



GOVERNMENT OF BERMUDA
Ministry of Education



INCLUSIVE AND SPECIAL 2013 EDUCATION

GETTING IT RIGHT FOR EVERY CHILD

A Discussion Paper

To educate a child, any child, is an awesome responsibility –
to that child, her family and bermudian society. – *Parent*

My child has a teacher that makes his heart sing!
I want him to have that with all of his teachers. – *Parent*

We don't just need a policy, we need legislation.
It is my experience that unless it is in the law,
it won't happen. – *Parent*



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14 Waller's Point Road
St. David's DD 03
Bermuda
P.O. Box HM 1185, Hamilton HM EX, Bermuda
Tel: 441-278-3300 or 236-6904
Fax: 441-278-3348
E-mail: inclusiveeducation@moed.bm
Website: www.moed.bm
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How You Can Help – Invitations for Consultation Submissions

Members of the public are encouraged to share their views on the Inclusive and Special Education Discussion paper.

Written submissions can be emailed, mailed or delivered by hand to:

E-mail: inclusiveeducation@moed.bm

Mail: Inclusive and Special Education Consultation
Ministry of Education Headquarters
PO Box HM 1185
Hamilton, HM EX
Bermuda

By hand: Inclusive and Special Education Consultation
Ministry of Education Headquarters
14 Waller's Point Road
Southside, St. David's DD 03
Bermuda

Persons can also contact the Ministry of Education Policy Analyst at 278-3300 to provide a submission in person or over the telephone.

Consultation questions are included near the end of the discussion paper as a guide for persons who wish to use them in developing their submission.

A summary of the consultation submissions will be provided to the public, following the conclusion of the consultation exercise.

Glossary of Terms

Accommodations (within special education) are practices and procedures that allow students with special education needs to learn, have access to, and be tested on the same curriculum as students without special education needs. Accommodations do not change the substance of the school work, the content of a test or the learning expectations of students, but rather how children access and demonstrate their knowledge of the curriculum. Examples include being provided with large printed school work, Braille, extra time for test taking, or being provided written notes.

Child-centred learning is a philosophy that holds at its foundation the need to put children at the centre of learning and development: educators and parents take their cues from children, drawing upon their interests, needs and natural curiosities. In child-centred learning a rich learning environment is created where children are viewed as strong, capable, independent, curious, and full of imagination. Children are empowered to think, question, investigate, and explore as a basis for learning. Child-centred learning views development as a holistic, complex and interrelated process that includes the domains of emotional, social, cognitive, communication, language and physical learning, growth and well-being.¹

Compulsory school age refers to the general age range in which children must attend school. As per the Education Act 1996, children who are generally between the ages of five and 18 must attend school or be otherwise suitably educated. Depending on when a child's birthday falls, compulsory age for that child may begin earlier than five or extend beyond one's 18th birthday. For example, children entering primary school for the first time, and whose birthdays fall after school starts will be four years of age, but close to five years of age. Persons who turn 18 during the school year must remain in secondary school until the end of the school year (Section 40 of the Education Act 1996).

A discussion paper or green paper is a document that sets out proposals for new policy or changes in policy upon which the Government wishes to consult. Feedback and views of the public are invited and considered before the Government makes a final decision on the direction that it would like to take on a particular issue. A discussion paper is introduced in Parliament and is available to the general public.

Early Intervention means "intervening early and as soon as possible to tackle problems emerging for children, young people and their families or with a population most at risk of developing problems. Early intervention may occur at any point in a child or young person's life"²

Exceptional is a way of describing persons who have been diagnosed or identified as having an exceptionality (please see the term 'exceptionality' immediately below).

1 (Best Start Expert Panel on Early Learning, 2007)

2 (Centre for Excellence and Outcomes in Children and Young People's Services, 2010)

Exceptionality refers to an area of functioning which is significantly different from the established norm; some examples include giftedness, Asperger’s syndrome, language impairment, deafness, and specific learning disabilities or differences. Children or students who have exceptionalities can also be referred to as ‘exceptional.’

Evidence-based practices refer to “the use of the integration of professional wisdom with the best available empirical evidence in making decisions about how to deliver instruction.”³

Inclusion or Inclusive Education is a “*process* of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children (emphasis original).”

Inclusion is concerned with providing appropriate responses to the broad spectrum of learning needs in formal and non-formal educational settings. Rather than being a marginal issue on how some learners can be integrated in mainstream education, inclusive education is an approach that looks into how to transform education systems and other learning environments in order to respond to the diversity of learners. It aims towards enabling teachers and learners both to feel comfortable with diversity and to see it as a challenge and enrichment of the learning environment, rather than a problem. Inclusion emphasises providing opportunities for equal participation of persons with disabilities (physical, social and/or emotional) whenever possible into general education, but leaves open the possibility of personal choice and options for special assistance and facilities for those who need it.”⁴

An Individual Education Plan (IEP) is a working document that describes the special education programme and/or services required by a student with identified special education needs. It should be developed in consultation with parents and be based on a thorough assessment of the student’s strengths and needs that affect the student’s ability to learn and to demonstrate learning.⁵ It should also outline specific educational expectations, state the methods by which the programme and services will be provided to the student and include transition planning.⁶

Interventions refer to a planned set of procedures aimed at teaching a specific set of skills (academic, social, behavioural, etc.) to a student or students. To meet the standard of an intervention it must be planned, sustained, targeted (or focused) and goal-oriented.⁷

Mainstreaming generally refers to the placement of students who require special education programmes and services into general education classrooms.

Modifications are changes in what is being taught or expected of students, but which are individualised to a student’s outcomes or goals. Examples include shorter reading and writing assignments, reducing the difficulty of the assignments, or accelerating students through curriculum.

3 (Whitehurst, G.J., 2005)

4 (United Nations Educational, Scientific and Cultural Organization, 2005)

5 (Ontario Ministry of Education, 2004)

6 (Ontario Ministry of Education, 2000)

7 (Howell, Kenneth, 2009)

Related services refer to specialised services and supports to help maximise the benefit of special education for students with exceptionalities. A non-exhaustive list of examples include speech and language pathology, occupational therapy, physical therapy, school health services, social work services, counselling services, psychological services, orientation and mobility services and transport.

Research based refers to “programmes, practices and strategies backed by valid, scientifically-based research studies that have been proven to be effective.”⁸

Special education⁹ refers to specialised education that is particular to students who have been diagnosed and/or identified and who require specialised programming and services to meet their individual educational needs. It refers to the provision of direct educational and related supports for children with emotional or behavioural, communicational, intellectual (including gifted), physical or multiple exceptionalities, who require specialised instruction and supports; these needs may be met through accommodations, and/or educational programmes that are modified above or below the age-appropriate year level expectations for a particular subject or course of study.¹⁰

Special education need refers to an area of functioning which is significantly different from the established norm and where specialised education and related supports which are beyond what is usually provided through general education are required by students in order to learn to their ability.

Student achievement refers to the attainment and demonstration of growth in student learning and knowledge. It includes the ability of students to make progress and improve, and to demonstrate in school and in life, literacy, critical thinking, communication, social, health, citizenship and life skills. Student achievement gives students a strong foundation for post-secondary education, employment and/or community life.

Student-centred refers to putting the student at the centre of learning and focusing primarily on the needs of the student through authentic, reflective and collaborative learning.¹¹

Supervisory Officers refers to educators in the Department of Education who supervise education staff, programmes and services. Examples of supervisory officers include the Commissioner of Education, Directors, Assistant Directors and Education Officers.

Transition for students with special education needs generally refers to their movement from one environment to another during their school life and takes place until they leave school as young adults.¹²

Transition planning is the preparation, implementation and evaluation needed for students to make major transitions during their lives, which include entry to school, or from one school to another, from one year level to another, from one classroom placement to another or out of secondary school or a special school. Effective transition planning is also based on the premise that special education must prepare students to reach their potential, and therefore students should have transition options for school and beyond based upon their true abilities.¹³

8 (Ohio Department of Education, 2007)

9 This definition was adapted from the Ontario Ministry of Education.

10 (Ontario Ministry of Education, 2010)

11 (British Columbia Ministry of Education, 2011)

12 (British Columbia Ministry of Education, 2011)

13 (British Columbia Ministry of Education, 2011)

FOREWORD

by the Premier



It was former U.S. Senator Jim Jeffords who said, *“We have a responsibility to ensure that every individual has the opportunity to receive a high-quality education, from prekindergarten to elementary and secondary, to special education, to technical and higher education and beyond.”*

These words emphatically echo the Government of Bermuda’s belief that every child is deserving of a high quality education.

I am a passionate believer that it is our responsibility, our collective responsibility, to educate our children and to educate them well. Although parents are the first and best teachers of their children, the Government cannot ignore the fact that it too has an obligation to ensure that Bermuda’s citizens and future leaders all achieve their academic potential.

Therefore, I am delighted that the Minister of Education has taken the bold step of developing the document entitled *Inclusive and Special Education: Getting It Right For Every Child, A Discussion Paper*. For far too long, we as a community have not embraced the diversity that exists amongst our children, or amongst ourselves. In fact, there are probably some who may feel that this document does not apply to them. Nothing could be farther from the truth. Making sure that every child is set on the proper road to achieving his or her potential should be every person’s concern. I acknowledge that there are costs involved, but there will be higher costs if we do not purposefully work for all of our children.

This document is designed to start a community discussion not just about what we can do to create a twenty-first century system of education which meets the needs of all children; more importantly, it also identifies the tangible actions we must take if we are to truly work in the best interests of Bermuda’s young people.

Take advantage of this opportunity. Read the document. Discuss it with your family, your friends and your colleagues. Respond with comments and questions. It will only be through receiving your feedback that the Ministry can retool its efforts and improve its services for every child.

With the best interests of our children at heart, I remain.

A handwritten signature in black ink, appearing to read 'L. Cannonier'. The signature is fluid and cursive, with a large loop at the end.

The Hon. L. Craig Cannonier, JP, MP
Premier of Bermuda

FOREWORD

by the Minister of Education



The Inclusive and Special Education Discussion paper is intended to engage the public in a frank and honest discussion of issues and concerns expressed over several years in our community regarding inclusion and special education.

The purpose of these proposals is to consult with the public to solicit your thoughts about the direction that the Government of Bermuda would like to take for our children. This effort is but one step in a longer process of change and eventual transformation. We would truly appreciate your feedback and will review, analyse and develop a public response to comments. They will be used to develop and implement realistic public policy and specific actions to overhaul the current approach to inclusion and special education.

We acknowledge that there may be skepticism about the pace and likelihood of change. While transformation takes time, we invite all who have a stake in the future of public education and Bermudian society to participate by helping us to be accountable to our students, our parents and all other stakeholders so that the full development and implementation of policy becomes a reality within a timeframe that is at the same time ambitious and realistic. We want the changes to be achievable, but also sustainable so that they will be actualised for the students and families of today and tomorrow.

We must also acknowledge the experiences of those served by the public education system. The challenges faced and successes achieved by current and former students and their families have helped to shape the content of the discussion paper. And while it shines a light on much of that which needs to change, it is also important to recognise the many developments that are already taking place. We therefore ask that the discussion paper be scrutinised within this context – one of change that is already underway.

What Is Happening Now

The following are highlights of some of the initiatives that are ongoing, have been recently implemented or which are currently under development:

- **Autism Spectrum Disorder (ASD) Classrooms** – a service delivery model to provide intensive instruction and related services to students on the ASD spectrum was recently introduced in two schools and will be expanded to a third school for the 2013/2014 school year. This programme is supported by services from the Department of Health and is augmented by the generous support of families and the community through financial and in-kind donations.

- **Autism Spectrum Disorder Diagnosis and Assessment** — the Mid-Atlantic Wellness Institute’s Child and Adolescent Services (CAS) recently provided training so that licensed psychologists in the Mid-Atlantic Wellness Institute (CAS and Adult Services), the Ministry of Education’s Student Services Section and Child Development Programme can lead multi-disciplinary teams to assess and diagnose autism spectrum disorder. This will allow children, who previously had to travel overseas or who went undiagnosed to receive a diagnosis locally, and have services provided that better match their needs.
- **Alternative Education and Out of School Suspension Programmes** — an alternative education programme has been introduced to provide tailored and individualised education services to students who because of behavioural or other challenges are educated outside of mainstream schools. With the co-operation of schools, the out of school suspension programme has been modernised to intervene early for students who commit infractions and to ensure that students receive education during the suspension period in an educational setting instead of serving the suspension at home. The current programme approach is currently being assessed for the purposes of continuous improvement.
- **Braille Programme** — the implementation of a new service delivery model to teach Braille, orientation and mobility skills to children who are losing their vision has been introduced. This programme was made possible by family advocacy and the generous financial support of several businesses and in-kind donations from community members.
- **Criteria to Access Paraprofessional Support** — existing criteria is being amended to clarify for educators, parents and service providers the process for students to receive the support of paraprofessionals.
- **Differentiation Institute** — 16 teachers representing 15 public schools completed a 12 week training course on The Differentiated Classroom at Work. Teachers were trained on differentiated instructional models to implement within their classrooms; each chose a specific discipline upon which to focus using a model (or models) of choice that best fit their students’ learning needs.
- **Gifted and Talented Education** — gifted and talented students in the Dellwood family of schools who participated in the Gifted and Talented pilot programme are receiving services from their regular classroom teachers. Gifted instructional strategies have been employed for use with the Cambridge International Curriculum objectives to extend the learning process for above level learners.
- **Graduation Criteria** — in consultation with senior schools, the Ministry of Education is reviewing and revising the graduation and school leaving criteria for senior school to appropriately recognise the achievements of all students, including those who participate in special education programmes.
- **Hanen Programme** — the Department of Health, in conjunction with the Child Development Programme provides the It Takes Two to Talk® The Hanen Programme® for Parents of Children with Language Delays. The programme helps parents of children with language delays build their children’s “language skills naturally during every day routines and activities.”¹⁴

14 (The Hanen Centre, 2011)

- **Increased Accessibility at Bermuda College** — the Bermuda College is developing a disabilities policy and all buildings have had automatic doors installed as part of an ongoing effort to make the campus more physically accessible.
- **Increased Qualifications for Learning Support Teachers** — a post-certification qualification in special education was introduced through the University Of Ontario Institute Of Technology. It is accredited by the Ontario College of Teachers and provides a local pathway for educators to become qualified special education teachers.
- **Individual Education Plans (IEPs)** — a comprehensive web-based data management system for students who have IEPs is being developed. The new system will integrate with the existing student management system to marry with other student data such as academics and attendance, and will increase the scope and quality of IEPs.
- **Integration of Students Into the Mainstream** — individual students who attend Bermuda's only special school, the Dame Marjorie Bean Hope Academy, and whose needs can be partially or fully met in regular schools are being partially or fully integrated into regular schools.
- **New and Amended Education Rules** — new and amended secondary legislation will be introduced to facilitate better oversight, monitoring and enforcement of the compulsory education of school aged children (generally from five to 18 years).
- **Non-Profit Organisations' Support of Students** — a number of non-profit organisations provide one or more of the following to help support students and their families: screenings, assessments, professional development, consultation services, direct services, monetary and/or material goods.
- **Performance Measures** — new performance measures that inform the public about the value of the educational and related services being provided have been introduced in the 2013/2014 Budget.
- **Preschool Curriculum** — the Ministry of Education has recently introduced a research-based, developmentally-appropriate curriculum for early learners called the Creative Curriculum. Preschools are currently increasing its implementation and are using the curriculum to engage parents through preschool to home connections.
- **Preschool Learning Support Programme** — criteria is currently being developed to clarify for educators, parents and service providers which preschoolers require special education. The criteria will also provide information about special education services and how to access them. Additionally, Individual Education Plans (IEPs) for preschoolers are being redeveloped to expand beyond literacy and numeracy. They will be based upon language, social-emotional, physical, and cognitive development, the four cornerstone areas of early learning.
- **Psycho-educational Assessments** — a mandatory streamlined process for referrals for psycho-educational assessments for students experiencing learning difficulties was recently introduced. This was implemented to ensure that psycho-educational assessments are undertaken after considerable consultation, pre-referral assessment and intervention.

