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**Educational Services Provided to Immigrant Children  
With Special Needs: Comparison of the USA and Turkey\***  
**Özel Gereksinimli Göçmen Çocuklara Sunulan Eğitim  
Hizmetleri: Amerika Birleşik Devletleri Ve Türkiye  
Karşılaştırması**

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**ABSTRACT**

*The population of immigrant children has a large share of the immigrant population in the world. Likewise, children and women predominate in the immigrant population in Turkey and the United States. Access to school and special education services worldwide is a challenge for many children with special needs. Immigrant children with special needs face more challenges because of their doubled disadvantages. However, little is known about immigrant children, especially those in need of special education. Using a literature review, the rights, and barriers to access of immigrant children with special needs in Turkey and the US were discussed. In terms of policy development and implementation, the importance of higher parental acculturation in front of barriers to access to special education services is discussed as a solution as well as suggestions for general solutions.*

**Keywords:** Immigrant, Special education, Policy, Children with special needs.

**ÖZ**

*Göçmen çocuklar, dünyadaki göçmen nüfusu içerisinde büyük bir paya sahiptir. Bütün dünyada olduğu gibi Türkiye ve Amerika Birleşik Devletleri'ndeki göçmen nüfus içerisinde de çocuklar ve kadınlar ağırlıktadır. Dünya çapında okul ve özel eğitim hizmetlerine erişim, özel ihtiyaçları olan birçok çocuk için oldukça zordur. Özel ihtiyaçları olan göçmen çocuklar, çifte dezavantajları nedeniyle daha fazla zorlukla karşılaşmaktadır. Ancak göçmen çocuklar, özellikle de özel eğitime*

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*ihtiyacı olanlar hakkında çok az şey bilinmektedir. Bu çalışmada, literatür taraması metodu kullanılarak, Türkiye ve ABD'de özel gereksinimli göçmen çocukların hakları ve özel eğitim hizmetlerine erişimleri önündeki engeller tartışılmaktadır. Politika geliştirme ve uygulama açısından, özel eğitim hizmetlerine erişimin önündeki engellere yönelik sunulan genel çözüm önerilerinin yanı sıra, yüksek ebeveyn kültürleşmesinin önemi vurgulanmıştır.*

**Anahtar Sözcükler:** Göçmen, Özel eğitim, Politika, Özel gereksinimi olan çocuk

## INTRODUCTION

Families and children are becoming more and more diverse in ethnic, cultural, and economic terms, and this diversity has attracted attention in the field of special education and has started to be emphasized more. Having and raising a child with special needs can be very challenging for any parent. In addition to that, the legal status of the family, such as being an immigrant or a refugee/asylum seeker, and therefore having a different culture from the mainstream culture, might create extra hardship on families. Policymakers, practitioners, and academics highlight the need for cultural competence to facilitate the participation of families of children with special needs in the educational process (Dabkowski, 2004; Garriott, Wandry, & Snyder, 2000; Kalyanpur & Harry, 1999; Kim, 2013; Salembier & Furney, 1997).

It is very important to note that there might be differences regarding the educational needs of migrant children and refugee/asylum seeker children. However, there are some similar challenges with which many newly arrived children are met. Thus, the education system and policies always need to meet and respond to migration trends and challenges. Despite their differences in immigration status, such as documented and undocumented immigrants, and refugee/asylum-seeking families, they face similar challenges when navigating the host country. One of the biggest challenge is the newly arrived family's ability to participate in their children's education (Morales, 2015).

The high levels of immigration from Latin America and Asia to the US and the low level of fertility among the native population have resulted in a permanent change in the demographic profile in the US (Baker & Hatipoglu, 2019). The same pattern is happening in Turkey: a high number of refugees has been settling in Turkey since 2014, and their fertility rate is higher than the native population. This could result in a dramatic demographic change in the next ten years in Turkey. For this reason, it is very informative to examine migration policies, especially special education policies in the samples of these two countries. While the US is the country with the largest immigrant population in the world, Turkey is the country with the largest refugee population.

Therefore, there are similarities and differences in their approaches toward policy making regarding ethnic minorities.

### **Migration and Special Needs**

Before addressing the immigration trends and policies in Turkey and the US, this section will focus on immigrants, refugee/asylum seekers, and immigration terms that have been defined and the current worldwide migration situation.

Even though the terms *immigrants*, *refugees*, and *asylum seekers* are often used interchangeably, there are important legal status differences separating them. An immigrant is identified by the law as someone who chooses to move not because of a direct threat of oppression or death, but to improve their lives by finding work, for education, family reunion, or other reasons. They can safely return home without facing significant obstacles (UNHCR & USA, 2016). On the other hand, a refugee or asylum seeker is defined as a person who has been forced to flee their country (UNHCR & USA, 2016), however, in contrast to refugees, asylum seekers are those who have applied for asylum or refugee status but have not yet received a final decision on their application (USA for UNHCR: The UN Refugee Agency). According to the United Nations High Commissioner, 40% of the world's displaced people are children, and among refugees this rate is more than half. Eleven percent of that number is composed of children under the age five and thirty-three percent is composed of forced immigrants or asylum seekers between ages 6 and 17.

