 academic year, the number of students with special needs attending to inclusive schools was determined as 41.600, which is equivalent to 10.1% of all secondary school students. Besides, in the 2010-2011 academic year, it was determined that 3.860 students were educated in 62 special education schools, and this data indicates that 9.2% of the students with special needs were educated in separate special education schools. It is necessary for the students to initially receive education in schools where inclusive education is provided. There is a decrease in the number of students attending special education schools. While 1.1% of students with special needs continue segregated special education schools according to statistics, 89% of them are going to general education schools. Inclusive schools offer curricula, specially trained personnel, IEP and specific hands-on methods (European Agency, 2018i).

It is observed that various legal regulations have been carried out on inclusive education in different countries in Europe and in Turkey, and there are differences in reflection of these regulations in implementation. Related literature on laws and implementation of inclusive education in Turkey yielded that there is a limited number of studies, and in this study, it is intended to focus on the lack of the literature. In a study related to the topic conducted in Turkey (Vuran and Yücesoy, 2003), inclusion has not been specifically addressed but it is expressed that in general, laws in special education are reflection of the European Union inclusion process, however whether or not implementation of the legislation exists in implementation has not been expressed precisely. This study focuses on inclusive education in the context of special education, and aims to put forward the theory and practice related to legal regulations in Europe and Turkey. In addition, it is believed that demonstration of reflection of current system related to inclusive education in theory and practice in European countries which are considered as developed countries and in Turkey will provide important information

and suggestions for professionals, policymakers and other stakeholders involved in inclusive education.

The aim of this study is to describe how inclusive education is organized by laws in Turkey and Europe, and reveal the current situation regarding the implementation of inclusive education according to research related to the implementation of laws. For this purpose, following questions are sought to answer: (i) What are the legal regulations related to inclusive education in Turkey and Europe?; (ii) What are the similar and different aspects of physical and instructional accommodations related to inclusive education?; (iii) To what extent are laws reflected to implementations? Within the scope of this research, it is expected that the information obtained from nine countries related to the current status of legal arrangements about inclusive education and reflection of those arrangements to implementation will set the base for future research, and implications of this study will contribute to national and international literature.

Method

Research Design

This study was designed according to qualitative research design and case study method was used. In this research, studies conducted on how inclusive education exists in current legislations prepared for individuals with special needs in Turkey and Europe, and current situation of inclusive education in practice were analyzed descriptively. In this study, data were gathered from Eskisehir Osmangazi University remote access library database and Higher Education Council database by using the keywords. The data obtained within the scope of the study were analyzed by document analysis method.

Data Collection and Analysis

In order to investigate the legal and practical situation of inclusive education, firstly, the keyword "mainstreaming law" and "inclusion law" were used to search in Eskisehir Osmangazi University remote access library database. When the results of the search were analyzed, the titles and abstracts of the studies were examined to decide whether or not studies should be included in research. In addition, a search was carried out by the authors who conducted this study with the keywords "mainstreaming" and "inclusion" in the National Thesis Center of the Council of Higher Education. As a result, five theses were reached on the subject (Akcan, 2013, Çerezci, 2015, Güzel, 2014, Sadioğlu, 2011, Zeybek, 2015). In addition, the online database of Eskisehir Osmangazi University Library has been searched with the following keywords: "inclusive education law", "inclusive education act", "inclusive education Europe", "and inclusive education policy", "inclusion". Aforementioned keywords were selected because they are assumed as comprehensive Turkish and English words to reach studies on inclusive education in Europe and Turkey. Search results yielded two national and 11 international studies. The article search was conducted in English and Turkish languages. In the selection of the articles, the articles providing information about the application of inclusion and evaluating the laws related to inclusion in the country were selected. After searching the databases, the legislation section of the website of the Ministry of National Education (www.meb.gov.tr) has been examined for the legal regulations in Turkey. In addition, information on legislative arrangements regarding inclusive education practices in Europe has been obtained from the websites of the education ministries. While collecting data within the scope of this study, no date range was set, but information that was near to the time of January 2018, when the search was conducted, was preferred.

In the process of analyzing the data obtained in this study by document analysis method, evaluation was executed in terms of research results related to a) general legislation, b) legislation related to inclusive education, c) statistical data related to special education, d) research results related to the applications of legislations. As a result of the literature review, research was primarily conducted in nine countries to examine the status of implementation of inclusive education in Turkey and European countries. The criteria to include countries in Europe in this study was to have articles on the theory and practice of the inclusive education in the country as a result of searches with the keywords. In this context, six studies on Turkey, three studies on Italy, two studies on Ireland, and one study on each of the following countries England, Sweden, Denmark, Lithuania, Spain and Greece were reached. In addition, one study that focuses on Bulgaria and Bosnia and Herzegovina at the same time was included in this study, and this study also evaluated inclusive education across Europe.