- **Reading Clinic** — the grant for the Reading Clinic was increased to help fund the provision of early intervention services, and psycho-educational assessments primarily for students experiencing reading difficulties.
- **Red Flags** — the Child Development Programme and the Environmental Health Section of the Department of Health will introduce a quick reference guide to help early years professionals monitor healthy child development and identify when a child is at risk of not meeting his or her health and developmental milestones.¹⁵
- **Senior Schools Special Programme Alignment** — CedarBridge Academy and The Berkeley Institute have been working to develop parallel special education programmes so that with limited exception, students who require special education at either school have the same curricular options.
- **Transition Planning** — a transition planning team spearheaded by the National Office of Seniors and Physically Challenged has been put in place to assist and plan for the transition of persons with intellectual disabilities from the early years through to adulthood. This approach will be considered for expansion.

The initiatives above all put children at the centre of learning and are designed to help meet their needs. They provide a salient snapshot into efforts that have already made a significant difference or that will have a demonstrable impact for children and their families in the near future. While many of the initiatives are connected, there is room for improvement to ensure that they are part of a cohesive process and plan for inclusive and special education.

The inclusive and special education policy, once further developed and finalised will provide the infrastructure, support and national mandate to ensure that all children in Bermuda have equitable access to an appropriate education.

With your help we will drive the next wave of inclusive and special education in Bermuda.



Nalton S. Brangman, JP
Minister of Education

¹⁵ (Government of Bermuda, 2007)

Acknowledgements

The development of the Inclusive and Special Education Discussion Paper was a collaborative undertaking, involving students, parents, Ministry of Education (including school) staff, non-profit organisations, other Government Ministries and Departments, quangos and other affected and/or interested parties.

The discussion paper itself and the contents herein would not have been possible without the attention, hard work, advocacy, support, service provision, and in many instances love, that these groups and individuals provide for children, their families and one another.

All contributors are therefore acknowledged for their frank, honest and often courageous comments, insight and recommendations.

A special acknowledgement must be extended to Bermuda's first Ombudsman, Ms. Arlene Brock for seizing the opportunity to harness the experiences, advocacy, hopes and dreams of students, parents, non-profit organisations and many in the community to recommend that the Ministry of Education develop Bermuda's first special education policy. The following policy proposals are a large step towards the fulfillment of that recommendation.

Our Vision for Inclusive and Special Education Executive Summary

This discussion paper proposes a new vision for inclusive and special education in Bermuda. We believe that a fundamentally different approach is needed so that all children, regardless of race, gender, class, ethnicity, sexuality, religion, background, familial status or connection, upbringing, aptitude and/or ability have the opportunity to achieve to their full potential.

We believe that the public education system must meet the educational and developmental needs of all learners, including those who are gifted and/or who experience barriers to learning. Therefore a new direction for inclusive and special education is proposed; one that is fully inclusive, in name and in practice and designed to meet the educational and related needs of all students.

Purpose of the Discussion Paper

The discussion paper was developed to:

- Acknowledge and illuminate the need to radically improve the current provision with regard to inclusive and special education;
- Demonstrate a commitment to change and transformation;
- Initiate broad consultation regarding the policy direction that the Government of Bermuda and Ministry of Education would like to take; and
- Improve student achievement for all learners.

A non-exhaustive list of examples of special education needs includes: autism spectrum disorder (ASD), emotional or behavioural disorders, blindness and low vision, deaf and hard of hearing, developmental disability, giftedness, language impairment, mild intellectual disability, physical disability, specific learning disability or difference, speech impairment, and multiple exceptionalities.¹⁶

Feedback is invited from all people and organisations affected by and/or interested in public education and Bermudian society. Your views will be used to help shape the future direction of inclusive and special education.

Concerns about Inclusion

Despite the best of intentions, Bermuda's move to inclusion in the 1990s was fraught with significant challenges, many of which are still evident today. While some changes were made to inclusion, repeated calls for a radical overhaul have not been adequately acknowledged until now. While there have been a number of concerns raised over the years, reviews and consultation revealed some of the most salient issues that needed to be addressed to bring Bermuda's approach to inclusion into the 21st century:

- i] There is no shared educational philosophy and understanding about inclusion and special education within the public education system;
- ii] There are no comprehensive legislative or policy documents that set out the framework for inclusion and special education;

¹⁶ The term exceptionalty refers to a functioning which is significantly outside of the norm.

- iii] Inclusion was largely implemented as mainstreaming, so students with various special education needs were put in regular schools, even if the school was not geared towards meeting their needs;
- iv] There are unclear and sometimes inappropriate criteria and guidelines used to place children into special education;
- v] There are significant gaps between research and evidenced-based best practices and many local teaching and learning practices;
- vi] There is no regular internal or external evaluation of inclusion and special education programmes and services;
- vii] Co-ordination of special education programmes and services and inter-agency collaboration is inadequate;
- viii] There is not a consistent or effective means of addressing the concerns of parents; and
- ix] There has been poor planning and budgeting for special education, and a lack of confidence that the provision special education provides value for the money being spent.

These issues have had an impact on the quality of the education provided to students by the Ministry of Education and schools, and must be addressed to improve the achievement of all students.

Looking Forward

The discussion paper proposes a vision for both inclusive and special education. This is because we must focus on the needs of all learners to ensure that all children are given the opportunity to achieve to their potential. Special education cannot operate effectively if it is not part of a larger system that values all learners and tries to meet each of their needs. Within an inclusive public education system, special education is not a separate and parallel approach to education; it is a part of an inclusive framework, where general and special education are an integrated and complementary approach to the education of children. This approach facilitates education appropriate for children with various interests, challenges and needs.

Redefining Inclusion

We believe that the public education system must move dramatically beyond the current approach to inclusion. It is therefore important that we adopt an inclusive philosophy and a policy statement on inclusion to frame and guide future practice. We therefore propose to adopt the United Nations Educational, Scientific and Cultural Organization's (UNESCO) definition for inclusion as a:

"process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children (emphasis original)"

Inclusion is concerned with providing appropriate responses to the broad spectrum of learning needs in formal and non-formal educational settings. Rather than being a marginal issue on how some learners can be integrated in mainstream education, inclusive education is an approach that looks into how to transform education systems and other learning environments in order to respond to the diversity of learners. It aims towards enabling teachers and learners both to feel comfortable with diversity and to see it as a challenge and enrichment of the learning environment, rather than a problem. Inclusion emphasises providing opportunities for equal participation of persons with disabilities (physical, social and/or emotional) whenever possible into general education, but leaves open the possibility of personal choice and options for special assistance and facilities for those who need it.”¹⁷

Policy Statement on Inclusive Education

In addition to proposing that an inclusive philosophy be adopted, we have drafted a policy statement on inclusion that begins to lay out a foundation for developing an inclusive education system:

1. The philosophy of the public education system is an inclusive one where *all* children have the right to a high quality education, which means the right to enroll, access and participate in a high quality education that meets their needs.¹⁸
2. We believe that all children can and will learn if given time and the proper supports.
3. We acknowledge the need for change and must be reflective, responsive and model support and accountability for improved student achievement and student outcomes.
4. We will collaborate with parents, families, the community and one another for the common interest of being truly child and student-centred.

Our Vision for Special Education

Our vision for special education is the same vision as that of the public education system: *to deliver a first-class education of global standards ensuring that students reach their full potential.*¹⁹

To create common understanding, it is also important to define special education,²⁰ which we see as: specialised education that is particular to students who have been diagnosed and/or identified and who require specialised programming and services to meet their individual educational needs. It refers to the provision of direct educational and related supports for children with emotional or behavioural, communicational, intellectual (including gifted), physical or multiple exceptionalities, who require specialised instruction and supports; these needs may be met through accommodations, and/or educational programmes that are modified above or below the age-appropriate year level expectations for a particular subject or course of study.²¹

17 (United Nations Educational, Scientific and Cultural Organization, 2005)

18 (Western Australia Department of Education and Training, 2004)

19 (Ministry of Education, 2010)

20 This definition was adapted from the Ontario Ministry of Education.

21 (Ontario Ministry of Education, 2010)

Proposed Policy Changes

While not fully exhaustive due to the breadth and scope of the required change and transformation, the policy proposals are comprehensive in nature. The proposed new approach to inclusive and special education reflects major issues of concern that arose through broad consultation with students, parents, general and special educators, administrators, paraprofessionals, school counsellors, related service providers, non-profit organisations, other Government Ministries and Departments and quangos, among others. In addition, extensive research regarding inclusive and special education locally and around the world was undertaken, and included consultation with small jurisdictions such as the Cayman Islands and the States of Jersey which have similar population sizes and share other commonalities with Bermuda.

The policy proposals are complementary and largely interdependent on one another. They have been developed following consultation to help drive the modernisation of inclusion and ensure that Bermuda has a broad and comprehensive approach to special education that meets and will hopefully one day exceed modern-day standards. The proposals have been drafted as policy priorities to articulate and communicate what we think needs to change and how:

Policy Priority 1: Change beliefs and practices to improve student achievement.²²

Our vision for inclusive and special education must be achieved by changing both beliefs and practices of persons who work with and for children.²³ This is necessary to improve achievement for all students.

Policy Priority 2: Dramatically improve the legislative framework for inclusive and special education to 21st century standards.

The development of effective legislation, policies, standards and procedures are proposed because they would mandate and set higher standards and expectations for the minimum requirements for the appropriate provision of education for all students, including those with special education needs.

Policy Priority 3: Develop and implement policies and support mechanisms for high quality early learning and development.

Early childcare education and development must be high quality and sit within a larger framework that includes parental, community and cross-ministry support. It must consist of programming that ensures the safety and health of all children. It should also balance physical, social, emotional, and cognitive development and be individualised for differing abilities. We would also like to develop as a matter of urgency, an early childhood education and development strategy and supporting policies that reflect cohesive and aligned approaches to giving children the best start in life.

Policy Priority 4: Set clear expectations and provide support for whole-school and whole-system approaches to maximising student achievement.

The whole-school and whole-system approach to inclusive and special education is aimed at ensuring that everyone involved with schools plays a clearly understood and collaborative role in the success of children. We would like to introduce clear system priorities related to inclusive and special education, and ensure that they are reflected in school improvement plans.

²² (Council of Ontario Directors of Education, 2012)

²³ (Council of Ontario Directors of Education, 2012)

Policy Priority 5: Introduce a general problem-solving framework for all students, made up of:

- a. comprehensive prevention and early intervention supports across the public education system; and**
- b. a mandatory pre-referral process and clear criteria for special education programmes and services.**

A framework that includes prevention, early intervention, and pre-referral processes and clear criteria and guidelines for entry into special education programmes and services should be implemented to prevent learning barriers and address them early when they do occur. This framework would be instituted across the public education system for all schools with support from the Ministry of Education. Such a framework would sit within and be supported by the whole-school and whole-system approach to improving student achievement.

Policy Priority 6: Diagnose and/or identify exceptionalities and special education needs.

The Ministry of Education would like to adopt a policy that all exceptionalities and special education needs be diagnosed and/or identified. In order to provide children with an education appropriate to their needs, we want to ensure that children, parents and professionals working with and for children have sufficient information and understanding about exceptionalities and special education needs of children. This would also help the Ministry of Education and other Ministries to engage in better short, medium and long-term planning for children with special education needs, and gather data on student achievement and the quality of service provision to improve programmes and services.

Policy Priority 7: Provide students with special education needs full continua of special education programmes, services, placements and service delivery models.

While the Ministry of Education is committed to the education of each child to the extent appropriate in the regular classroom setting, we want students with special education needs to be educated in the learning environment most appropriate to their unique needs. Therefore, where appropriate education and related services cannot be provided in the regular classroom to help students make continuous educational progress, more appropriate educational placements and service delivery models should be provided. Regardless of the education placement, we want students to have as much as possible meaningful participation and be integrated with similar-aged peers in school.

Policy Priority 8: Develop and implement a complex needs panel to fill the gaps in special education programmes and service provision.

It is proposed that the Government of Bermuda put in place a complex needs panel to make recommendations and decisions regarding the development and funding for special education programmes in Bermuda and abroad for students who have needs that are complex and not being met within local public schools. This approach would also consider children who have been excluded through expulsion or other reasons from public school.

Policy Priority 9: Require that all students with identified special education needs be supported by high quality Individual Education Plans (IEPs).

We want all children with identified special education needs to be supported by high quality Individual Education Plan (IEPs) that set out clear learning goals and objectives, identify who is responsible

for the delivery of programming and services, and to serve as an accountability tool to be used by parents, schools, related service providers and the Ministry of Education.

Policy Priority 10: Improve transition preparation and planning for students with special education needs.

The Ministry of Education must ensure that there is an alignment between placement options for students with special education needs at key transition points (e.g. from primary school to middle school and from middle school to senior school). We must also ensure that within schools, there is sufficient transition planning and support for students to move within schools and programmes and from one school year to the next. We also believe that the Government of Bermuda along with the community has a joint responsibility to increase transition options for students with special education needs.

Policy Priority 11: Develop and implement mediation and dispute resolution processes and institute the right of parent appeal regarding the special education placement of students with identified special education needs.

In an effort to improve responsiveness, the Ministry of Education would like to implement:

- A well-defined complaints and dispute resolution process to hear and resolve complaints that pertain to inclusive and special education;
- Mediation as a compromise driven process, designed to produce mutually agreed outcomes that are in the interests of students with special education needs; and
- An appeals process for parents regarding certain aspects of the provision of special education programmes and services, such as the identification of the specific special education need(s) of a student and the classroom placement of a student.

Policy Priority 12: Encourage, facilitate and be responsive to increased parent, family and community involvement and advocacy.

The Ministry of Education proposes to increase parent knowledge about inclusive and special education through a parent guide and the establishment of an Inclusive and Special Education Advisory Committee. The committee would have clear and transparent functions and responsibilities to advise and advocate to the Minister of Education and those Ministers responsible for related and support services such as the Minister of Health and Seniors and the Minister of Community and Cultural Development.

Policy Priority 13: Measure value-added results to help improve investments in inclusive and special education.

We propose to measure the value that particular spending is bringing towards progressing the larger goals of inclusive and special education. This approach would allow the Ministry of Education to

tailor future investments in programmes and services that produce results for inclusive and special education. This would not only increase knowledge about the effect of spending on programmes and services, but would also require that changes be made where results have not been demonstrated.