Every day, an average of 23,000 people are displaced and flee their homes to ensure safety and protection in their home country or other cross-border countries. According to the United Nations High Commissioner 2019 report, the number of international migrants reached 281 million, and almost 37 million people (12 percent of all international immigrants) were forcibly displaced worldwide (UN, 2021).

World Health Organization (WHO) stated that nearly 15 percent of any population has special needs (WHO, 2011). Among the immigration population this rate might be higher since they fled war or conflict and may have developed special needs due to

injuries and limited access to healthcare. Thus, as a result of oppression and conflict, there could be over 6.7 million people with special needs among the 45.2 million people forced to be displaced all over the world (Pearce, 2017; UNHCR, 2013).

Recent literature acknowledges that people with special needs are one of the most vulnerable groups in any immigrant group (The Sphere Project, 2011; WHO et al., 2013; International Federation of Red Cross and Red Crescent Societies, 2007; Kett et al., 2009; Kett et al., 2010; Pearce, 2017). According to the studies, many migrants with special needs were hidden in shelters, ignored in needs evaluations, and their ideas were not taken in the design of the programs. Additionally, they suffer from a lack of access to humanitarian assistance programs because of a variety of social, environmental, and language barriers, which might raise their protection risks, including violence and abuse (Reilly, 2008; Pearce, 2017).

As a result, according to the literature, immigrant children are relatively less likely to benefit from early period special education services and they face an increased risk of hindered progress during their school years.

International legal frameworks play an important role in immigrants' education rights, such as the 1948 Universal Declaration of Human Rights (UDHR), 1951 United Nations Convention Relation to the Status of Refugees and the 1967 protocol, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). These examples were all designed to protect and guarantee immigrant and refugee children's access to basic education (Bourgonje, 2010).

### **The Case of Migration and Migrant Policies in Turkey**

Turks have been constantly exposed to migration movements in the historical process, and the migration movements that started in Central Asia continued during the Ottoman Empire (Yalçın, 2004). Since the second half of the 20th century, Turkey has started to experience a very active migration process both inward and outward (Aydın, 2020). For instance, the migration from rural areas to urban centers, which started after 1950 in

Turkey, increased gradually after 1990 (Adıgüzel, 2019). In terms of geographical location, Turkey is in a central location for both east-west and north-south migration routes. While Turkey was a transit country until the 1980s, especially after the 1980s, with the impact of national and international developments, it has also become a target country (Adıgüzel, 2017). Although the phenomenon of migration is accepted as a customary situation for Turkey, especially after the Arab Spring of 2011, the turmoil that took place in the Arab world and the arrival of millions of refugees in Turkey, which followed an open-door policy after the war, caused social and economic problems (Aydın, 2020). Turkey's location on the transportation routes of Africa, Asia, European continents, and Middle East countries makes Turkey an important country in terms of migration (Kandemir, 2018). When we look at the number of immigrants from the establishment of the Republic to today, it is clear that the immigrant population, which was 1.5 million until 2011, reached over 4 million between 2011 and 2017, and this number is gradually increasing (Alpaslan, 2019).

The host of the largest number of refugees in the world, Turkey has taken important steps in providing shelter, nutrition, health, and education services to refugee children. The Law on Foreigners and International Protection began being enforced in 2014 and prepared the Temporary Protection Regulation covering refugees from Syria and presented a rights-based legal framework (UNHCR, 2018). It is known that more than 3 million Syrian refugees are living in Turkey and more than 50% of this number consists of children. This situation shows how important the policies that need to be developed on immigrants, especially education policies, are (Karasu, Baydık, Aykut, Gürgür, Atbaşı, Koç ve Kol, 2017). The number of Syrians in Turkey constitutes 4.39% of Turkey's population as of 2018 (Göç İdaresi Genel Müdürlüğü, 2018). Turkey, which used to be a major emigration country, has started to become a country of immigration since the mid-2000s (Adıgüzel, 2017).