In qualitative studies, researchers' coding is compared to determine the reliability of collected data. The studies included in this study were evaluated using a research recording form. By using the form, the keywords, abstracts and the country criteria to be included in the study were compared. The determination of the reliability ratio is calculated by using the following formula: $\frac{\text{agreement on coding}}{\text{disagreement on coding} + \text{agreement on coding}} \times 100$ (Miles and Huberman, 1994) in the coding. If the calculated ratio exceeds 80%, the result of the reliability of the collected data is reached (Kabakçı Yurdakul, 2013). Keywords were examined by the first author according to the title, abstract, content criterion. Half of the total studies (n=9) included in the study were selected by random selection and red by the second author. In compared forms, 88% was determined by using the formula.

Results

Studies in Turkey

The requirements to prepare IEPs for students, establish IEP Development Units in educational environments, regulate class size according to the number of students with special needs in the classroom, continue education of students with special needs in the same educational institutions as their normally developing peers, open resource rooms, and inform families are listed in legal regulations related to inclusive education of individuals with special needs in Turkey. Sadioğlu (2011) identified that physical arrangements were not made, families were not informed and IEP Development Units were not established in schools where inclusive education was provided. In addition, Akcan (2013) indicated that inclusive classrooms were not arranged according to the number of students with special needs and IEP Development Units were not established. Besides, Güzel (2014) emphasized that physical arrangements were not made, IEPs were not prepared, and families were not informed in schools where inclusive education was provided, class sizes were not organized according to the number of students with special needs. Additionally, similar to other studies, Melekoğlu (2014) asserted that although IEP was prepared for 98.1% of students who participated in the study, 85.2% of students did not receive appropriate education according to their individual differences. In another study, Çerezci (2015) determined that teachers prepared IEP but were not sufficient in practice, they were not competent at preparing and implementing family education programs, and their level of making arrangements in physical and educational settings of schools were low. Furthermore, Zeybek (2015) conducted a study on implementation of legal arrangements on inclusive education in Turkey, and results yielded that IEPs were not prepared for students with special needs and physical arrangements were not made in inclusive environments.

Studies in Europe

It is estimated that more than one billion people in the world are disabled (Kanter, Damiani and Ferri, 2015, World Health Organization, 2011). Some individuals with disabilities are able to receive education on equal conditions with their normally developing peers but many individuals with disabilities do not receive any education at all. In 2006, United Nations accepted the Convention on the Rights of Persons with Disabilities. Article 24 of this Convention states that the participating countries should "guarantee the inclusive education of individuals with disabilities at every level and for a lifetime". Kanter and colleagues (2015) assessed the extent to which the requirements set out in Article 24 of the Convention on the Rights of Persons with Disabilities were implemented in the context of inclusive education in Italy. The researchers expressed that Italy is a leading country on inclusive education. It is stated that Italy where individuals with disabilities can participate on inclusive education at every level and in their lifetime can help other countries in terms of application of Article 24. Italy is the country where individuals with special needs are educated in the highest ratio in general education classes in the world (Giangreco and Doyle, 2012; Kanter et al., 2015). It is also estimated that 98% of the individuals with special needs and 93% of the individuals with autism spectrum disorder are in the classroom where inclusive education is provided in Italy (DiNuovo, 2012; Kanter et al., 2015). These ratios indicate that Article 24 of the Convention on the Rights of Persons with Disabilities has been applied in Italy, and the vast majority of individuals with disabilities are included in inclusive education.

In another European country, in the UK, a study on inclusive education practices by Norwich (2014) states that the government is hiding behind the phrase "there is prejudice against inclusion" rather than developing suggestions appropriate for the state's inclusive principles. Additionally, it is stated that the policies and practices on special education and disability issues should be strengthened and economic dynamics should be possessed. As another European country, in Denmark, in their study of inclusive education, Ensigig and Johnstone (2015) expressed the influence of the Salamanca Declaration and the legislation implemented in the United States on education policies related to inclusion in the last 15 years. A law issued by the Danish Parliament in 2012 allows a student to be directed to a separate special education school or classroom when the educational needs of the student cannot be met by nine hours of support education. The target of Denmark is that 96% of all students are educated in general education classes. This target requires approximately 10.000 students with special needs to be taken from special education schools and placed in general education classes. This situation raises the problems of Danish teachers' lack of pedagogical education and competence to support these students.