Policy Priority 14: Dramatically improve interagency co-ordination.

It is proposed that inter-agency co-ordination between the Ministry of Education and other Ministries and agencies be improved through agreements that establish formal relationships, expected levels of service, how disagreements can be resolved, and what should happen if a particular agency, including the Ministry of Education is not doing what it should. It is also proposed that a joint accountability framework be developed that clearly lays out the roles, responsibilities, accountability expectations and methods for ensuring accountability for each agency involved in providing programming and services to children and young adults.

Policy Priority 15: Increase knowledge, transparency and accountability for results²⁴ in general and special education.

The Ministry of Education believes that transparency regarding the processes, programmes and services of general and special education is an important apparatus for developing and spreading knowledge across the public education system. This is vital for communication and to inform discussions on how the entire public education system is doing. It can also facilitate better advocacy to help to drive the changes that are needed to improve inclusive and special education.

Policy Priority 16: The Government of Bermuda will commit to the continuous improvement of inclusive education and special education programmes and services supported by internal and external evaluation.

The Government of Bermuda intends to implement and publish internal and external reviews on inclusive education on the appropriateness, efficiency and efficacy of special education programmes and related services.

What Happens Next?

The views of the public will be used to concretise the policy proposals into an overarching inclusive and special education policy framework. A policy framework would consist of legislation, policies, procedures, and a system plan for implementation and ongoing monitoring, among other possible components.

Consultation will also continue along the way to provide increased value to the process and the final policy framework. We also propose to intensify our engagement with partners such as parents, community organisations and the larger society, on inclusive and special education.

²⁴ (Bennett, Sheila Dr. and Wynne, Kathleen, 2006)

Part I – Introduction to Policy Proposals for Inclusive and Special Education

Our Vision

This discussion paper sets out the vision and policy direction that the Government of Bermuda and the Ministry of Education intends to take for the future of inclusive and special education. We believe that a fundamentally different approach is needed so that all of Bermuda's children are given the opportunity to achieve their highest potential, regardless of race, gender, class, ethnicity, sexuality, religion, background, familial status or connection, upbringing, aptitude and/or ability. To fulfil this aim, both beliefs and practices must change.²⁵

We know that education, together with families, peers and society is a powerful socialising force in the lives of children. It has broad and profound implications for children, their families and our society as it has been shown to raise income levels, improve health, promote gender equality and reduce poverty.²⁶ High quality education teaches children literacy, and how to think critically, communicate effectively, develop positive social relationships and interactions and make healthy choices. In short, a high quality education helps children grow, learn and develop skills that are critical to lifelong learning and success, shaping our children into citizens of Bermuda and the world.

Education can and does make a difference in the lives of children. However, we want that difference to be meaningful for all children, including those who are gifted and/or experience barriers to learning. Therefore it is the obligation of the public education system to ensure that all children have access to education that is high quality and appropriate to individual needs. We want all persons working with and for children to understand the significant role that they play in the lives of children; we want to nurture and develop the belief that it is a collective responsibility to provide all children with high quality education that is broad, comprehensive and truly universal. Internationally, these understandings and beliefs have helped to drive a re-visioning of traditional approaches to inclusion.

In the 21st century, inclusion has evolved beyond the placement of children with disabilities in mainstream schools; it is now largely understood by leaders in education around the world as “a *process* of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education (emphasis original).”²⁷

Modern approaches to inclusive education call for all children, especially those who are vulnerable, excluded, or at-risk to have access to high quality education, regardless of their ability. A re-articulated approach to inclusion moves away from a medical model of disability where the education system tries to change or fix children with disabilities within an unchanged education system.²⁸ Instead it attempts to change the education system and society to operate within a social model²⁹ that requires “... *changing the education system* so that it is flexible enough to accommodate any learner (emphasis original).”³⁰

25 (Council of Ontario Directors of Education, 2012)

26 (Global Partnership for Education, 2013)

27 (United Nations Educational, Scientific and Cultural Organization, 2005)

28 (Stubbs, Sue, 2008)

29 (Stubbs, Sue, 2008)

30 (Enabling Education Network, Undated)

We must make dramatic changes to transform the public education system to be truly inclusive and provide high quality education for all children. Therefore, a new and progressive direction for inclusive and special education is proposed; one that is fully inclusive, in name and in practice, and designed to meet the educational and related needs of all children.

What the policy proposals are designed to do

These proposals for inclusive and special education are designed:

- to acknowledge and illuminate the need to radically improve the current provision;
- to demonstrate a commitment to change and transformation;
- to initiate broad consultation regarding the policy direction that the Government of Bermuda and Ministry of Education would like to take; and
- most importantly to help improve student achievement and student outcomes.

The Need for Change

Bermuda's move to a comprehensive and more inclusive public education system in the 1990s has resulted in significant and fundamental changes to Bermudian society. Ensuring that nearly all children were educated with similarly-aged peers has contributed to more understanding of different abilities, improved social interactions for many diverse learners, and provided more exposure to a range of curricula for many students who previously had no choice but to attend separate special schools.

While Bermuda has come a long way since the implementation of inclusion began, there is much more to be done. Despite the best of intentions, the administration and provision of inclusion and special education in Bermuda have been largely dictated by custom and practice, in ways that are often inconsistent and insufficient to meet the needs of all students, the aspirations of all parents,³¹ and the needs of society. Bringing inclusion and special education into the 21st century is as much of a national and moral imperative today as was the initial move to inclusion in the 1990s.

The Catalyst for Change

Change for inclusion and special education has been a long time in the making. Parents, families, non-profit organisations, educators and other professionals working in education have long advocated for the modernisation of Bermuda's approach to inclusion and special education. While parental concerns varied, common complaints pertained to the lack of basic services for children, the lack of placement options, ineffective teaching strategies, the failure to implement Individual Education Plans (IEPs), the lack of knowledge and sensitivity of some staff, and weak levels of accountability. Historically, responses to calls for change often centred on individual cases, and not necessarily systemic solutions that would result in improvements across public education.

It was within the context of ongoing dissatisfaction and sustained advocacy by parents and others, that the Ombudsman received a complaint by a parent regarding the special education provision for her child. Considering the facts of the particular case, and the number and scope of issues previously brought to her attention, the Ombudsman launched an investigation into the complaint, but also looked deeper into the delivery of special education. In addition to her findings that the Ministry of

³¹ In this document, the term parent(s) refers to parent(s) and legal guardian(s), but in some contexts can also be read to include persons who provide the primary care and support for students, such as grandparents, aunts, uncles, etc.

Education's provision for the complainant's child was indeed insufficient, the Ombudsman also saw this particular case as an opportunity to advocate for the improvement of special education for other children and their families. She then recommended that a special education policy be developed by the Ministry of Education.

The Ministry of Education accepted the recommendation of the Ombudsman. This consultation document is intended to serve as a starting point for a modern approach to inclusive education and the development and eventual implementation of Bermuda's first inclusive and special education policy.

Who Is the Discussion Paper For?

The policy proposals are intended for the entire society, but generally focus on children under compulsory school age (generally under the age of five) and children in the Bermuda Public School System, and their families, as part of the primary mandate of the Ministry of Education.

The discussion paper anticipates benefits for children generally, as it:

- Re-communicates and clarifies that all children should have access to a high quality education consisting of comprehensive programmes and services. This provides a strong foundation for all learners and can reduce the risk of poor learning outcomes.
- Proposes that specific mandatory processes be put in place for children who are at risk of poor learning outcomes regardless of the reason for the risk; and
- Proposes that all children with special education needs, including those who are gifted, should receive an education that is appropriate to their individual needs.

A non-exhaustive list of examples of special education needs includes: autism spectrum disorder (ASD), emotional or behavioural disorders, blindness and low vision, deaf and hard of hearing, developmental disability, giftedness, language impairment, mild intellectual disability, physical disability, specific learning disability or difference, speech impairment and multiple exceptionalities.³²

Once agreed and finalised, the policy proposals are also intended to help the Government of Bermuda, including the Ministry of Education, and other Government Ministries, quangos, non-profit organisations, students, parents and other interested parties to work together to help children and their families for the purposes of improved student achievement.

While a great deal of work is underway, we know that much more is needed to develop and achieve the proposed vision for inclusive and special education; therefore these proposals do not attempt to address all specific areas where change is needed. Instead, they are intended as a starting point for the acceleration, expansion and formalisation of more change, and eventual transformation. It is hoped that through consultation, a wide-ranging policy will be developed whose implementation will provide a mandatory framework for ensuring better general education and special education throughout the public school system.

³² The term exceptionality refers to a functioning which is significantly outside of the norm.

How the Discussion Paper was Developed

The development process of the discussion paper began in earnest and included a qualitative examination of Bermuda's traditional approach to inclusion and special education. There was an effort to gain as much as possible a 360 degree view of existing practices to accurately identify the issues and problems that the policy proposals would be designed to address.

The consultation meetings were informal and generally began with the question of what was and was not working well. Persons engaged included students, parents, general and special educators, administrators, paraprofessionals, school counsellors, related service providers, non-profit organisations, advocacy groups, other Government Ministries and Departments and quangos, among others. It was important to capture specific issues of concern and views on how they could be addressed. Those consulted engaged the opportunity to be heard and contribute to change for children, their families and the larger society. The consultation helped to provide a better global view of what the policy priorities should look like, and also provided insight into historical and current challenges with inclusion, as outlined later in the discussion paper.

The development of the discussion paper was also supported by research, document reviews and consultation with small jurisdictions such as the Cayman Islands and the States of Jersey which have similar population sizes and share other commonalities with Bermuda. Additionally, as per the recommendation of the Ombudsman, for the purposes of identifying key areas of need, the policy proposals were augmented by the work of the Department of Internal Audit which conducted an external review of Student Services (the section of the Department of Education with key responsibility for the leadership, management, provision and supervision of special education programmes and services provided by the Department of Education and schools).

Key Interfaces

The Government of Bermuda sees high quality public education, including special education as a national endeavour that goes beyond the walls of the Department of Education and individual schools. A successful and effective education system is dependent upon the involvement of parents, educators, support professionals, non-profit organisations, and the larger society. In addition, public education cannot be successful without the support of the larger Government for the establishment of a strong infrastructure that includes legislation, financing, policies and strategies. This infrastructure helps to drive the quality and types of services and supports that are necessary to optimise student achievement and outcomes. Examples of services and supports include access to basic healthcare (including mental health services), human rights legislation and enforcement, social and financial assistance and occupational and physical therapy and speech and language pathology.

Timing of the Policy Development Process

We know that many are anxious for changes to occur, as are many Ministry of Education, including school and special programme personnel. Due to the broad scope, diversity and complexities of inclusion and special education, the need to co-ordinate outside of the Ministry of Education, and the extent of the changes that we believe are required, the process for improvement and eventual transformation has been divided into short, medium and long-term periods.

While we acknowledge the need for urgency, we have tried to find the right balance to ensure that the eventual policy takes into account the views of the public, is of a high quality, and can be implemented within a timeframe that doesn't undermine the quality of the changes that are needed. Therefore the following is proposed:

Developing the Foundation for Transformation – by June 2014

- Consult, co-ordinate and complete draft inclusive and special education policy.
- Conduct programme evaluation of existing programmes and services and begin to make necessary changes to existing programmes and services.

Building on Change for Transformation – by September 2015

- Complete the final inclusive and special education policy and continue implementation.
- Introduce legislative amendments to support inclusive and special education.
- Continue to engage the public education system and its partners for the purposes of improved inclusive and special education.
- Where necessary, introduce additional programmes, services and/or placements.
- Continue the programme and service improvement process.

Transformation and Continuous Improvement – through September 2016 and beyond...

- Fully implement the inclusive and special education policy.
- Conduct ongoing evaluation of the progress of implementation of the inclusive and special education policies.
- Conduct an impact analysis on the inclusive and special education policy to determine progress towards transformation and impacts on student outcomes.
- Use the results of the evaluation and impact analysis processes to continually improve inclusive and special education policy and its implementation.

Stakeholders such as students, parents, educators, service providers, non-profit organisations, other Government Ministries and Departments, and those of other interested parties, etc. will continue to be included in the policy development and implementation process. Recommendations are welcomed on ways to encourage and develop meaningful and sustainable partnerships to drive this change and transformation process.

Part II – Contextual Overview of the Issues

An Overview of Inclusion and Special Education

The Ministry of Education believes that a modern approach to inclusion is the foundation upon which a 21st century special education policy must be built to improve student achievement, and make the social and larger cultural differences that we all want to see for our children, our schools and for our society.

A Brief History of Inclusion in Bermuda

Bermuda's move to inclusion was part of a larger international inclusion movement and a wave of change driven by calls for social justice, greater equality, the appreciation of difference and diversity, and the pursuit of dignity for students.

It reflected the mainstreaming approach that had been popular in other jurisdictions and which was deemed to be appropriate for Bermuda. This meant that students with special education needs were educated in the regular classroom (or the mainstream school) as a rule, as opposed to being placed in special schools or special classrooms (eventually in Bermuda exceptions were made to the rule and some students are now educated in special classes, special programmes and a special school).

Some 20 years ago, the Education Planning Team, charged with improving the quality of public education in Bermuda, determined that special schools should be closed. Following research and consultation, Bermuda moved towards the development of an inclusive public education system and away from separate special education schools.³³ This decision was taken due to the belief that special schools created a system of segregation and resulted in unanticipated negative outcomes for many children who were labelled, segregated and isolated from their peers.³⁴ The resulting decision was made to develop a 'unified' system, one that was cited as being rooted in core social values such as justice, tolerance, concern and respect for others.³⁵ The intent was for schools to become communities in which all students could be contributing and valued members.

The move was also part of Bermuda's efforts to put in place a comprehensive education system which ended the practice of schools' selecting students based on prior achievement or aptitude. This gave students access to a wider range of subjects, post-secondary opportunities and eventual career opportunities. This reduced often arbitrary and inappropriate limitations put on the potential of many students. Between 1993 and 1997 the Friendship Vale, Cedar Grove, Woodlands and Devon Lane special schools were closed, and in 1999 Orange Valley School and Opportunity Workshop were transferred from the Ministry of Education to the Ministry of Health and Family Services. Over that time, students were partially and then fully mainstreamed into regular schools with their same-aged peers.

Schools were provided with the support of additional human resources such as paraprofessionals, occupational and physical therapists and speech and language pathologists. At that time, hospital/homebound, deaf and hard of hearing as well as vision teachers were already delivering services to students. An education officer with a background in medical challenges was hired to provide programme supervision for students. Staff development occurred to help prepare school personnel

³³ (Ministry of Education, 2001)

³⁴ (Ministry of Education, 2001)

³⁵ (Ministry of Education, 2001)

for the responsibility of meeting the diverse needs of students. Five schools were identified and altered to accommodate students with accessibility needs. Therapy rooms were built or refurbished for use by related service providers.³⁶

The immediate and longer-term reaction to Bermuda's inclusion model and its impact has been mixed. In late 1997, the Government of the day commissioned a review which raised several issues of concern related to a lack of clear understanding, acceptance, preparedness and management of what was termed the 'inclusion programme.' In 2000, parents of students with significant needs were surveyed, and indicated varying views on how the needs of their children were being met in regular as opposed to special schools. It was then determined that a special school for students would be opened, and in 2003, the Dame Marjorie Bean Hope Academy opened its doors for students with severe and profound disabilities and other special education needs.