### **Immigration and Immigration Policies in the US**

The US immigration history can be categorized using four historical periods (Martin & Midgley, 2003). The first period was from the eighteenth through the late nineteenth

century when the majority of immigrants came from Western Europe, and it has been called an open-immigration policy (Hatton & Williamson, 1992). The second period was between the late nineteenth century to 1921, and it has been called the First Great Migration (Brunner & Colarelli, 2010). The third period of the US immigration history took place between 1921 and 1965 and was named Immigration Pause. The policy during this pause was based on concerns about the assimilation, economic difficulties, and cultural characteristics of migrants from southern and eastern Europe. The fourth period began in 1965 with the Immigration and Nationality Act Amendments of 1965 (INA), which has been called as Second Great Migration and continues to the present. This movement continued with the arrival of the majority of Asian and Hispanic immigrants in the 1980s and 1990s (Hatton & Williamson, 1992). Quotas of the 1965 Act did not equalize the distribution of immigrants across the origin countries, and, as a result, most legal immigrants now come from Asia and Latin America. In addition, concerns about illegal immigration created two acts. The first of these is the Illegal Immigration Reform and Immigration Responsibility Act (1996), which includes a restriction on employment eligibility and public benefits. The second is the Personal Liability and Business Opportunity is the Reconciliation Act, which restricts public aid such as Medicaid/Chip, subsidizes the nutrition program, and dictates welfare laws for immigrants who do not meet government eligibility requirements (Fortuny & Chaudry, 2011; Hall & Cuellar, 2016).

The current immigration policy in the US shows that the country has entered into the fifth period of immigration policy. Throughout the last twenty years, the country has been hosting a large amount of Asian and Hispanic (both legal and illegal) immigrants as a result of an unexpected consequence of the 1965 Act. In addition, the terrorist attacks in September 2001 created greater concerns about immigration, and after President Obama took office in 2008, more than two million unauthorized immigrants were deported. After Obama was elected for the second time, the Deferred Action for Childhood Arrivals expanded (DACA) and the Deferred Action for Parental Accountability (DAPA) program took place, which would give temporary legal status to

unauthorized foreigners whose children were legal residents. President Donald Trump had extreme anti-immigrant policies such as “the wall” across the entire US-Mexico border, “extreme” security inspection of all immigrant admission applications, and executive orders such as the "Muslim Ban" (Nicholson & Team, 2017). As the 46<sup>th</sup> President of the United States, Joe Biden reversed many of Trump’s policies on immigration from the first day of his presidency such as stopping the Mexican border wall construction, ending the travel ban, reaffirming the protection of DACA recipients (Chishti & Bolter, 2021), and immediately ended the deportation practices (Alonso-Zaldivar, Knickmeyer, Ben Fox, Lee, & Boak, 2021).

The US had the largest immigrant population in the world right now at approximately 19% of the world’s total immigration population; in other words, almost 51 million immigrants live in the US (UN, 2021). The countries of origin of today’s immigrants are more diverse than 50 years ago. In 1960 almost 75% of the foreign-born population came from Europe while in 2015 only 11.1% of the immigrant population was born in Europe. Until recently, 47% of the immigrant population was composed of Hispanic/Latino immigrants, especially incomers from Mexico. However, the rate of growth in the Hispanic/Latino population has now slowed down, and this population is expected to shrink to 31% by 2065 (Boskey, 2018). In the meantime, immigrants from Asia have become the largest immigrant group; this population is expected to constitute 38% of the foreign-born population by 2065 (Boskey, 2018).

### **Special Education System in Turkey**

According to the results of the Turkey Disability Survey (2002), the disabled population makes up 12.29% of the total population. Of the disabled people registered in the National Disability Database, 29.2% were mentally handicapped, 25.6% were disabled with chronic illnesses, 8.8% were orthopedically disabled, 8.4% were visually impaired, and 5.9% were disabled. Hearing impaired individuals make up 3.9% of the population with mental and emotional special needs. 0.2% of individuals have speech and language special needs, and 18% of have more than one special need. 58.6% of registered special needs people are men, and 41.4% are women (TÜİK, 2010).



When we look at education system practices in Turkey, it is clear that inclusive practices have developed over times as a result of adopting different country's legal regulations. Inclusion practices have become an important educational model for individuals with special needs in many countries in the historical process after the experience and success gained from the practices over time (Yazıcıođlu, 2018).

Inclusion practices, which mean that special needs and normally developing students receive education together at all types and levels in the education system, have been accepted and implemented in many countries since the 1960s. Inclusion practices were initiated in the United States in the 1970s and became widespread over time, eventually forming the basis of the special education policy of many countries. Inclusion practices in Turkey were initiated with the Law on Children in Need of Special Education, numbered 2916, which was enacted in 1983. With the "Decree-Law on Special Education" numbered 573, which is the most comprehensive legislation in special education, enacted in 1997, and the "Special Education Services Regulation", which entered into force in 2000. Based on these two laws, its principles and objectives were determined and applied widely. (Yazıcıođlu, 2018).

It is envisaged that students with special needs receive education according to the principle of the least restrictive environment. This principle means that students should be together with their non-disabled peers as much as possible and that they should be placed in an environment that best meets their educational needs. When the educational environments for students with special needs are ranked from the most restrictive to the least restrictive, separate boarding/day special education schools are determined as the most restrictive education environment, while general education classrooms are considered as the least restrictive environment. When determining the least restrictive environment, the student with special needs needs to be together with their peers as much as possible. The least restrictive environment is the environment in which the student will achieve the highest level of success (Kargin, 2004). While Turkey adopts inclusive practices in the education of children with special needs, separate boarding/day schools also exist (Kargin, 2006).