In their study on the inclusive education practices in Ireland as a European country, Drudy and Kinsella (2009) indicated that the Irish education system has made significant progress towards full inclusion in four areas (social status, gender, ethnicity and disability). Since the early 1990s, there have been important political developments and legal regulations have been made in Ireland. With these changes, equality in education has increased and inclusion practices have become widespread in schools. In addition, the number of graduates without diploma from the school has decreased.

As another European country, in Sweden, a study on inclusive education practices by Göransson, Nilholm and Karlsson (2011), noted that, within the context of the educational support of students with special needs, the Swedish inclusive education system consists of a single line that all students would follow. According to the analysis

on the Swedish education system, three themes emerged: values and objectives, placement and organization of pupils, and the importance of special needs category in providing support. As a result of this analysis, a very complicated picture emerged. Government policy leaves many unclear points for interpretation on municipal and school levels, and this situation leads to widespread dissimilarities in practice. According to the researchers, Swedish state policies are not sufficiently inclusive, as generally stated. It seems difficult to achieve positive views towards differences in the Swedish education system. Most students seem to like going to school and the Swedish classes are defined generally as democratic.

In her study on inclusive education practices in Lithuania, Spain and Greece, Genova (2015) indicated that inclusive education is the key approach according to the European Disability Strategy 2010-2020. In this study, information was obtained from the local organizations related to the individuals with disabilities in Lithuania, Spain and Greece, and the application of European Union policies on inclusive education practices was evaluated. As a result of the study, it was determined that there are cultural and traditional obstacles as well as physical obstacles to reach inclusive education, according to the views of 58 youngsters with disabilities. Those obstacles show that Lithuania, Spain and Greece have set out a contrary approach to European Union policies. Besides, Tskova and Becirevic (2009) examined the developments on inclusive education in Bulgaria and Bosnia and Herzegovina in the context of participation to the European Union. The study focused on the perspective of policymakers regarding inclusion, and significant similarities were found in the perceived and applied inclusive education reforms for both countries. However, as a result of the analysis, it has become clear that there is a need for strong cooperation and association at the regional level with regard to the laws and their implementation in two countries.

Discussion and Conclusion

In the education of individuals with special needs, inclusive education is regulated by law and applied in educational environments in Turkey and Europe. It is emphasized that inclusive education is carried out in general education classes with peers and physical and instructional arrangements. The inclusive education has been placed on the legal basis at national and international levels and necessary regulations have been made. Legal regulations developed regarding inclusive education and the status of the application of those regulations in Turkey and Europe are discussed in this study.

In general, it is indicated about inclusive education that individuals with special needs must be educated in the general education classroom with their peers, IEP Development Unit must be established and IEPs must be prepared, class size must be organized according to the number of students with special needs, and students must be benefited from resource rooms. In practice, results of (Sadioğlu, 2011; Akcan, 2013; Güzel, 2014; Melekoğlu, 2014; Zeybek, 2015 and Çerezci, 2015) manifested that the regulations in laws are generally not reflected in implementations and there are problems in applications in Turkey.

Likewise, the legal regulations and the situation in practice related to the inclusive education of individuals with special needs have been examined in Europe. When countries are evaluated individually, the legal regulations in Italy indicates that diagnosis process of individuals with special needs must be completed properly, those individuals must receive education in general education classes after IEPs are prepared, and class sizes must be organized according to the students with special needs. Kanter and colleagues. (2015) pointed out that Italy has moved according to the Article 24 of the United Nations Convention on the Rights of Disabled Persons, Italy is a leading

country on inclusive education, and almost all the students with special needs are educated in general education classrooms with necessary accommodations. In another study, Petrella (2015) explains the situation of inclusion in laws and schools in Italy, and indicates that everyone is equal according to the Italian Constitution and people cannot be discriminated in terms of gender, language, religion, race, political view, personal and social status. In addition, the Article 34 of the Italian Constitution states that all schools are open to everyone. The inclusive education practices that began in Italy in 1971 nowadays are more egalitarian and inclusive after the regulations in the years of 2010 and 2012. In 2012, arrangements have been made to consider the individuals with special needs all together. According to those arrangements, more inclusive applications are widespread by IEPs in classrooms, and students with special needs have been included into general education schools at every level of education. In addition, schools have been given the task of removing obstacles that each student faces. In this framework, a maximum of two students with special needs have been placed in classrooms with usually 20 normally developing students, and support teachers have been assigned to each class for those students. Support teachers consist of specialists in special education. From the 2013-2014 academic year, each school has been given the responsibility to prepare IEPs for these students, and perform assessment and measurement about how well those plans were followed at the end of the year. According to the Article 128 of the law that was enacted in 2012, all teachers and principals were trained about special educational needs. In this direction, 260 courses were opened in the first stage, and 13.650 teachers were trained within two years. In addition, there are 26 educational software related to special education on the website of the Ministry of Education of Italy, and they can be easily downloaded by teachers when requested.