A Brief Overview of Inclusion Internationally

The international movement for inclusion is underpinned by the belief that education is a universal human right and therefore all children should have access to an education, regardless of their ability or other factors. This is enshrined and affirmed by the Universal Declaration of Human Rights, the Convention on the Rights of the Child, the Jomtien Declaration on Education for All and the Salamanca Statement and Framework for Action. International efforts for universal education have been advanced as part of a rights agenda so that the provision of high quality education would no longer be regarded as a choice by governments and schools, but as an inalienable and fundamental human right for equal access and quality. While much progress has been made, modern approaches to inclusion did not happen quickly, but have been developing over several decades.

Although more children are in school than ever before, the need for inclusion is still evident as 67 million children of primary school age around the world do not attend school.³⁷ Refugees, girls, indigenous peoples, minority language groups, racial minorities, child labourers, street children, children living with certain health conditions, such as HIV/AIDs, persons with a wide array of disabilities and many living in poverty, remote areas or in conflict zones³⁸ are often excluded from school. Many who do attend school are often excluded from experiencing meaningful opportunities to learn while in school³⁹ because they are often discriminated against and not treated as full participants within the school environment.⁴⁰ The lack of inclusive and high quality special education exists in both wealthy and poor nations. While more children attend school in wealthy nations, than in poorer nations, there are numerous examples of children in wealthy countries being excluded from school or marginalised within the schools that they attend.⁴¹

21st Century Inclusion Defined

While the mainstreaming of students has resulted in monumental changes and shifts for students, families and society in Bermuda and abroad (socially, economically, academically and culturally) the concept of inclusion has evolved over the years, in part due to changes in thinking regarding its effectiveness for students. It is generally accepted around the world, that some students need more than what can be provided in a regular classroom.

³⁶ (Ministry of Education, 2001)

³⁷ (United Nations Educational, Scientific and Cultural Organization, 2011)

³⁸ (Stubbs, Sue, 2008)

³⁹ (Center for Universal Education at Brookings, 2011)

⁴⁰ (United Nations Educational, Scientific and Cultural Organization, 2011)

⁴¹ (Higgins, Andrew, 2013); (Livengood, Chad and Donnelly, Frank, 2013); (United Kingdom Children's Commissioner, 2013)

Supported by leading and emerging nations in education, as well as education experts and practitioners, the United Nations Educational, Scientific and Cultural Organization (UNESCO), has expanded traditional definitions of inclusion. UNESCO does not define inclusion as a physical place, like a regular classroom for example, but instead sees inclusion as both a broader goal and a process that involves all students and adults with a role to play in the education system.⁴²

According to UNESCO, inclusion is:

“a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children (emphasis original).

Inclusion is concerned with providing appropriate responses to the broad spectrum of learning needs in formal and non-formal educational settings. Rather than being a marginal issue on how some learners can be integrated in mainstream education, inclusive education is an approach that looks into how to transform education systems and other learning environments in order to respond to the diversity of learners. It aims towards enabling teachers and learners both to feel comfortable with diversity and to see it as a challenge and enrichment of the learning environment, rather than a problem. Inclusion emphasises providing opportunities for equal participation of persons with disabilities (physical, social and/or emotional) whenever possible into general education, but leaves open the possibility of personal choice and options for special assistance and facilities for those who need it.”⁴³

An evolving understanding of inclusion expands it beyond a concept or framework designed to support only students with special education needs, to a process whose goals are to transform beliefs, values, and attitudes. This understanding is intended to galvanise public education systems and the larger societies in which they exist, to invite, welcome, encourage, support, include and advocate so that all children receive a high quality education regardless of their race, gender, class, ethnicity, sexuality, religion, background, familial status or connection, upbringing and/or ability, etc. It also means understanding and eliminating different forms of exclusion to ensure that children attend school, to remove barriers to learning, and to remove the marginalisation of students within schools and in the community. This is important so that all children are given opportunities and support to acquire the “values, attitudes, knowledge and skills”⁴⁴, required of the 21st century.

Why is 21st Century Inclusion Necessary for Special Education?

Effective approaches to special education sit within a truly inclusive education system. This is because inclusion is an educational philosophy that acknowledges, accepts and embraces the need to educate all children, including those with special education needs. In other words, inclusion for all is a prerequisite for the success of special education. Again, inclusion is no longer a *place* for students with special education needs, but a goal and process through which the educational and related needs of all students, including those who may experience barriers to learning and/or who have identified special education needs must be met.

21st Century Special Education Defined

Special education has also been defined and understood in numerous ways, depending on the

⁴² (United Nations Educational, Scientific and Cultural Organization, 2005)

⁴³ (United Nations Educational, Scientific and Cultural Organization, 2005)

⁴⁴ (United Nations Educational, Scientific and Cultural Organization, 2009)

jurisdiction, school system or school. It is important to define special education locally for the public education system. The following definition is reflective of international best practices, and is both accurate and useful in describing what the Ministry of Education means by special education in the 21st century.

Special education⁴⁵ is particular to students who have been diagnosed and/or identified and require specialised programming and services to meet their individual educational needs. It therefore refers to the provision of direct educational and related supports for children with emotional or behavioural, communicational, intellectual (including gifted), physical or multiple exceptionalities, who require specialised instruction and supports; education may be met through accommodations, and/or educational programmes that are modified above or below the age-appropriate year level expectations for a particular subject or course of study.⁴⁶

Examples of special education services include:

- Specially designed instruction, which for example, could be provided via co-teaching or one on one instruction, etc.;
- Behaviour therapy to modify a student’s behaviour to allow him or her to truly participate in learning;
- Accommodations, which are practices and procedures that allow students with special education needs to learn, have access to, and be tested on the same curriculum as students without special education needs. Accommodations do not change the substance of the school work, the content of a test or the learning expectations of students, but rather how children access and demonstrate their knowledge of the curriculum. Examples include being provided with large printed school work, Braille, extra time for test taking, or being provided written notes; and
- Modifications, which are changes in what is being taught or expected of students, but which are individualised to a student’s outcomes or goals. Examples include shorter reading and writing assignments, reducing the difficulty of the assignments, or accelerating students through the curriculum.

In addition to direct education services, students may also require related services and supports to make meaningful progress towards the achievement of their potential (e.g. occupational and physical therapy, speech and language pathology, physically accessible spaces, counselling, social skills development, etc.).

Within an inclusive public education system, special education is not a separate and parallel approach to education; it is a part of an inclusive framework, where special education and general education are an integrated and complementary approach to the education of students. For example, more than 99% of students who receive special education services in Bermuda attend general education schools. They should be supported by highly qualified general and special education teachers, and as much as possible, specialised supports should be provided in the regular classroom.

⁴⁵ Adapted from the Ontario Ministry of Education.

⁴⁶ (Ontario Ministry of Education, 2010)

Therefore, special education and general education (supported by related services) must work together to provide prevention and early intervention programmes and services for all learners, especially those who experience barriers to learning. This considers those who may be at-risk for poor learning outcomes, even if they do not have diagnosed and/or identified exceptionalities and special education needs. Together, general education and special education should be a continuum of programmes, services, interventions and instructional approaches provided for all students, including those with specific learning needs, to maximise the learning potential of all children.

Exceptionalities and Special Education Needs

The policy proposals also refer to 'exceptionalities,' 'special education needs,' and to 'disabilities.' The term 'exceptionality' refers to an area of functioning which is significantly different from the established norm; some examples include giftedness, Asperger's syndrome, language impairment, deafness, and specific learning disabilities or differences.

'Special education need' refers to an area of functioning which is significantly different from the established norm and where specialised education and related supports which are beyond what is usually provided through general education are required by students in order to learn to their ability.

These policy proposals generally refer to exceptionalities and special education needs, instead of disabilities. This is not intended to minimise the important language of disabilities, but is instead meant to cover the broad range of exceptionalities, many of which are disabilities, but some of which are not. For example, the policy proposals are meant to speak to all exceptionalities and special education needs, including giftedness, exceptionalities that may be temporary or short to medium-term (for example a speech and/or language delay, that with the appropriate intensity of therapy and other supports may cease to exist), and long-term or lifelong disabilities.

Strengths and Challenges to Bermuda's Traditional Approach to Inclusion and Special Education

Great strides have been made towards the development of an inclusive public education system. Inclusion has opened up significant opportunities for many exceptional students. Not only did it bring students into the mainstream of education, but it has also fostered learning and acceptance in the wider community. Reflecting on inclusion however, is to a certain extent a subjective exercise because there were no programme goals or critical success indicators put in place at the start of inclusion to allow the Ministry of Education to quantitatively measure inclusion's success, nor is there research available that demonstrates the impact of the move to inclusion and the resultant changes to special education systemically that have taken place over the last 20 years.

Consultation with parents, educators, non-profit organisations and Government Ministries and others, revealed the following strengths of the current approach to inclusion and special education in Bermuda's public school system:

- The care, concern and sensitivity for students exhibited by many adults;
- That many staff go above and beyond the call of duty each and every day for students and their families;
- A sense of increasing parent and community engagement;

- The introduction of new special education programmes and services;
- Twenty-first century practices in some special education programmes and services;
- An increase in 21st century technical special education knowledge by staff;
- An increase in school and public awareness of some exceptionalities;
- An increasing spread of knowledge regarding special education in the community; and
- Improved outreach and early intervention regarding some exceptionalities;

While the purpose of these policy proposals is to move forward to an inclusive public education system with a 21st century approach to special education, it is also important to identify some of the major challenges that have impacted the success of inclusion and special education. The following overview of policy and operational issues regarding inclusion (as originally conceptualised in Bermuda) and special education reflects issues raised during consultation and knowledge gained by the Ministry of Education from consultation and previous programme reviews.

- 1. There is no shared inclusive educational philosophy** and understanding about inclusion and special education within the public education system. Within the Ministry of Education and schools there are very different understandings and philosophies about what inclusion means. This has contributed to a fragmented approach to inclusion and a lack of universal acceptance by persons involved in the public education system.
- 2. There are no comprehensive legislative or policy documents that set out the policy framework for inclusion and special education,** nor are there sufficient supporting written operational policies and procedures in place for inclusion and special education. This has contributed to confusion, a lack of understanding and a lack of a sense of responsibility for inclusion, special education and the education of all students.
- 3. Inclusion was largely implemented as mainstreaming,** and at one time all students, regardless of their needs were moved into regular schools and classes with peers of similar ages. Despite the educational and social value of inclusion, 'included' often ended up being implemented as physical inclusion, and not necessarily the provision of programmes and services developed to meet the unique needs of children for improved student achievement. That a child was physically present did not mean that he or she was in fact learning to his or her potential.
- 4. While inclusion was a moral imperative, it was largely imposed on schools without the appropriate supports being put in place.** Its potential for success was greatly undermined by how it was implemented. The failure to adequately prepare and support educators to educate all students in the mainstream both contributed to and fuelled resistance to inclusion. Many principals and general education teachers report that they have not received adequate training and ongoing support to appropriately educate students with diverse special education needs.

- 5. Despite concerns raised about inclusion and special education over the years, and although some shifts were made, there was no dramatic overhaul of inclusion and special education programmes and services.** In 1998, a review of the 'inclusion programme,' (as it was termed) identified serious concerns that resulted in some changes, including the opening of the Dame Marjorie Bean Hope Academy for students with severe and profound disabilities. In 2007, in reference to the learning support programme, the Review of Public Education in Bermuda emphatically stated that "the system needs a root and branch overhaul..." and recommended that the Ministry of Education "*respond to concerns about inclusion and behaviour.*" While some changes have been made, they have largely been in very specific areas and have not been part of overarching changes to inclusion or special education.
- 6. The Ministry of Education does not currently diagnose and/or identify all exceptionalities and special education needs.** This has unintentionally undermined the ability to create a culture of understanding around exceptionalities and special education needs. There is also no useful aggregated data on students with special education needs and school populations for the purposes of planning, budgeting, resource allocation and to help support accountability measures.
- 7. There are unclear and sometimes inappropriate criteria and guidelines used to place children into special education.** This has resulted in confusion and inconsistent practice for children across the public education system. It has undermined confidence that all children who receive special education truly have special education needs, and that all children who do require special education have been correctly placed in the appropriate special education programmes. Similarly, for children who have been incorrectly placed in special education or who may no longer require special education, there are no clear guidelines for how children transition out of special education or what additional supports they could be provided in general education.
- 8. There is no formalised approach to determining appropriate levels of service for individual students,** nor is there a method in place for determining staffing complements to educate and support students with varying levels of need across all special education programmes. The current approach is largely ad hoc, frustrating for both parents and schools and isn't always connected to the needs of students or the budget realities faced by the Ministry of Education.
- 9. There are significant gaps between research and evidenced-based best practices and many local teaching and learning practices.** Too much of the education for students in both general and special education is disconnected from best practice. This puts students at greater risk for academic and other failures in school and in life.
- 10. There is no regular internal or external evaluation of inclusion and special education programmes and services** for the purposes of continuous improvement and to make changes to ensure that inclusion and special education are consistent with best practice.

- 11. Not all human resources are effective and fully used.** While the public education system employs a number of highly effective educators and support staff who go beyond the call of duty for their students, the Ministry of Education has also hired and retained staff who are underprepared, unqualified, or unwilling to do the work required of them. There are also inadequate mechanisms to help support staff be more effective, such as policies and procedures and targeted specialised training and professional development in key areas of need.
- 12. Co-ordination of special education programmes and services and inter-agency collaboration has been insufficient.** Many students with special education needs require multiple services and interventions that fall outside of the Ministry of Education. Co-ordination between different agencies (both Governmental and non-governmental) tends to be informal, which undermines the collective quality of services and interventions and contributes to some students falling through the cracks.
- 13. There isn't a consistent or effective means of addressing the concerns of parents.** While parental involvement is important for student and school success, there hasn't always been responsiveness to complaints from parents. In some cases despite efforts to solve problems, parents feel that their concerns have been heard, but not necessarily adequately addressed. There is also very little in writing for parents to point to regarding what their children should receive in terms of programmes and services in order to help them advocate for their children's needs.
- 14. There has been poor planning and budgeting for special education, and there is a lack of confidence that special education provides value for money.** Even though inclusion was implemented with the best of intentions, an overview of these major challenges indicates that inclusion and special education have not been implemented and managed in the most efficient or effective way. Historically, inclusion and special education haven't been appropriately budgeted for or fully funded. This has resulted in significant cost overruns for the Ministry of Education.

While there are a number of additional challenges that emanated from the move to inclusion, the above-referenced overview provides insight into the issues and problems that the Government of Bermuda intends to resolve through the development of an inclusive and special education policy.

Part III – Inclusive Education and Special Education Policy Proposals

Inclusive and special education must be underpinned by progressive beliefs, visions and values. While not fully exhaustive, the policy proposals aim to address what the Government of Bermuda believes are the most fundamental policy issues required to reform and eventually transform inclusive and special education.