**Special Education System in the US**

Approximately 15 percent of children in the US have a special need (Boyle et al., 2011), and more than 6.6 million of them receive special education services (IDEA, 2010). In 1975 US Congress authorized public special education services for those with special needs through the Individuals with Disabilities Education Act (IDEA) (IDEA, 2004) because there were growing concerns about an adequate public education for children with special needs and a series of legal challenges (Lipkin & Okamoto, 2015). IDEA comprises 4 distinct parts: part A contains its general establishment; part B covers state grants for preschool-aged (3-5 years) and school-aged children (6-21) with special needs; part C has the services for programs of early interventions (EI) for infants and toddlers and their families; the last part D focuses on personnel improvement with award system (Lipkin & Okamoto, 2015). Depending on IDEA, every child in the US with special needs from infancy to young adulthood can have access to free public education through early intervention (EI) and special education systems (Lipkin & Okamoto, 2015). The IDEA covers and protects six basic principles covering the whole aspect of special education: zero reject, nondiscriminatory identification and evaluation, free and proper public education, least restrictive environment, legal process, and parental involvement (Morales, 2015). According to the zero-reject principle, all students are allowed to participate in public education, regardless of the severity or nature of the special need. The least restrictive environment means that disabled students are to be educated with their non-disabled peers (Morales, 2015).

In addition, pediatric health care providers play a crucial role to identify children in need of EI or special education services. Therefore, health care providers should be knowledgeable about the current policy and appropriate local or state agencies for referrals. When a child is identified as having special needs, the physician can refer the child to a proper resource such as a psychologist. Students determined to need special education services within the scope of IDEA have one or more of the 13 special need categories defined in the law. Among the categories recognized by IDEA; auditory impairment, autism, deaf-blindness, emotional disturbance, intellectual special needs,

multiple special needs, non-categorical early childhood age three to five, orthopedic impairment, other health impairment, specific learning special needs, speech or language impairment, traumatic brain injury, and visual impairment (ESC 18, 2012; Morales, 2015).

### **The Importance of Parental Acculturation in Access to Special Education.**

Acculturation is a complex and multidimensional process that occurs during immigrants' and their children's adaptation to the cultural, social, and psychological characteristics of the host country, and that shapes immigrant mental and physical health (Berry, 1997).

Immigrants to the United States may experience a negative health trajectory due to strict and in some ways hostile immigration policies and the stress of assimilation and acculturation. Despite the enactment of the Patient Protection and Affordable Care Act in 2010, immigrants are vulnerable in health and health care. Multiple factors are at play, ranging from stress and marginalization to political, socioeconomic, cultural, and language barriers (Hall & Cuellar 2016). It is a controversial issue as to whether acculturation might result in positive or negative outcomes. According to some studies, increase of the acculturation (such as an increase of the host country's language proficiency) might lead to greater integration to the host country's culture and upward socioeconomic mobility (Baker & Hatipoglu, 2019), but other studies held that it might result with losing health advantages and cultural protective factors (Abraído-Lanza, 2006). In this study, as a result of the literature review, immigrant parents' lack of participation in the education system, language barrier, and lack of awareness of the lawful rights have been found as important barriers to acquiring special education. Thus it is possible to expect the positive effect of acculturation with an increase in immigrant parents' language proficiency will help them to adapt to the host country more quickly. Therefore, the positive effect of the higher level of acculturation positively affects immigrant families whose children need special education. They will be more likely to understand the special education system in the host country, to research their legal rights, to participate in their children's education, to be aware of the evaluation system,

and, if necessary, to object. Thus, this study emphasizes the importance of parental acculturation in achieving special education among immigrant children.

This study is especially significant because solutions for the education of immigrant children with special needs are included in this study, whereas many other studies on the participation of immigrant children in the education system and the formation of policies neglect to conduct specific research on the identification of immigrant children with special needs and their participation in the education system.

In this study, it has been investigated whether the immigrants can benefit from the special education program, which practices are effective, and which are the obstacles for the immigrant children to receive special education through the example of the United States and Turkey. Also, the study demonstrates the importance of parental acculturation role in increasing their children's access to special education.

For this purpose, this study sought answers to the following questions:

1. What is the role of being a migrant in benefitting from special education services?
2. Which of the special education services in Turkey and the US are effective for immigrant children and what are the barriers to these applications?

## **METHOD**

### **Research Model**

In this study, document analysis, one of the qualitative research methods, was carried out. Document analysis is the analysis of written documents related to the case or cases that are intended to be investigated. The problem addressed by the research often dictates which documents are found to be more important in the process of document review (Yıldırım ve Şimşek, 2013). Documents are a ready source of information for a researcher, and using them as data is not different from making observations and interviews (Turan & Özen, 2013). It is stated by Karasar (2005) that scanning was

carried out for two different purposes, including general scanning and content analysis. As Yıldırım and Şimşek (2013) stated, five stages were followed in the examination of the documents: accessing documents, checking authenticity, understanding documents, analyzing data, and using data. In the examination of documents, general tendencies, alternative thoughts, and the existence of thoughts are clarified (Karasar, 2005).