Evaluation of individuals with special needs, preparation of IEPs and the need for intensive education supported by the state are indicated in legal arrangements in England. In his study, Norwich (2014) noted that the state needed stronger policies and economic investments, rather than hiding behind the phrase "there is prejudice against inclusion". It is understood that the UK is experiencing problems with inclusive education.

In the legal regulations in Denmark, it is stated that when the supplementary education (additional nine hours) provided for individuals with special needs in the general education environments are inadequate, education support should be provided. In addition, Engsgig and Johnstone (2015) indicated that inclusive education has been carried out according to the universally accepted principles until 2012, but from 2012 onwards, individuals with special needs have been placed in general education classrooms from special education environments without any accommodations. At this point, the problem has arisen that teachers are not well-equipped with necessary skills.

In legal arrangements that secure the right to education for individuals with special needs in Ireland, inclusive education is encouraged, and it is stated that the educational needs of the individuals with special needs should be identified and appropriate education should be provided according to the education plans. In their research, Drudy and Kinsella (2009) stated that since the early 1990s there have been significant political developments, which in turn have increased equality in education and inclusive education practices. There is also a non-governmental organization in Ireland that supports the families of individuals with intellectual disabilities and all the institutions associated with them. This non-governmental organization, Inclusion Ireland (2014) summarized the work they have done in their annual report. According to this report; a

family communication network was established, regional offices were set up, educational activities were organized, the shortcomings of counseling were tried to be resolved, toilets in public places were arranged according to the needs of individuals with physical impairments, rehabilitation services were established, a meeting was held with the Minister of Education and Abilities to exchange opinions, legal regulations and practices were followed, and by offering trainings, individuals with special needs, their family members and other related individuals were provided support.

In Swedish legislations, it has been stated that everyone has the right to equal education, schools need to prepare an action plan for individuals with special needs, and that these students need to be educated in general education classes. Göransson and colleagues (2011) pointed out that Swedish policies are not as inclusive as generally stated, and there are problems with the practice of inclusive education.

In legal regulations in Spain, it is stated that students with special needs should be evaluated, and eligible students need to go to general education schools where inclusive education is provided and the education plans are prepared. Similarly, Greece's special education legislation also includes the inclusion of students with special needs in general education schools for all students. It is also observed that there is a tendency to comply with universal standards in the formation of Lithuanian legislative arrangements, and it is stated that the inclusive schools have been working on curriculum development, specialized personnel training, IEP preparation and development of practical method skills. Genova (2015) states that there are some barriers to inclusion in the progress of inclusive education in Lithuania, Spain and Greece, and those barriers are against the European Union policies.

Within the framework of this study, Turkey, UK, Denmark, Spain, Sweden, Greece, Bosnia and Herzegovina, Bulgaria and Lithuania were analyzed, and findings indicate that although there are regulations regarding inclusive education, there are problems in practice and the theory is not adequately realized in practice. On the other hand, Ireland and Italy were examined in the scope of this study, and it can be stated that the legal regulations on inclusive education are applied in a widespread manner.

Firstly, the regulation of class sizes for inclusive classes and the employment of support teachers trained in the field of special education in those classes can be regarded as important practices in the success of the inclusive education. In addition, giving responsibility to schools for preparation of IEPs for students and assessment of achievements in goals of education plans at the end of the school year are important practices in terms of accountability on inclusive education. Another effective practice is to provide in-service training for principals and teachers, and allow free and easy access to information by internet-based education software of ministries. Furthermore, concrete supports of non-governmental organizations, like Inclusion Ireland (2014), contribute to the realization of successful inclusive education.

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Biographical Statements

Engin YILMAZ holds a bachelors degree from the Department of Guidance and Psychological Counseling at Istanbul University. He completed his master’s degree in the Department of Special Education at Anadolu University. He is currently a PhD candidate in the Department of Special Education at Eskisehir Osmangazi University. He currently works as an assistant principal at Ozkan Halac Special Education Vocational Training School that belongs to the Ministry of National Education. His research interests include special education, inclusion, specific learning disabilities, and regulations in special education.

Macid Ayhan MELEKOĞLU graduated from the Department of Primary School Teaching in the School of Education at Selçuk University in 2001. He graduated from the University of Wisconsin-Madison Special Education Master’s Program in 2005, and Ph.D. program in 2009. He is currently a faculty of the Special Education Department in the School of Education at Eskişehir Osmangazi University. Her research interests include specific learning disabilities, reading skills assessment, reading achievement, inclusion and teacher training in special education.