They are expressed as policy priorities in order to articulate the direction that we think inclusive and special education should take. The policy priorities also represent a vision for inclusive and special education that we believe is concrete and realisable with commitment, support and accountability. They are interdependent, interconnected and in some instances overlapping, and should therefore be examined in totality. Each policy priority is supported by key recommendations for action which are provided to give insight and hopefully confidence in the proposed direction to bring inclusion and special education into the 21st century.

Our Educational Philosophy is one of Inclusion

We believe that inclusive education is a public good that is as much about the kind of society that we want to have, as it is about ensuring that all of our children, regardless of race, gender, class, ethnicity, sexuality, religion, background, familial status or connection, upbringing and/or ability are given the education and support to achieve to their potential. It is important for the Government of Bermuda and the Ministry of Education to affirm its commitment to universal education through the re-conceptualisation of inclusion beyond the traditional approach that was implemented in the 1990s.

The Ministry of Education, including many schools have a developing ethos of inclusion; but to make the transformation needed, the entire public education system and partnering Ministries and agencies must be unified in belief and action to strive towards a truly comprehensive and inclusive public education system. The recognition that we value and support all students, regardless of their abilities and in support of all of their gifts and talents is also intended to increase (where needed) dignity among students and their parents. This is for the benefit of students and their families, but also to help build a culture of acceptance and understanding within Bermudian society.

Policy Statement on Inclusion

We believe that education in Bermuda must be truly inclusive, universal and comprehensive. Inclusion must be the educational philosophy of the public education system and the framework in which the public education system operates and continues to be transformed. The following guiding principles are therefore proposed as an articulation of our beliefs and expectations:

- i] The philosophy of the public education system is an inclusive one where *all* children have the right to a quality education, which means the right to enroll, access and participate in a quality education that meets their needs.⁴⁷
- ii] We believe that all children can and will learn if given time and the proper supports.

⁴⁷ (Western Australia Department of Education and Training, 2004)

- iii] We acknowledge the need for change and must be reflective, responsive and model support and accountability for improved student achievement and student outcomes.
- iv] We will collaborate with parents, families, the community and one another for the common interest of being truly child and student-centred.

We therefore propose to develop through consultation a concrete framework for inclusive education that will be widely disseminated within schools and the community. We also recognise that there are barriers to becoming a truly inclusive public education system and must work across the Government, and with schools, community organisations and parents to address those physical, social and other barriers to inclusion.

Our Vision for Special Education

It is also important to articulate our vision for special education, which is the same vision as that of the public education system that is set out in the Blueprint for Reform in Education: Bermuda Public Schools System Strategic Plan 2010– 2015: *to deliver a 1st class education of global standards ensuring that students reach their full potential.*⁴⁸

To realise this vision, the public education system and its approach to inclusive and special education must be 21st century in all of its aspects. It must be truly child and student-centred and inclusive, in belief and in practice. Appropriately qualified, trained and suitable staff must understand their roles and responsibilities, work within a clear framework of expectations, and be supported by a strong infrastructure. They must work collaboratively to provide high quality research-based and evidence-based instruction and interventions, receiving input from parents and when needed supports from other Government Ministries, quangos and non-profit organisations to meet the needs of students to optimise their achievement.

We want all children to be respected and valued. Expectations for student achievement for all learners must be high, and those students who require special education services and supports should make observed, well-documented and continuous progress towards educational goals in an environment that is appropriate to their needs.

Finally, it is also important to know how much progress is being made towards truly inclusive education and 21st century special education. Assessing how well we are or are not doing should not be a subjective exercise. It is therefore proposed that the framework for inclusive and special education contain key measurable indicators that will be used to develop benchmarks and reflect over time how inclusive public education is becoming and what progress is being made towards the goals of modernised special education. These indicators will be publicly available and reported regularly. Examples could include the ability of school staff to articulate the philosophy of the public education system, the promotion of inclusive education within professional development, and data on the quality and effectiveness of special education services for students.

⁴⁸ (Ministry of Education, 2010)

Summary of Key Proposals for Action:

- Develop a concrete framework for inclusive and special education and widely disseminate it in the community.
- Develop inclusive and special education indicators that will be used to reflect how inclusive the public education system is and what progress is being made towards the goals of an inclusive education system and modernised special education.

Policy Priority 1: Change beliefs and practices to improve student achievement.⁴⁹

Our vision for inclusive and special education cannot be achieved without changing both beliefs and practices of persons who work with and for children⁵⁰. While many personnel espouse inclusive ideals, we want inclusive beliefs and practices for children to be universal so that all children can reap the resulting benefits. Therefore the entire public education system has to be re-oriented towards an inclusive philosophy to bring our vision closer to reality. A multi-pronged approach is proposed consisting of:

- The development of knowledge and understanding regarding 21st century inclusive and special education;
- Clearly defined expectations, roles and responsibilities;
- The recognition of existing skills and the need for further skills development;
- The development of an appropriate organisational and support structure to help staff to be effective in meeting the needs of children; and
- Holding the system and persons accountable for their role and responsibilities for inclusive and special education.

This particular approach is recommended because over the years, inadequate staff qualifications criteria, job descriptions, recruitment practices, performance management, training and professional development have undermined the ability of the education system to effectively educate and support many students who experience barriers to learning and/or have exceptionalities. A weak legislative infrastructure absent of mandated policies, procedures, appropriate programming, services and placements and clear expectations for the provision of appropriate education has also prevented the education system from reaching its potential for all students.

Although efforts are being made to strengthen the qualification requirements for educators and paraprofessionals through amendments to the Bermuda Educators Council Act 2002, the legacy of previous policies and custom and practice in terms of recruitment and internal system transfers has resulted in persons teaching or supporting students in roles which are inconsistent with their teacher or other training. The Ministry of Education recognises that this is an area that requires significant improvement and has determined that all personnel who work with or supervise programmes and services that support students must have the appropriate qualifications and training to do so.

⁴⁹ (Council of Ontario Directors of Education, 2012)

⁵⁰ (Council of Ontario Directors of Education, 2012)

Therefore, new requirements for the registration of supervisory officers⁵¹, principals, teachers, including special education teachers, behaviour therapists and paraprofessionals are being developed and will be introduced through amendments to the Bermuda Educators Council Act 2002. This will raise the bar towards international standards and facilitate the development of pathways to help those who need to improve their qualifications. Amendments to the Bermuda Educators Council Act 2002 will also require that teachers remain up-to-date with research-based teaching practices through the introduction of higher expectations for continued professional learning.

However, even before the passage and implementation of legislative changes, the Ministry of Education and schools have a responsibility to recruit appropriately educated and trained personnel and to provide ongoing training that will leave its mark on staff and students. We must also be responsible for providing co-ordinated and targeted support for in-service training and professional development that is related to areas of teaching and support for learning.

As per section 5 of the Education Rules 2006, the Minister of Education will articulate the minimum qualifications for teaching in each subject or area of teaching (e.g.. English, math, special education in regular and special schools, behaviour therapy, etc.), and by level (i.e. preschool, primary school, middle school and senior school) for the public education system. The Ministry of Education must also identify those personnel who fall short of the minimum requirements and in consultation, facilitate the development of plans to bring their qualifications in line with the required standards.

The Ministry of Education also has a collective responsibility to improve the quality of performance management of all staff. Therefore efforts will continue in order to develop a culture of high expectations for staff and appropriate levels of staff development. Additionally, the Ministry of Education should report publicly (non-personal) information on its performance management practices to give parents and the broader public more confidence that staff are developed, supported and held accountable for the provision of education that is appropriate for all learners.

⁵¹ The term 'supervisory officer' refers generally to educators in the Department of Education who supervise education staff, programmes and services. Examples of supervisory officers include the Commissioner of Education, Directors, Assistant Directors and Education Officers.

Summary of Key Proposals for Action:

- Introduce a multi-pronged approach to change beliefs and practices.
- Articulate the minimum qualifications for teaching in each subject or area of teaching (e.g. English, math, special education in regular and special schools, behaviour therapy, etc.), and by school level (i.e. preschool, primary school, middle school and senior school).
- Develop plans to bring qualifications of personnel who fall short of the minimum requirements in line with the required standards.
- Develop up-to-date job descriptions for all educators and support staff including general education teachers, special education teachers, behaviour therapists, school counsellors and paraprofessionals, etc.
- In consultation with schools and Government Ministries, develop standards and expectations for training and professional development for staff.
- Use best practice standards to manage performance and develop and publicise performance indicators specific to performance management.

Policy Priority 2: Dramatically improve the legislative framework for inclusion and special education to 21st century standards.

Inclusive and special education must be premised upon the right of universal access to an appropriate education. This is to ensure that all children, including those who are exceptional (i.e. have an exceptionality) receive a high quality education that is appropriate to their needs. This responsibility belongs to the Government of Bermuda and the Ministry of Education in partnership with families and the community. The development of effective legislation, policies, standards and procedures are proposed because they would mandate and set higher standards and expectations for the minimum requirements for the appropriate provision of education for all students.

The Education Act 1996

While a basic right to education and special education is provided for in the Education Act 1996, we believe that it is insufficient to provide the needed legislative support for a modern day approach to inclusive and special education.⁵² It is also inadequately supported by secondary legislation (like rules and/or regulations) and modern day policies and procedures. This is borne out through reviews of local legislation, international legislation and consultation.

The Education Act 1996:

- a. Establishes and defines the right of children to a suitable education (Section 2);
- b. Mandates the compulsory education of children, generally between the ages of five to 18 years (Section 40);
- c. Establishes the right to special education (Section 51); and
- d. Requires that suitable arrangements for education shall be made (Subsection 52(1)).

⁵² (Bermuda Education Review Team, Parent Business Partnership, Undated)

Additionally, under subsection 52(4) if “in the special circumstances of a particular case, it would, in the opinion of the Minister, be impracticable or inexpedient” it is within the power of the Minister of Education to determine that the Ministry of Education does not have to provide for the education of a child.

While the current regulatory approach may be sympathetic to the interests and needs of all students, it does not provide enough depth or detail to address the complexities and challenges with regard to inclusive and special education, and in many instances is inconsistent with the right of universal access to an appropriate education. Therefore, the policy priorities outlined in the discussion paper are intended to develop a vision and an outline for future amendments to the Education Act 1996, the amendment and/or development of supporting legislation, and the introduction of new policies and procedures.

The proposed legislative framework would be instructive and prescriptive in terms of implementing and supporting inclusive education, and in detailing how special education and related services should be provided to students. It would provide for better support for students, families, educators, paraprofessionals, and related service providers. It would also include enforcement and appeals mechanisms for parents. Effective legislation is intended to make inclusive and special education a better supported mandate, and not a choice.

Summary of Key Proposals for Action:

- Amend the Education Act 1996 and develop appropriate supporting legislation such as rules and/or regulations regarding inclusive and special education.

Policy Priority 3: Develop and implement policies and support mechanisms for high quality early learning and development.

The Ministry of Education’s vision for early childhood education and development is for all children to be provided with a strong foundation for lifelong learning, behaviour, and health. It is important that all children from birth through to age eight benefit from a true continuum of early learning to give them success in school and beyond.

Safe and caring play-based learning environments promote the physical, social, emotional, and cognitive development of all children. These experiences are crucial to the future well-being of children, and establish the foundation for the acquisition of knowledge and skills that will affect later learning and behaviour. A child’s brain develops most rapidly from birth to age five and early experiences and interactions with parents, family members, carers and teachers have a significant effect on brain development and therefore affect “the nature and extent of adult capabilities.”⁵³ Similar to general and special education, early learning is not only about academics, but supporting children to develop into confident, well-adjusted, capable adults who can make meaningful contributions to society.

53 (Wisconsin Council on Children and Families, 2007)

High quality and thoughtful financial investments during the early years pay dividends throughout a child's life.⁵⁴ Providing high quality early childhood education and development and identifying and addressing children's learning and development needs early, rather than waiting until problems worsen, reduces poverty, violence and other undesirable outcomes later in life. It gives children a better chance at full participation in school and in society.⁵⁵

Since most young children spend significant time in early learning environments such as home care, nurseries, preschools and primary schools, it is important that staff be able to recognise developmental delays, initiate appropriate intervention and effectively engage and communicate with parents. As parents and families are the most powerful influence on children's early learning and development, there is also a role for carers, early educators, and other childhood development professionals to play in outreach and parent education. These efforts are important in helping parents recognise possible problems so that they know about and feel comfortable seeking out early intervention programmes and services.

Within the Government of Bermuda, the Ministry of Education (in partnership with the Ministry of Health and Seniors) holds responsibility for co-ordinated early intervention programmes and services for young children (birth to four years of age) through the Child Development Programme and provides education through Government preschools and primary schools. However, it is important to highlight that programmes and services for early childhood education and development are dependent on different Government Ministries, including the Ministry of Health and Seniors and the Ministry of Community and Cultural Development. Other Ministries also play a supportive role. In addition, there are many non-profit organisations that provide early intervention services such as screenings, assessments, consultations, professional development and direct service provision. The focus on early childhood education and development is as it should be a cross-Ministry and interdisciplinary effort.

Despite good intentions, and a widespread interest in providing a solid foundation for learning, the quality of early childhood education and development is a patchwork of approaches, programmes, services and legislation, and is in many ways insufficient to meet the needs of young children and their families. While many speak the language of ensuring that practices for young children are developmentally appropriate, our expectations and the quality and co-ordination of early intervention programmes and services are not always child-centred. We believe that in many ways, early learning is still focused on adult actions and expectations that are not always appropriate or individualised to each young learner.

As a community, we are also failing to reach all children early enough using current approaches to early intervention programmes and services. It is therefore important for the Government of Bermuda to develop in consultation with parents and families, community leaders, early intervention professionals and childcare providers, co-ordinated and strategic policies to support high quality early childhood education and development. As a Government, we want to increase participation of children and families in high quality early learning programmes and services to create better outcomes.

⁵⁴ (Heckman, James J., 2005)

⁵⁵ (Centre for Excellence and Outcomes in Children and Young People's Services, 2010)

High quality early childcare education and development must therefore sit within a larger framework that includes parental, community and cross-ministry support. It must also be universal and inclusive in order to give all children the opportunity to succeed in school and later in life. It must consist of programming that ensures the safety and health of all children, balances physical, social, emotional, and cognitive development and be individualised for differing abilities. We propose that a framework should include:

- i]** good quality health care geared towards prevention and early intervention;
- ii]** appropriately qualified, knowledgeable and responsive educators and carers in early learning settings;
- iii]** high quality, flexible educational programmes and services that are always inclusive of opportunities to learn in ways best suited to individual needs and at appropriate times in development;
- iv]** a “wide range of child-centred learning opportunities, activities, settings, experiences and environments;”⁵⁶
- v]** effective screening and early intervention, support and follow-up; parent education, participation and engagement; and
- vi]** universal access and participation.

Within the Government of Bermuda, there is significant awareness of many of the gaps regarding the provision and support for high quality early childhood education and development; however, this is an area that would benefit from more cross-ministry and agency collaboration. The issues and concerns must be brought together for the development of a shared understanding of gaps in the legislative framework, and operational approaches to the delivery of programmes and services. We would also like to develop as a matter of urgency, an early childhood education and development strategy and supporting policies that reflect cohesive and aligned approaches.