In this context, the articles, reports, and studies published on the children with special needs of immigrant families in Turkey and the United States were examined by using the general scanning technique in the study, and solution suggestions were made.

#### **Search Strategy: Peer Reviewed Electronic Sources**

This review was conducted by searching the following both Turkish and English electronic databases: PubMed (Medline), PsycINFO, Applied Social Sciences Index and Abstracts, and ProQuest Thesis and Dissertation database, Turkish Council of Higher Education Thesis Center Database, and dergipark.gov.tr., Key Search terms for the English literature included: immig\* AND disability AND special needs AND United States Immigrant AND special education AND United States. The last search strategy with the key term “Turkey” resulted in very few studies. Hence, most of the studies about Turkey have been done in Turkish electronic sources. In addition to that hand searching of key journals and Google Scholar searches were also used. The election search was limited to articles in the last 10 years that were published in English or Turkish. For the Turkish literature search (sığınmacı) refugee/asylum seekers AND (göçmen) immigrant AND (özel eğitim) special education AND (özel gereksinim) special needs AND (Türkiye) Turkey keywords have been used.

The retrieved sources were scanned for relevance. They were excluded if they did not focus on immigrant, disability, special needs, and special education. Some other studies were included if their content was relevant. Some studies' age ranges were too broad and included people older than the school-age range this study addresses. Such studies were excluded. By the end of the inclusion and exclusion criteria, 57 peer-reviewed articles, reports, and dissertations were used.

**Ethics Committee Compliance**

During this research, all the rules in the "Higher Education Institutions Scientific Research and Publication Ethics Directive" have been complied, and none of the "Actions Contrary to Scientific Research and Publication Ethics" were carried out. Articles published in peer-reviewed journals, reports, and dissertations have been reviewed and included in the study. Ethics committee approval has not been obtained.

**RESULTS****1. What is the role of being a migrant in benefitting from special education services?**

The first aim of this study is to examine the role of being an immigrant in benefitting from the special education program. In this respect, the findings we obtained as a result of the document analysis were examined firstly on the Turkish sample and then on the American sample.

When we look at the migration history of Turkey, it is evident that there are internal and external migrations in every period, especially between the years 2011-and 2017. This number increased rapidly with the refugees from Syria and exceeded 4 million (Alpaslan, 2019). Refugees, who were taken to the country for a temporary period at first as guests, were understood to stay in Turkey longer than expected with the prolongation of the war, and that necessitated permanent solutions in the field of education policies as in all other fields.

When the national and international legislation of Turkey is examined, it clearly emphasizes that every stage of education should be accessible to everyone. In the context of this common view, measures to be taken for the education of refugee children with special educational needs will have a much more special place (Kaya ve Öz, 2020). It is thought that the high number of disabled people in the Syrian population is due to war and extraordinary situations. As mentioned before, the inclusion model has been implemented for disabled children in Turkey since 1983, in line with the definition and

determining principles and objectives (Yazıcıođlu, 2018). In addition, a circular on education and training services for foreigners was published in Turkey in 2014, and complementary support for foreign children's right to education, non-discrimination, access to educational opportunities for children with special needs, reducing the effects of conflict, and providing physical, legal and psychological protection to children has been reiterated and guaranteed (Milli Eđitim Bakanlıđı, 2014).

Considerable progress has been made in Turkey in the fields of housing, nutrition, health, and education, and efforts are being made to implement practices for the education of Syrian children with special needs in a more qualified manner in cooperation with various non-governmental organizations. Regardless of the legal process of migrant children in Turkey, they benefit from the general education system. However, they cannot benefit from the special education and rehabilitation services available in private institutions. The children who are directed to the guidance and research center by the schools are evaluated by the experts and the placement decision is made. However, the evaluation of immigrant children as individuals has various problems in this regard. Standardized assessment tools in Turkey do not provide appropriate results for individuals under temporary protection. In addition, the language barrier also causes problems in these evaluation processes (Karasu, Baydık, Aykut, Gurgur, Atbaşı, Koç ve Kol, 2017).

The US had the largest immigrant population in the world; right now almost 51 million immigrants live in the US (UN, 2021), and women and children make up a large portion thereof. According to the literature, approximately 15 percent of children in the US have a special need (Boyle et al., 2011). In the US, regardless of the legal status of immigrants, they are eligible for public education, according to the US Supreme Court's Doe judgment against Plyler (Gildersleeve, Rumann, & Mondragón, 2010). However, there are high disparities in the special education enrollment by student groups in the US (Cooc & Kiru, 2018).