This could include priorities such as:

- i]** Improving the integration and oversight of the early childhood education system;
- ii]** The introduction of early learning standards and indicators of success for early childhood education and development;
- iii]** Mandating that all educators, support staff and providers working with young children have basic knowledge about early child development and skills to implement developmentally-appropriate practices including play based practices and meaningful adult inquiry;
- iv]** Increasing participation of all children and families in high quality early childhood education and development including children with exceptionalities; and
- v]** Better identification, intervention and co-ordination for early childhood special education services for families.

⁵⁶ (National Association for the Education of Young Children, 2009)

These priorities are intended to improve the co-ordination and focus on early childhood education and development and to target areas for improvement as an investment in future outcomes of our children.

Summary of Key Proposals for Action:

- Develop an early childhood education and development strategy consistent with best practices to support children and their families.
- Improve the co-ordination, integration and oversight of early childhood education and development.

Policy Priority 4: Set clear expectations and provide support for whole-school and whole-system approaches to maximising student achievement.

Every teacher is responsible for addressing the needs of students individually and in collaboration with others. And, with the support of the Ministry of Education, every school is responsible for all of its learners. We want these beliefs to be embraced in all schools throughout the public education system. We also want the education and support of students (especially those who may be at-risk and/or exceptional) to be accepted and regarded as something that “we” do together as a school and a public education system, as opposed to something that “they” (e.g. a special educator or paraprofessional, etc.) do for children.

The Ministry of Education therefore proposes a whole-school approach as one of the key components to inclusive and more effective special education. While there are various iterations, in the most basic sense, “a whole-school approach to improving student achievement means that the responsibility for every student’s achievement is shared by the school community.”⁵⁷ Building on this, a whole-system approach is one where the improvement of student achievement is a responsibility shared by the entire public education system, and where the system focuses its attention and resources to support both individual students and entire schools. This approach is intended to promote collaboration and the provision of high quality academic and non-academic supports for the best student outcomes. A whole-school approach is supported by research and the experiences of a number of jurisdictions. If done properly it can help to make a significant step towards improved student achievement.⁵⁸

A whole-school approach, supported by a whole-system approach requires effective leadership, shared responsibility, appropriate flexibility and accountability.⁵⁹ Roles and responsibilities must be well-defined, but flexible enough to appropriately support students. Schools that employ a whole-school approach are permeated by an inclusive philosophy, strong leadership teams, and high expectations for both staff and students.⁶⁰ They also have a positive climate, a culture of collaboration, and staff who are committed to continual cycles of inquiry and intervention and the provision of focused and targeted supports for students.⁶¹ A whole-system approach must also include strong and highly effective leadership; it must set the system improvement priorities, provide the infrastructure and supports required, and be responsive to the needs of school communities and the entire school system.

⁵⁷ (Queensland Department of Education and Training, 2011)

⁵⁸ (Ontario Ministry of Education, 2012)

⁵⁹ (Ontario Ministry of Education, 2012)

⁶⁰ (Queensland Department of Education and Training, 2011)

⁶¹ (Queensland Department of Education and Training, 2011)

Every school within the public system has a school improvement plan to build its capacity to improve teaching and learning and student achievement. While the amendment of legislation and the introduction of policies and procedures will drive systemic changes, the school improvement plan is a vehicle for driving improvements to inclusive and special education at the school level. It is therefore proposed that inclusive and special education be the locus of system improvement priorities and that all school improvement plans embody the educational philosophy of inclusion and be designed and evaluated through an inclusive lens.

Summary of Key Proposals for Action:

- Emphasise inclusive education and 21st century special education as part of the system improvement priorities of the public education system.
- Implement and provide support for a whole-school and whole-system approach to inclusive and special education.
- Include inclusive and special education as part of every school improvement plan, and ensure that they are aligned to the system improvement priorities and the eventual inclusive and special education policy.
- Conduct and respond to climate surveys of the schools and the Department of Education.
- Clarify roles and responsibilities for all members of the school and Ministry of Education community.
- Gear new and existing programmes and services towards a whole-school and whole-system approach.
- Require and provide support for the use of research and evidenced-based teaching practices that maximise effective student learning.

Policy Priority 5: Introduce a general problem-solving framework for all students, made up of:

- c. comprehensive prevention and early intervention supports across the public education system; and**
- d. a mandatory pre-referral process and clear criteria for special education programmes and services.**

The whole-school and whole-system approach to inclusive and special education is aimed at ensuring that everyone involved with schools plays a role in the success of children. This is to make sure that all children are truly included within the public school system and receive a high quality education that is appropriate to their needs. To be effective this approach must also be predicated upon comprehensive and early intervention frameworks to prevent problems for students, intervene early when or if issues do occur, and ensure that students are appropriately referred for special education programmes and services.

Research shows that the effective use of an “early detection, prevention, and support system”⁶² can make significant differences for students by “contributing to more meaningful identification of learning and behavioural problems”⁶³. This type of approach has been implemented in various forms and iterations in many jurisdictions around the world and important features of it are present locally. Some schools currently have systematic and consistent intervention systems and processes in place. And, while schools understand the imperative of intervening early, the implementation and use of an early detection and support framework is not currently an explicit expectation to which schools can be held accountable.

During the 1990s, the Ministry of Education developed and put in place the School Team Process,⁶⁴ which was intended to serve as an early intervention, pre-referral and problem-solving process. It was designed to assist students whose educational or related needs weren’t being successfully met in the classroom or school environment. When implemented properly the School Team Process addressed issues when they occurred by bringing together appropriate people, such as the classroom teacher, parents, and other relevant professionals to try to understand the issues of concern and put in place interventions and supports for the student.

The School Team Process also represented a fundamental pillar of special education, in that it served as an early intervention, problem-solving and pre-referral process so that supports would be put in place before most students could be considered or identified for special education programmes and services. This was also necessary to ensure that only children who truly required special education were put into special education programmes. In this way it was both a gateway and gatekeeping process for entry into special education programmes and services, and served a similar purpose for students if they no longer required special education programmes and services.

The School Team Process was meant to ensure that there were clear pathways into special education for correctly identified students, but was also designed so that those students who experienced difficulties, but who were not exceptional were provided interventions and supports in general education. Unfortunately, the School Team Process has broken down and isn’t being used in every school to its true potential.

It is therefore proposed that a framework that includes prevention, early intervention, pre-referral processes and clear criteria and pathways for special education programmes and services be implemented for the public education system for all schools with support from the Ministry of Education. Such a framework would sit within and be supported by the whole-school and whole-system approach to improving student achievement and would require that as a public system, we seek out and respond to students who may be exceptional and/or experience barriers to learning.

The key elements⁶⁵ of the framework would include:

- A collaborative “school-wide, multi-level instructional and behavioural system”⁶⁶ to help all students succeed.⁶⁷

⁶² (Regional Educational Laboratory Northeast and Islands, 2006-2011)

⁶³ (National Center on Response to Intervention, 2010)

⁶⁴ (Student Services, Department of Education, 2002)

⁶⁵ The specific design and implementation of the framework would vary across different school levels (e.g. preschool, lower primary, upper primary, middle and senior school) and vary by individual school characteristics, including readiness and other factors.

⁶⁶ (National Center on Response to Intervention, 2010)

⁶⁷ (National Joint Committee on Learning Disabilities, 2005)

- Universal screening⁶⁸ to “identify students at risk for poor learning outcomes;”⁶⁹
- Progress monitoring to help make decisions about instruction and support;⁷⁰
- “Data-based decision-making for instruction, movement of students within the multi-level system” and to assist with the identification of special education needs;⁷¹ and
- The involvement of parents.

Within “school-wide, multi-level instructional and behavioural systems”⁷² there are various levels with different degrees of intensity designed to match the needs of students.⁷³ The various levels of instruction begin with “high-quality core instruction” that should meet the needs of most students, then “evidenced-based intervention(s)” to address “the learning or behavioural challenges of most at-risk students,” and for those who need it, “individualised intervention(s) of increased intensity for students” who do not show sufficient response to the evidenced-based intervention(s) that have been provided to them.⁷⁴

68 (Griffiths, Amy-Jane, Parson, Lorien B., Burns, Matthew K., VanDerHeyden, Amanda, Tilly, David, W., 2007)

69 (National Association of School Psychologists, 2007)

70 (RTI Action Network, Undated)

71 (National Center on Response to Intervention, 2010)

72 (National Center on Response to Intervention, 2010)

73 (Griffiths, Amy-Jane, Parson, Lorien B., Burns, Matthew K., VanDerHeyden, Amanda, Tilly, David, W., 2007)

74 (National Center on Response to Intervention, 2010)

SCHOOL-WIDE SYSTEMS FOR STUDENT SUCCESS⁷⁵

Example of a School-wide, Multi-level Instructional and Behavioural System⁷⁶



INTENSIVE LEVEL

Interventions are provided to students with intensive/chronic academic and/or behaviour needs based on ongoing progress monitoring and/or diagnostic assessment.

TARGETED LEVEL

Interventions are provided to students identified at-risk of academic and/or social challenges and/or students identified as underachieving who require specific supports to make sufficient progress in general education.

UNIVERSAL LEVEL

All students receive research-based, high quality, general education that incorporates ongoing universal screening, progress monitoring, and prescriptive assessment to design instruction. Expectations are taught, reinforced and monitored in all settings by all adults. Discipline and other data inform the design of interventions that are preventative and proactive.

⁷⁵ Adapted from the Colorado Department of Education.

⁷⁶ (Colorado Department of Education, 2012)

It is also imperative to have high quality and appropriate criteria for entry and exit into and out of special education programmes and services. While this exists for some programmes, it is not applied consistently, sometimes resulting in decisions that limit access to students' opportunities for success. These decisions are made in the absence of clear policies and procedures for entry and exit into special education programmes and services, and can be arbitrary, uninformed or result from the lack of available options of support for struggling students. A multi-tiered system would not only require increased transparency for the education system, schools and parents regarding entry and exit into special education programmes and services, but it would also help support those students who exit special education programmes to receive additional appropriate support outside of special education.

Parental involvement is also vital because parents are key⁷⁷ to the optimisation of their child's achievement.⁷⁸ Knowledge about what constitutes high-quality instruction should be imparted to all parents, and they should also have access to information on the types of interventions that are available for students who are at-risk or who may experience barriers to learning. Finally, parents should be given information on the appropriate pathways and processes into special education programmes and services so that they can understand how the system works and be given the opportunity to advocate and participate in their children's education to the best of their abilities.

Summary of Key Proposals for Action:

- Introduce an early detection, prevention, and support framework for students across the public school system.
- Introduce a mandatory pre-referral process and clear pathways into special education programmes and services.
- Clarify and communicate entry and exit criteria for special education programmes and services.

Policy Priority 6: Diagnose and/or identify exceptionalities and special education needs.

To provide children with an education appropriate to their needs, we want to ensure that children, parents and professionals working with and for children have sufficient information and understanding about exceptionalities and special education needs. This requires the Ministry of Education to adopt a policy that all exceptionalities and special education needs be diagnosed and/or identified.

While this is the practice in many leading jurisdictions in education, within the Ministry of Education there has been an unwritten policy and practice that certain exceptionalities, for example learning disabilities or learning differences and intellectual disabilities are not formally diagnosed by qualified personnel such as school psychologists. The Ministry of Education does recognise exceptionalities that are medically diagnosed by health professionals, such as autism spectrum disorder, blindness and low vision, deaf and hard of hearing, and physical disabilities, among others. Instead of identifying and/or diagnosing exceptionalities, it is currently the expectation that descriptions of

⁷⁷ While it is often said that parents are the key to their child's success, we believe that in cases where parents are unable or choose not to participate fully in supporting their child's success in school, the public education system still has an obligation to provide an appropriate education.

⁷⁸ (Coleman, Mary R., Roth, Froma P. and West, Tracey, 2009)

learning needs be developed, and recommendations made for the types of interventions, supports and services that should be implemented to assist those who have been deemed to require special education services.

The rationale for the non-identification and/or non-diagnosis of exceptionalities was well-intentioned; it was developed in large part to prevent the 'labelling' of children so that they would be accepted for who they are as children, and not simply seen as a particular disability or condition. To negatively label children—that is to see them and their potential as limited—in terms of their exceptionality (or in other cases, their background, class, ethnicity, religion, place of origin, etc.) is anti-inclusion and creates barriers to learning by attempting to predetermine what students can and cannot achieve. Unfortunately, many children with or without exceptionalities are already labelled by adults and their peers.

We believe that the lack of formal diagnosis, identification and therefore the naming of exceptionalities and special education needs has undermined the ability of the Ministry of Education and schools to appropriately deliver the programmes and services needed for students. It has also created an inconsistent approach to special education, where some students and parents are provided with diagnosis and/or identification information, while others are not.

This practice has contributed to the lack of aggregated data collection on the numbers, nature or degree of need of all students who have exceptionalities, including those with multiple needs. The formal lack of naming exceptionalities has hampered the ability to forward plan for students, especially those who may or will require special education programmes for the duration of their school careers. It also severely limits the ability to track achievement over time, to develop policy and procedures, to develop an accurate view of how general and special education are doing and why, and to plan and resource for the future.

The lack of formal diagnosis and identification has also contributed to a lack of knowledge and understanding about particular exceptionalities, many of which are widely misunderstood both by society and those working within the public education system. We want educators to have a working knowledge of exceptionalities to help inform early intervention so that appropriate interventions and referrals can take place. Also, teachers and paraprofessionals have been required to work with students who experience barriers to learning, but don't always understand the educational needs of their students, or how their work relates to children's specific educational needs. While the diagnosis and/or identification alone will not drive the provision of programmes and services, it will help educators, paraprofessionals and related service providers to develop more in-depth knowledge about exceptionalities in order to help improve their understanding of both the students and the complexities of the supports that they require. We also believe that exceptional students should have the right to gain intimate knowledge and understanding about their own exceptionalities.

The purpose of adopting a policy and practice of diagnosis and/or identification is to help support students in ways that are appropriate to their needs, to create a culture of understanding and acceptance and to improve the quality of special education in Bermuda. It is the view of the Ministry of Education that giving a name to an exceptionality is not 'labelling'; it is helping students, their parents and professionals access more information to help children, and help the system better meet their needs.

Knowing the nature and extent of the special education needs of our students, the Ministry of

Education will be able to identify the true systemic needs of the public education system and make better judgments about the appropriateness of the numbers and nature of students who are identified with particular special education needs. Getting a grasp on the numbers of students who have identified special education needs (together with other quantitative and qualitative information) about general and special education, will also serve as a tool of insight for both the public education and public health systems, for example to generate the development of specific and/or targeted preventative services.

Additionally, gathering data on special education needs will help the Ministry of Education and schools to effectively plan and resource to support students with special education needs for the duration of their school careers, and assist the Ministry of Education and other Government Ministries to plan for and develop the most appropriate transition options, such as post-secondary education or employment for students once they complete school.

In some jurisdictions the level of resources is heavily dependent upon the diagnosis; however we know that each child is different, and we want every child to receive an appropriate education. Therefore, it is proposed that the level of resources given to each student, along with the placement of each student would be determined based on assessment processes and expectations for continuing progress towards goals that are delineated by Individual Education Plans (IEPs). We also want to ensure that students who experience barriers to learning, but who do not have diagnosed and/or identified special education needs still obtain services appropriate to their learning needs.

Adopting the language around exceptionalities and special education needs is also important to help create a culture of understanding about various disabilities and other exceptionalities, for adults and for children. Creating such a culture is difficult if there is no opportunity to speak the language of exceptionalities in sensitive and appropriate ways. Identifying or naming special education needs must be done with sensitivity and with clearly delineated confidentiality requirements. The Government of Bermuda and schools will also use new and existing community partnerships to create an understanding around disabilities and other exceptionalities.

Summary of Key Proposals for Action:

- Institute a working group reflective of leaders in inclusive and special education within the Ministry of Education, other agencies and the community to:
 - a. develop common language and understandings of exceptionalities and special education needs that reflect best practice and local considerations.
 - b. develop clear processes for the diagnosis and/or identification of exceptionalities and special education needs.
 - c. develop recommendations for criteria for special education programmes and services.
 - d. develop recommendations for the provision of needs based support for students experiencing learning barriers, but who do not have identified or unidentified exceptionalities or special education needs.
 - e. engage the staff of the Government of Bermuda, including the Ministry of Education, schools, parents and the community in training to facilitate the paradigm shift needed to understand the diagnosis and/or identification of exceptionalities and special education needs.
 - f. the Government of Bermuda will work with the community to build a culture of understanding and acceptance of exceptionalities.

Policy Priority 7: Provide students with special education needs full continua of special education programmes, services, placements and service delivery models.

Similar to best international practices, we want special education programmes and services in Bermuda to be part of broad continua of different options of how and where students with special education needs are educated. In Bermuda, there are a number of special education programmes and services, consisting of various placements (type of classroom or school setting that a student will be educated in) and service delivery models (how the education services are delivered to students). However, there are not currently in place programmes and services that are appropriate for all children. Part of this pertains to the quality of the provision, but it also is related to the lack of options to meet the individual needs of all students. While we don't believe that what is currently provided is a 'one-size fits all' approach, we do think that it needs to be expanded to include a wider array of high quality options for students and their parents.

While the Ministry of Education is committed to the education of each child to the extent appropriate in the regular classroom setting, we want all students to be educated in the learning environment most appropriate to their unique needs. Where appropriate education and related services cannot be provided in the regular classroom to help students make continuous educational progress, more appropriate educational placements and service delivery models should be provided. Regardless of the education placement, we want students to have as much as possible meaningful participation and be integrated with their similar-aged peers in school (examples of a continuum of possible placement options are attached at Annex I).

Therefore, we want to do more than create additional placements and service delivery models for students; we must also examine and change how the regular classroom works, gearing the whole school as much as possible to the needs of all learners. As part of a whole-school and whole-system approach, this can be done through universal design and differentiated instruction for each student, but only if all supervisory officers, principals, teachers, and other staff have the training, are provided the proper supports and are held accountable for doing so. The whole-school and whole-system must be responsible for the 21st century classroom. This endeavour would also be much more successful, if all persons involved espoused inclusive beliefs that translated into inclusive practices.

With limited exception, we believe that decisions about the placement of students into special education programmes should be made within true continua that are supported by high-quality infrastructure and clear criteria. Also, additional scrutiny must be put on the placement of students to ensure that they are properly identified for the learning environment most appropriate to meet their needs. This is important, both for the present educational experiences of students, but also to ensure that they are not placed into special education and other programmes that may limit their current and future potential and outcomes.

Summary of Key Proposals for Action:

- Develop full continua of special education programmes and services.
- Continue to expand placement options and service delivery models for students with special education needs.
- Mandate that decisions on educational placements for students be made within continua of appropriate programmes and services.
- Utilise referral processes for special education programmes and services to determine with parental involvement the appropriate placement and service delivery model for students with special education needs.

Policy Priority 8: Develop and implement a complex needs panel to fill the gaps in special education programmes and service provision.

These proposals and necessary action steps call for continua of placements for students with identified special education needs. This approach is intended to meet the needs of students, and is a direct response to concerns that the Ministry of Education and schools have insufficient options regarding diverse, complex and unique special education needs.

Consistent with the principles of inclusive education, we believe that the Ministry of Education has a responsibility to first educate students within different education placements in local public schools. However, over the years and in select cases, the Ministry of Education has supported the provision of academic services in local community-based settings; this is also now a key component of the service delivery model for the alternative education programme. Additionally, the Ministry of Education has also recognised that it could not always meet the needs of all students locally, and has provided partial or full funding for certain students to attend special schools overseas. The Psycho-Educational Committee, led by the Department of Child and Family Services also funds the treatment and education of select students whose therapeutic treatment options have been exhausted locally.

It is proposed that the Government of Bermuda put in place a complex needs panel to make recommendations and decisions regarding the development and funding for special education programmes in Bermuda and abroad for students with complex needs that are not being met within local public schools and/or who have been excluded through expulsion or other reasons from public school.

A complex needs panel would be made up of staff from the Ministry of Education, Ministry of Health and Seniors, and the Ministry of Community and Cultural Development, (and where appropriate, other Ministries, the Bermuda Hospitals Board and other relevant professionals) and would be empowered to make decisions regarding placement and funding intended to be in the best interests of the student. It is proposed that placement decisions be jointly funded from relevant Government Ministries.

Referrals could be made by parents, the courts and from other Ministries. A complex needs panel would in the first instance be a problem-solving vehicle to find or consider the development of appropriate special education placements and service delivery models within public schools or within the community. Its decisions would be based on all available comprehensive assessments of the student and evidence of ongoing and escalating interventions. If the complex needs panel determines that no suitable placement or service delivery options exist or would be feasible to develop locally, it would then consider an overseas placement for the referred student.

The complex needs panel would be designed to make decisions about students who attend or have been excluded from public school, but would also be able to consider referrals for students where it could be demonstrated that if the student (e.g. a student returning from abroad or a student excluded from a private school or tutorial site) did attend public school, that the Ministry of Education would not and could not sufficiently be equipped to meet the student's needs. The introduction of a complex needs panel acknowledges and embraces the mandate of compulsory education, lends itself to joint accountability across Government and helps us to be accountable for the development and funding of placement options.

Summary of Key Proposals for Action:

- Institute a cross-agency complex needs panel to make decisions regarding placement and funding for students who have complex needs and/or who have been excluded from public school.

Policy Priority 9: Require that all students with identified special education needs be supported by high quality Individual Education Plans (IEPs).

We want all children with identified special education needs to be supported by high quality Individual Education Plan (IEPs) to set out clear learning goals and objectives for students, to identify who is responsible for the delivery of programming and services, and to serve as an accountability tool to be used by parents, schools, related service providers and the Ministry of Education.

For students with identified special education needs, IEPs should serve as their gateway to receive access to an education that is specific to their learning needs. Fundamentally, an IEP is a working document that describes the special education programme and/or services required for a student with identified special education needs. It identifies learning expectations that are modified from or

alternative to the expectations of the general education curriculum, and/or any accommodations and special education services needed to assist a student to achieve his or her learning expectations.⁷⁹ Some parents and educators alike, have raised concerns about the quality of IEPs and the fidelity of their implementation, arguing that in other jurisdictions, where IEPs are mandated by law, they are taken more seriously than in Bermuda. Additionally, not all students with identified special education needs are supported by IEPs.

Individual Education Plans should be developed through a collaborative process between parents, educators and where appropriate, education officers, and related service providers, such as a school psychologist, psychiatrist or occupational therapist, etc. They should outline the strengths and needs that are related to the learning of students and should demonstrate how the required special education programmes and services will be delivered and include measures for tracking achievement.

The IEP should have goals and objectives that are grounded in the curriculum and speak to what students require to be successful. This requires an expansion beyond traditional literacy and numeracy and requires 21st century thinking. This means including in IEPs those skills that individual students may require to better access curriculum and achieve to their potential, such as social, communication, language, fine and gross motor and organisational skills, among others. The IEP should also include from an early age transition goals and planning for students at each level of schooling and for their preparation for post-secondary education, the world of work, or adult community programmes.

If used properly, IEPs should be an accountability tool for the Ministry of Education, parents, principals and related service providers because they outline the special education programmes and services that students should receive, who is responsible for providing those programmes and services, and they measure the achievement of students, inclusive of how much progress students are making over specific periods of time. Additionally, IEPs can and should be used as one indicator of the effectiveness of both the individual and overall provision of special education.

Summary of Key Proposals for Action:

- All students with identified special education needs will be supported by high quality IEPs.
- Mandate IEPs in legislation as an agreement between parents, students, schools and the Ministry of Education, subject to enforcement and accountability.
- Individual Education Plans should be developed, monitored and updated along clearly identified international best practices, and quality controls should be put in place to ensure that individual learning goals are appropriate to each student.
- Individual Education Plans should be used to systemically measure student progress and achievement and the effectiveness of both general and special education programmes and services.
- Individual Education Plans should be used to assist in planning and the budgeting process for special education.

⁷⁹ (Ontario Ministry of Education, 2004)

Policy Priority 10: Improve transition preparation and planning for students with special education needs.

A cornerstone of effective approaches to special education is the provision of transition support for most students with special education needs because it provides students and their families with the skills and services necessary to help students effectively transition within school, between schools and into post-secondary life.

‘Transition’ for students with special education needs generally refers to their movement from one environment to another during their school life and takes place until they leave school as young adults.⁸⁰ ‘Transition planning’ is the preparation, implementation and evaluation needed for students to make major transitions during their lives, which include entry to school, or from one school to another, from one year level to another, from one classroom placement to another or out of secondary school or a special school.⁸¹ Effective transition planning is also based on the premise that special education must prepare students to reach their potential, and therefore students should have transition options for school and beyond based upon their true abilities.

Without sufficient long-range planning and preparation many students with special education needs are at risk for unemployment, underemployment, and insufficient access to post-secondary training and education options. Each year the Ministry of Education and schools carry out transition meetings where relevant staff, discuss student needs so that preparation can begin for transition at key points. Additionally, school counsellors begin individual planning regarding future transitioning for post-secondary and career opportunities during the P5 year for all students.

A number of concerns have been raised about transition and transition planning for students with special education needs. These include the failure of appropriate transition planning taking place between key transition points (e.g. such as from primary school to middle school), the lack of continuity of special education programmes and services between key transition points, and the lack of transition planning and appropriate options for many students with special education needs once they complete secondary school or reach the school leaving age of 18 (or in some cases 19). It is also evident that transition planning and preparation is not meaningful and effective for all students with special education needs, in part because of the lack of appropriate available transition options.

The Ministry of Education must ensure that there are appropriate classroom and other placements for students with special education needs, but also that there is an alignment between placement options at key transition points (e.g. from middle school to senior school). We also need to ensure that within schools, there is sufficient transition planning and support for students to move from one school year to the next. We also believe that we, along with the community, have a joint responsibility to increase transition options for students with special education needs.

Transition planning is a crucial element of a student’s IEP. Effective transition planning and preparation should also be a joint responsibility between the Ministry of Education and other Government Ministries and agencies. It requires inter-agency co-ordination where short, medium and long-term planning and collaboration takes place so that there is a continuity of service provision between schools and class placements. This is also required to ensure that when students leave school, that they have suitable transition options that enable them to reach their fullest potential, whether it be post-secondary education and/or training, employment or another programme.

⁸⁰ (British Columbia Ministry of Education, 2011)

⁸¹ (British Columbia Ministry of Education, 2011)

Summary of Key Proposals for Action:

- Develop standards and guidelines for transition planning and support for students with special education needs.
- Transition information will be included as part of a student's IEP.
- The Government of Bermuda in partnership with the community should work to increase the availability of appropriate transition options for students with special education needs once they leave school.

Policy Priority 11: Develop and implement mediation and dispute resolution processes and institute the right of parent appeal regarding the special education placement of students with identified special education needs.

The Ministry of Education would like all parents to have a high level of satisfaction regarding the provision of education for their children. Although parent satisfaction regarding education isn't currently measured, we know that many parents are frustrated regarding the current provision provided to their children. While some expressions of concern may be inevitable, through the development and implementation of these policy priorities, the Ministry of Education intends to reduce the number of complaints, the degree of concern and current levels of dissatisfaction.

Additionally, we would like to ensure that complaints are handled in ways that are appropriate and as much as possible, responsive to parent concerns. The development of the policy priorities will also help students, parents and Ministry of Education and school staff better understand what the appropriate provision for general and special education should look like and what is reasonable within a new approach that focuses on appropriate education.

Expectations about how the Ministry of Education should hear and respond to complaints, and what procedures should be in place for complaints to be made must be clearly communicated. Complaints should be approached with dispute resolution in mind and mediated to that end. We have a responsibility to consider all complaints on their merit and do our best to address those complaints.

Therefore, the Ministry of Education would like to provide for the following:

- A well-defined complaints and dispute resolution process to hear and resolve complaints that pertain to inclusive and special education;
- Mediation as a compromise driven process, designed to produce mutually agreed outcomes that are in the interests of students with special education needs;
- An appeals process for parents regarding certain aspects of the provision of special education programmes and services, such as the identification of the specific special education needs of a student, and the classroom placement of a student.

Summary of Key Proposals for Action:

- Introduce dispute resolution and mediation processes regarding the provision of inclusive and special education.
- Introduce appeals regarding certain aspects of the provision of special education.
- Conduct regular parent satisfaction surveys regarding the provision of special education programmes and services to benchmark current parent satisfaction and measure future parent satisfaction.

Policy Priority 12: Encourage, facilitate and be responsive to increased parent, family and community involvement and advocacy.

Parental concern is a driving force behind these policy proposals. Parents have intimate knowledge about their children and so their views and wishes must be a key consideration in the general and special education of their children, and in the development of policy, its implementation and the ongoing provision of inclusive and special education programmes and services.

Without the benefit of an inclusive and special education policy that sets out the responsibilities of the Ministry of Education and schools, as well as related service providers, parents of children who experience barriers to learning and/or who may require special education services are at a disadvantage in advocating for their children. Without insight into how decisions are made, parents have been left to navigate a bureaucracy that is confusing and that in many cases they feel is unresponsive to their concerns. Some parents also complain that their concerns have been entirely ignored, and report simply waiting for their children to reach the next year level or transition from one school to another for improvements to occur. We understand that parents have different perspectives and abilities regarding intervention and advocacy for their children. We also believe that children have the right to a high quality education, regardless of their parents' ability to advocate for it.

The impression should not be left that all parents of students with special education needs are unhappy. Indeed, many feel that their children are receiving an excellent education by great teachers and support staff. However, some who expressed current satisfaction also outlined the long and difficult road to reach that point. While it may not be realistic or even possible to have 100% parental satisfaction, it is an important goal of the Ministry of Education to see progressive improvement over time.

We believe that to the extent that they are able, parents should be involved in their children's education, that a collaborative approach should be used to help meet their children's needs, and that the Ministry of Education and school cultures should be welcoming and encouraging to parents.