Ethnic minority school-aged children in the US are either over-or under-represented in special education. According to federal law, immigrant children who need special

education must have access to effective special learning education services (Hibel & Jasper, 2012). However, inappropriate placement because of the lack of language proficiency of the children is an example of unequal education opportunities.

According to the literature review in both Turkey and US special education policies, it has been found that all ethnic minority children who need special education have the right to participate in special education. However, in both countries barriers to accessing special education services are most likely related to social rather than lawful barriers. These social problems are a. language problems (language differences), b. meeting the basic needs of children and their families (ie, food, shelter, transportation, and income) (it prevents children from attending school), c. children's access to school problems depend on the first two items, d. mental health and e. social cohesion problems (Williamson & Çetin, 2019).

## **2. Which special education services are effective for immigrant children in Turkey and the United States, and what are the barriers to these practices?**

The second purpose of this study is to examine which special education practices in Turkey and the US are more effective on immigrant children and what are the obstacles faced by these practices.

Legal status is a particularly sensitive issue for immigrants. In particular, changes in immigration enforcement may have directly affected immigrants' health and well-being, especially because of the fear of deportation (Hall & Cuellar, 2016). After examining the extended literature on the special education needs by immigrant children in the US and Turkey, legal status has been found as one of the barriers to achieving special education in both Turkey and the US. Although there is no legal obstacle for undocumented immigrant children to receive special education services, an immigrant parent might not be familiar with the host country's special education system; their limited understanding of special education and the unfamiliar school system might create an obstacle to acquire special education for their children. The undocumented immigrant population is very high in both countries, and their legal status might cause



fear and create an obstacle. Thus, undocumented immigrant families might not participate in the education of their children (Arias, & Morillo-Campbell, 2008; Morales, 2015). In addition, language and cultural differences make it very hard to be familiar with the special education and school system, so families might not participate in their children's education.

Especially in the US, to be evaluated by health specialists, immigrant children must have insurance. However, in the US 8.5 million children are uninsured. To be diagnosed by healthcare providers, immigrant children have to have insurance. However, in Turkey, every single ethnic minority person has a right to get free health care. For immigrant children with special needs to benefit from rehabilitation services, permission and a report from the Ministry of Health are required. Since there is currently no legal regulation in this regard, Syrian families provide their children with special needs to receive supportive education within their means or with astronomical figures (Tanrikulu, 2017).

Immigrant children might be over-or under-represented in special education. This might be because of possible discrimination or biased decisions during the identification process (Losen & Orfield, 2002; Cooc & Kiru, 2018). Therefore, policy recommendations in the US mostly focus on improving the special education identification process and do not pay attention to the other barriers. Learning special needs are seen as the most common special needs among immigrant children in the US. However, according to the previous research, it has been found that English proficiency is a necessary condition for participation in supplementary education services, including special education (Limbos and Geva, 2001; Hibel & Jasper, 2012) or immigrant children directly placed into the special education program because of their lack of English language proficiency (Hibel & Jasper, 2012).

There are special education classes for students with special needs in schools in temporary education centers in Turkey. It has been pointed out that inclusion practices, which are already inadequate in public schools, have never been implemented for Syrian students. It was emphasized that examples such as the Umut Special Education

Center, which was opened for both Syrian and Turkish students in Kilis, should be increased (Coşkun ve Emin, 2016). Temporary special education centers opened for immigrant children with special needs are faced with the situation of closure as a result of not being officially recognized and supported by the state. The closure of temporary special education centers opened by Syrians interrupts the education of immigrant children with special needs (Basık, 2018).

It can be said that the support education services for immigrant students with special needs gained a concrete appearance after 2014 (Coşkun & Emin, 2018). On the other hand, Uyanık (2019) states that there is no institutional system for students with physical and mental special needs who should be evaluated within the scope of special education and that Syrian students cannot be diagnosed with inclusive education and cannot benefit from individualized education programs. Support education services should be provided in cooperation with public institutions and organizations, non-governmental organizations, and universities under the coordination of the Ministry of National Education. In a study conducted in Turkey on the problems experienced by psychological counselors working with Syrian students and their solutions, the participants stated that they try to ensure that Syrian students learn compulsory language by integrating them like special education students (Akay, Hamamcı & Kurt, 2018).

## **DISCUSSION and CONCLUSION**

The United States of America has been making immigration policies since the 18 century and is today the country with the largest number of immigrants. On the other hand, with its immigrant and refugee population increasing in the last decade, Turkey has become the country that hosts the highest number of refugees today. The sudden encounter with the rapidly increasing problem of immigrants created difficulties in developing and implementing policies for immigrants. Although Turkey and the US have fundamental differences in state structures, history, and culture, both countries share some similarities in terms of immigration.

Some of the immigration policies of the US, which have a deep-rooted history, can be taken as an example. On the other hand, as a social state, Turkey's success in the accessibility of health services and tolerant migration policies serve as a strong example. This study aims to investigate whether the immigrants can benefit from the special education program and which practices are effective and which are the obstacles for the immigrant children to receive special education. For this purpose, because of the similarity of their high immigrant and refugee populations, the examples of the US and Turkey are analyzed. In both countries, the problems faced by immigrant families in accessing special education services were striking due to the low level of adaptation to the country of migration. Therefore, the importance of the role of parental acculturation in increasing their children's access to special education is mentioned separately in detail. Issues to be considered when making policies for special education can be listed as follows:

1. In the literature, benefits of the family involvement in special education have been well documented (Morales, 2015). In the US parent involvement is mandated by the IDEA to make the parent part of the education (IDEA, 2004). In Turkey, the active participation of families in every stage of the special education process is essential to the legal regulations regarding special education services (Millî Eđitim Bakanlıđı, 2018).
2. Immigrant women are those who initiate, accelerate, and direct positive social, cultural, and political norms within and outside of their communities (UN, 2021). According to the worldwide statistics, we know that nearly half of the international migrants were women or girls; this number is even higher among the refugee population (UN, 2021). Therefore, this element should be taken into consideration in new policies to be made within the framework of families. If social policy investments are made with the majority of the female population in mind, it may be possible to get effective results in a shorter period.

3. Parents should be aware of the special education identification process to prevent overrepresentation of their children in the special education system and bias decisions of the professionals.

4. To be able to distinguish language proficiency and learning special needs especially, teachers and administrators should be educated. To prevent potential stigma and discrimination among immigrant children who need special education, all the school staff and test practitioners should be informed and educated about the differences between language proficiency and learning special needs and it should be emphasized that they should be extra sensitive.

6. There are students with special needs among Syrian students and inclusion practices applied in the Turkish education system should be applied to Syrian students. It is a fact that there is a need for legal studies that will provide special education and rehabilitation services to children with special needs (Coşkun & Emin, 2016).

7. The fact that children under temporary protection status break away from the society they grew up in and meet a new culture they have never known and will benefit from education services according to this new culture can complicate the process (Karasu, Baydık, Aykut, Gürgür, Atbaşı, Koç ve Kol, 2017). In some studies, necessary information studies should be carried out on teachers with Syrian children in their classrooms, on how to solve the problems related to social cohesion in their classrooms, and for families of children with special needs under temporary protection status to be informed about the legislation, for health personnel to guide by the legislation, and for education personnel to take the necessary measures within the scope of the legislation (Karasu, Baydık, Aykut, Gürgür, Atbaşı, Koç ve Kol, 2017).

8. It is a point that should be appreciated when compared to other countries in terms of the rights that Turkey offers to asylum seekers and refugees in terms of health and education. There is no obstacle for asylum seeker/refugee children to attend school in Turkey. With the circular published by the Ministry of National Education in 2014, some problems were overcome. However, the educational opportunity provided should enable children to reach a goal and plan for the future, and the quality should be increased (Yılmaz, 2015).

9. There are delays in the diagnosis and treatment processes of refugee children with special needs in hospitals. It can be said that, as a result of families having difficulties in communicating with physicians and authorities due to language problems, the diagnosis process of the child is often disrupted (Basık, 2018).

### **LIMITATIONS**

With the increasing immigrant population in the last decade, Turkey has faced new political problems and has had to make various policy changes. Therefore, compared to the US, the current data and literature on policies for immigrant children with special education needs in Turkey are very limited. Thus, it is very hard to find available data about immigrant children who need special education. Limited data in Turkey cause this study to be carried out using the document analysis method. The document review method has some structural limitations.

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## GENİŞ ÖZET

### Giriş

Özel gereksinimli bir çocuğa sahip olmak ve yetiştirmek bütün ebeveynler için çok zor bir süreçtir. Bunun yanı sıra, ailenin göçmen, mülteci/sığınmacı gibi yasal statüsü, ana akım kültürden farklı bir kültüre sahip olması aileler üzerinde ekstra sıkıntı ve baskı yaratabilir. Politika yapımcılar, uygulayıcılar ve akademisyenler, özel ihtiyaçları olan çocukların sahip oldukları eğitim hakkına ulaşabilmeleri için ailelerinin eğitim sürecine katılımını kolaylaştırmanın ve kültürleşmeye duyulan ihtiyacın önemini göz önünde bulundurmalıdır (Dabkowski, 2004; Garriott, Wandry, & Snyder, 2000; Kalyanpur & Harry, 1999; Kim, 2013; Salembier & Furney, 1997).

Bu çalışmada aşağıdaki sorulara cevap aranmıştır.

1. Özel eğitim hizmetlerinden yararlanmada göçmen olmanın rolü nedir?

2. Türkiye ve Amerika Birleşik Devletleri'nde hangi özel eğitim hizmetleri göçmen çocuklar için etkilidir ve bu uygulamaların önündeki engeller nelerdir?