Parent Guide to Inclusive and Special Education

It is proposed that the Ministry of Education and other Ministries and quangos, in consultation with parents and community partners develop an inclusive and special education parent guide. The purpose of the parent guide would be to outline clearly for parents how inclusive and special education should be provided to their children, what they should expect regarding their children's education, and what they should do if they have concerns about the provision of education for their children.

Inclusive and Special Education Advisory Committee

Many parents, especially those with children who have special education needs, advocate for their children, individually and/or as part of organised groups. The Ministry of Education would like to encourage representative parents and community organisations that support children with special education needs, those who experience learning barriers or experience other challenges that affect their learning to come together under the umbrella of an Inclusive and Special Education Advisory Committee. The Committee would have clear and transparent functions and responsibilities to advise and advocate to the Minister of Education and those Ministers responsible for related services such as the Minister of Health and Seniors and the Minister of Community and Cultural Development.

The proposed Inclusive and Special Education Advisory Committee is adapted from parent advisory bodies around the world. It would facilitate the coming together of parents and community organisations with both individual and common concerns and interests regarding education. It is not a vehicle to address individual complaints, but would be an opportunity to engage with the Ministry of Education and other Ministries regarding improvements to inclusive and special education. The committee would make recommendations to solve problems, and would also be a lobbying organisation to Government Ministers to help them make better-informed decisions that affect education and related services.

Summary of Key Proposals for Action:

- Develop a parent guide that clearly outlines how continua of inclusive and special education programmes and services should work, and what parents can do if they have concerns about the provision of inclusive and special education for their children.
- Work with parents, and community organisations to facilitate participation, engagement and advocacy for improved inclusive and special education through the establishment of an Inclusive and Special Education Advisory Committee.

Policy Priority 13: Measure value-added results to help improve investments in inclusive and special education.

To achieve our aims for inclusive and special education, we believe that the current approach to budgeting for public education needs to be re-evaluated to focus on results pertaining to the quality and effectiveness of programmes and services for the purposes of improved student achievement. Historically, since the implementation of inclusion, the Ministry of Education has faced significant challenges keeping within its allocated budget. There have been consistent budget shortfalls due to a combination of inadequate budgets and overspending on special education.

In hindsight, some programmes were expanded without sufficient inquiry about the effect on student achievement or whether the spending could be sustained over the long-term.⁸² We believe for example that there has been an over-reliance on one to one paraprofessionals for students and an underinvestment in assistive technology. There has also been a failure to define staffing levels for many special education programmes and services,⁸³ a failure to regularly review staffing allocations for many special education programmes and services from year to year, the lack of short and long-term forecasting of student needs and inadequate considerations of implications for the budget into the future.

In the last few years, attempts have been made to better manage and increase oversight across a number of areas of the education budget, including special education. While additional management and scrutiny of the budget has been introduced for the purposes of fiscal responsibility and to achieve savings, it has also led to key questions on whether particular budget spending would meet the needs of individual students.

While education provides intangible experiences and outcomes that cannot be fully quantified, it is still imperative to observe, measure and analyse the value of the funding being provided to help determine whether or not the system is effective in achieving its goals. The premise of value for money must be considered in the provision of education, not only because the money comes from the public purse, but because we want what we buy—comprehensive literacy programmes, formal assessments, special education programmes and services, assistive technology, transportation, etc.—to bring value and make sufficient contribution to the larger goal of improving student achievement for all learners.

Using system improvement priorities, we therefore propose to measure the value that particular spending brings towards the larger goals of inclusive and special education. This approach would also require a comprehensive budget review process to ensure that ongoing monitoring and reporting regarding results occurs so that determinations on future spending can be made. The resulting information would be used to tailor investments in programmes and services that produce results for inclusive and special education. And it would trigger adjustments and/or the reallocation of funding from areas that fail to have a meaningful impact on student needs. This would not only increase knowledge about the effect of expenditure on programmes and services, but would also require that changes be made where results have not been demonstrated.

Summary of Key Proposals for Action:

- Incorporate the value that spending produces in funding for inclusive and special education.

Policy Priority 14: Dramatically improve interagency co-ordination.

The provision of high quality and effective special education and related services must be regarded as a joint responsibility within the Government of Bermuda, involving the Ministry of Education, other Government Ministries and quangos.

⁸² (Government of Bermuda, 1997)

⁸³ The term “defined staffing levels” does not refer to a universal teacher to student ratio, but appropriate ranges that vary depending on best practices, the depth of need and the level and intensity of services required by students in a particular programme.

While the Ministry of Education and schools are responsible for the education of all students, there are several other Government agencies (Departments and quangos) that play a vital role in providing related services for students in support of their educational needs. Some related service providers include:

- The Department of Health which provides speech and language pathology, and physical and occupational therapy, in addition to other public health services;
- The National Office of Seniors and Physical Challenged, a section of the Department of Health which holds responsibility for programmes and services for persons with disabilities;
- Child and Adolescent Services, within the Bermuda Hospitals Board and the Mid-Atlantic Wellness Institute, which provides mental health treatment for children and young adults;
- The Department of Court Services, which works with young people and their families to minimise criminal offending and risks that lead to criminal offending; and
- The Department of Child and Family Services which provides social work support for children and their families, residential treatment services for youth who have been under the supervision of the courts, youth counselling services, and which funds overseas therapeutic treatment for children who experience severe mental health and/or behavioural challenges and whose treatment options have been exhausted locally.

Although these agencies have long worked together to try to meet the needs of students, the co-ordination of special education and related services has been impacted by poor and inconsistent consultation, communication and collaboration, as well as ad hoc approaches to problem-solving and limited placement options for students in and out of school. We do not believe that the capacity of each agency (including the Ministry of Education) has kept pace with the actual need for the effective provision of special education and related services.

There are few memoranda of understanding or inter-agency agreements in place that establish the formal relationships between agencies, what levels of service can and should be expected, how disagreements can be resolved, or what should happen if a particular agency, including the Ministry of Education is not doing what it should. It is currently unclear how all agencies should effectively work together for the common aim of helping all students reach their potential while in school and into adulthood.

While there may be internal accountability within each agency, there is no framework for joint accountability that crosses the spectrum of programmes and services across Ministries. It is therefore proposed that a joint accountability framework be developed that clearly lays out the roles, responsibilities, accountability expectations and methods for ensuring accountability for each agency involved in providing programming and services to children and young adults. These efforts should be supported by clear memoranda of understanding or inter-agency agreements that are widely available for all staff, parents and community organisations to improve understanding and to help them hold the entire system accountable.

Summary of Key Proposals for Action:

- The introduction of a joint accountability framework across the Government and quangos regarding inclusive and special education.
- The creation of memoranda of understanding and inter-agency agreements regarding expectations, standards and programme and service delivery for all agencies involved with meeting the educational and related needs of children who are at risk and/or who have special education needs.

Policy Priority 15: Increase knowledge, transparency and accountability for results⁸⁴ in general and special education.

All persons involved in the education system should have sufficient information in order to understand the system to navigate and engage the system to help improve the achievement of children. Unfortunately, there is a lack of available information regarding the programmes and services in both general education and special education for educators, parents and others involved in the public education system.

The lack of widely available up to-date written information on what our offerings are, and how processes, programmes and services are supposed to work for students contributes to a lack of knowledge and understanding, undermines the ability to advocate and agitate for improvements, and also weakens the ability of parents to engage and hold the public education system accountable. Knowledge about how general and special education are intended to function, including how decisions are made that affect students is also a necessary tool for educators, parents, non-profit organisations and the wider society in order for persons to advocate for the appropriate provision of programmes and services.

The Ministry of Education believes that transparency regarding the processes, programmes and services of general and special education is an important apparatus for developing and spreading knowledge across the public education system. This is vital for communication and to inform discussions on how the entire public education system is doing, and can facilitate better advocacy to help to drive the changes that are needed to improve special education. It is therefore also an important tool for accountability.

The Ministry of Education would like to make public more information about general and special education processes, programmes and services as well as measures and indicators regarding their effectiveness. Examples of general information about how programmes and services are supposed to work could include:

- All programme standards;
- All policies and procedures;
- General criteria or guidelines for entry and exit for all special programmes and services;
- Intervention guidelines;
- Accommodation and modification guidelines; and
- Adaptive equipment and technology guidelines.

⁸⁴ (Bennett, Sheila Dr. and Wynne, Kathleen, 2006)

Examples of possible measures and indicators to give insight into how particular programmes are working and how their effectiveness can be measured could include:

- Percentage of students who are reading at the appropriate grade-level;
- Numbers of students who have received appropriate pre-referral interventions before being considered for special education;
- Numbers of students diagnosed and/or identified with particular exceptionalities and special education needs annually;
- Percentage of students with special education needs who have a high-quality IEP;
- Fidelity of recommended interventions following the completion of psycho-educational assessments;
- Percentage of students who leave the public education system who were not succeeding academically;
- Graduation rates of students with exceptionalities and/or identified special education needs; and
- Percentage of satisfied and dissatisfied parents regarding the provision of special education.

The introduction of increased knowledge and transparency are a key component to making improvements in the areas of inclusion and special education, and are an important tool to support accountability. To be clear, we want improved accountability to be meaningful, so its focus must not be simply about test results or compliance with new rules and regulations, but on results that reflect improved student achievement.

Summary of Key Proposals for Action:

- Develop and make available more information regarding general education and special education as a matter of course.
- Develop measures for improved accountability that focus on results that reflect improved student achievement.

Policy Priority 16: The Government of Bermuda will commit to the continuous improvement of inclusive education and special education programmes and services supported by internal and external evaluation.

The Ministry of Education is committed to the development of 21st century inclusive and special education programmes and services that are supported by research and evidence-based practices. Although there are significant pockets of success, we don't believe that the current approach to inclusive and special education universally meets a standard that is in line with 21st century knowledge and practices. We know that there are entrenched, organisational and systemic problems within current approaches to inclusive and special education. Similar to the recommendation in the Bermuda Education Review 2007 regarding the Learning Support Programme, we believe that the overall framework and provision of special education requires a "root and branch overhaul,"⁸⁵ within the context of a complete re-conceptualisation of inclusion for 21st century Bermuda.

⁸⁵ (Hopkins, David, Matthews, Peter, Matthews, Lou., Woods-Smith, Rhonda, Olajude, Florence, Smith, Peter, 2007)

Unlike most other jurisdictions, with different levels of government, the Government of Bermuda does not have the benefit of mandated external evaluations and reviews on the provision of education and related services based upon externally set criteria established by comprehensive legislative frameworks or other means. Reviews done locally tend to be done informally by staff or external persons are hired at the discretion of the Government of Bermuda. We do not currently have the benefit of an external, detailed and accurate view developed by persons with expertise in inclusive and special education regarding how effective our programmes and services are in contributing to high student achievement and optimum student outcomes.

The Government of Bermuda believes that mandated and regular external reviews are required to give independent assessments of the totality of changes required and advice on how those changes should be implemented to bring the current provision into the 21st century. This would include reviews of how inclusive we are as a public education system and of special education programmes and services, related services, and those practices and processes of general education that are intended to serve as prevention and early intervention for students who experience barriers to learning. These reviews would be intended to identify areas of strength and weakness and where changes are needed. The initial reviews would be used to develop benchmarks and effectiveness indicators that would be reviewed over a period of time to tell us in the future how much progress we have made.

External evaluation is proposed to help bring us in line with our developing beliefs and newly proposed vision for inclusive and special education. This is intended to help strengthen the current framework and provision of inclusion and special education. We must also acknowledge and use the knowledge and expertise that we do have. It is also proposed that the external reviews be informed by internal self-evaluation to help staff reflect on their own practices, not only those of others. We also propose to make the results public and to provide a public response to the results, regardless of what they demonstrate. The reviews, our public response and the views of the public would also be used to inform the proposed legislative amendments to the Education Act 1996 and for the development of supporting legislation to strengthen the legislative framework for special education.

Summary of Key Proposals for Action:

- Implement internal and external reviews on inclusive education and the appropriateness, efficiency and efficacy of special education programmes and related services.

What Happens Next?

The Government of Bermuda will respond publicly to the comments and feedback provided. The views of the public will be used to concretise the policy proposals into an overarching inclusive and special education policy framework. We intend to develop legislation, supporting policies and procedures that will be actionable, achievable and sustainable.

Once the policy proposals are further developed, a system plan must be established, implemented and monitored for progress and impact, and will be part of the inclusive and special education policy framework.

Consultation will also continue along the way, to provide increased value to the process and the final policy framework. We also intend to intensify our engagement with partners such as parents, community organisations and the larger society, on inclusive and special education.

Consultation Questions

1. Do you agree that a new approach to inclusion and special education is needed for the public school system?
2. Do you have confidence that the Ministry of Education is providing appropriate education for all students? Please explain.
3. Do you have specific concerns about the current provision of special education and/or related services that you think would help inform the development of the inclusive and special education policy?
4. Do the policy priorities address the concerns that you may have about the current provision of special education and/or related services? If so, how?
5. What do you think of how inclusion and special education are defined? Would you define them differently? If so how?
6. What do you think about the proposed philosophy for inclusive and special education?
7. What do you think can be done to help change beliefs about inclusive and special education?
8. Do you support the proposed amendments to the Education Act 1996? Are there additional changes that you would like to see? If so, please explain.
9. What are your views on the current approach to early learning (from birth to eight years) in private homecare, nurseries, preschool and in public primary school?
10. What barriers do you see to full inclusion and establishing appropriate special education and related services?
11. Do you think that more accountability is needed for special education? If so, what do you suggest?
12. Do you believe that a whole-school approach and whole-system approach are feasible ideas for the public school system?
13. How do you think that you can do to contribute positively to the policy proposals?
14. What types of performance indicators or measures would you like to see regarding inclusion and special education?
15. What types of non-personal information would you like the Ministry of Education to make public regarding inclusive and special education?
16. Do you have any specific recommendations on how to the Ministry of Education can collaborate with the public regarding the development of the inclusive and special education policy framework.

Annex I – A Continuum of Education Placement Options

The following is what a continuum of education placement options could look like:

- i]** A regular education classroom where a student is placed within the regular class for the entire day and whose special education programme is delivered by the classroom teacher.
- ii]** A regular education classroom with some in-class support, where a student is placed within the regular class for the entire day, and whose special education programme is delivered by the classroom teacher with some in-class support.
- iii]** A regular education classroom with withdrawal assistance, where a student is placed within the regular classroom, but is withdrawn from the classroom for less than half of the school day to receive some instruction and support.
- iv]** A special education class with partial integration, where a student is placed within a special education class for more than half of the day and is integrated into at least one regular class per day.
- v]** A full-time special education class where a student is placed within a special education class for the entire day. This placement may allow some integration into a regular class, but not necessarily an entire class every single day.
- vi]** A full-time placement in a special or alternative school where a student attends a special or alternative school. This placement may allow some integration with students from outside of the special or alternative school.
- vii]** A treatment/school facility placement where a student receives an education and other required supports and services for a long or short-term period. It may for example be short or long-term withdrawal from the Bermuda Public School System that combines academic and other necessary supports (i.e. therapeutic counselling, rehabilitation services, etc.). It may or may not be residential and could be located in Bermuda or overseas.

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