### Yöntem

Bu çalışmada nitel araştırma yöntemlerinden doküman incelemesi yöntemi kullanılmıştır. Doküman analizi, araştırılması amaçlanan olgu veya olgularla ilgili yazılı dokümanların analizidir. Doküman incelemesinde hangi dokümanların önemli olduğu ve veri kaynağı olarak kullanılabilceği konusu araştırmanın problemiyle yakından ilgilidir (Yıldırım ve Şimşek, 2013).

### Tartışma ve Sonuç

1. Literatürde özel eğitim sürecine aile katılımının faydaları üzerinde oldukça fazla durulmuştur (Morales, 2015). Amerika Birleşik Devletleri'nde ebeveynleri özel eğitimin bir parçası yapmak ve katılımını artırmak için IDEA tarafından çeşitli uygulamalar belirlenmiştir (IDEA, 2004). Türkiye'de de özel eğitim hizmetlerine ilişkin yasal düzenlemelerde ailelerin özel eğitim sürecinin her aşamasına aktif katılımı esastır (Millî Eğitim Bakanlığı, 2018).

2. Göçmen kadınlar, buldukları toplulukların içinde ve dışında olumlu sosyal, kültürel ve politik normları başlatan, hızlandıran ve yönlendiren kişilerdir (UN, 2021). Dünya çapındaki istatistiklere göre, uluslararası göçmenlerin yaklaşık yarısının kadın veya kız çocukları olduğu ve bu sayının mülteci nüfusu arasında daha da yüksek olduğu bilinmektedir (UN, 2021). Bu nedenle aileler çerçevesinde yapılacak yeni politikalarda kadın ve kız çocuklarının yüksek popülasyonun dikkate alınması gerekmektedir.

3. Ebeveynler, çocuklarının özel eğitim sisteminde aşırı temsil edilmesi ve profesyonellerin ön yargılı kararlar alabilme ihtimaline karşı özel eğitim tanılama sürecinden haberdar olmalıdır.

4. Öğretmenler ve yöneticiler dil yeterliliği ile özel öğrenme ihtiyaçlarını ayırt edebilecek düzeyde becerilere sahip olmalıdır. Özel eğitime ihtiyaç duyan göçmen çocuklar arasında olası damgalanma ve ayrımcılığı önlemek için tüm okul personeli ve test uygulayıcıları, dil yeterliliği ile özel ihtiyaçları öğrenme arasındaki farklar konusunda bilgilendirilmeli ve eğitilmelidir.

6. *Türkiye’de Suriyeli öğrenciler arasında özel gereksinimli öğrenciler de bulunmaktadır. Türk eğitim sisteminde bulunan kaynaştırma uygulamaları Suriyeli öğrencilere de sunulmalıdır. Özel gereksinimli çocuklara özel eğitim ve rehabilitasyon hizmeti verecek yasal çalışmalara ihtiyaç olduğu bir gerçektir (Coşkun & Emin, 2016).*

7. *Geçici koruma statüsündeki çocukların içinde büyüdükleri toplumdaki koparak hiç tanımadıkları yeni bir kültürle tanışmaları ve bu yeni kültüre göre eğitim hizmetlerinden yararlanmaları süreci zorlaştırabilir (Karasu, Baydık, Aykut, Gürgür, Atbaşı, Koç ve Kol, 2017). Sınıflarında Suriyeli öğrenci bulunan öğretmenlere ve geçici koruma statüsündeki özel gereksinimli çocukları bulanan ailelere, sosyal uyumla ilgili karşılaştıkları sorunları nasıl çözebileceklerine dair bilgilendirme çalışmaları yapılmalıdır. Bununla birlikte, sağlık personelinin bu konu hakkındaki mevzuatı yönlendirmesi ve eğitim personelinin mevzuat kapsamında mevcut tedbirleri alması gerekmektedir (Karasu, Baydık, Aykut, Gürgür, Atbaşı, Koç ve Kol, 2017).*

8. *Türkiye sığınmacı ve mültecilere sağlık ve eğitim açısından sunduđu haklar bakımından takdir edilmesi gereken bir noktadadır. Sığınmacı/mülteci çocukların Türkiye’de okula gitmeleri önünde herhangi bir yasal engel yoktur. Millî Eğitim Bakanlığı’nın 2014 yılında yayınladığı genelge ile bazı sorunların üstesinden gelinmiştir. Ancak sağlanan eğitim olanağı, çocukların bir amaca ve geleceğe yönelik plan yapmasına olanak sağlamalı ve niteliği artırılmalıdır (Yılmaz, 2015).*

9. *Her iki ülkede de hastanelerde özel gereksinimli mülteci çocukların tanı ve tedavi süreçlerinde gecikmeler yaşanmaktadır (Lipkin & Okamoto, 2015) Ailelerin dil sorunları nedeniyle hekimler ve yetkililerle iletişim kurmakta zorlanmaları sonucunda çocuğun teşhis sürecinin sıklıkla aksadığı söylenebilir (Basık, 2018).*

