

Implementing Inclusive Learning Environment Globally

Legislation and Practices

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Presently there is a demand for global cooperation when the world faces threats of pandemics and wars. Education is a tool to eliminate borders and barriers between people, helping to spread knowledge, values and ideas, and building a sustainable world. With regards to teaching students with disabilities, legislation in 25% of countries make provisions for education in separate settings, 10% for integration and 17% for inclusion, the remainder opting for combinations of segregation and mainstreaming (UNESCO, 2020).

Inclusive education is about teaching and celebrating diversity; it is beneficial for persons with and without disabilities, who still may have special educational needs. Educational professionals, parents, NGOs and governments should unite their efforts, share resources and effective practices in order to create an inclusive learning environment and remove barriers for ALL students to be able to attend kindergartens, schools, colleges and universities.

Inclusion is nevertheless not an easy goal to achieve, and wherever national curriculums and inclusion goals intend to meet different needs of children, this can lead to the creation of demands full of contradictions, tensions and challenges for general schools (Leifler, 2020, p. 224).

It is important to cooperate internationally, exchange strategies and practices, design curriculums and hold education events. Principles of inclusive education are universal, yet existing societal beliefs, values and policy in schools, parental support and advocacy demand considering national and local features. International legislation on inclusion influences national laws making it possible to observe and guarantee the right to quality education to all students without discrimination. Inclusive practices, in turn, being developed and shared among countries, can shape countries' educational legislation and policy with the application of the bottom-up approach thus supporting inclusive education globally.

1 What Is an Inclusive Learning Environment?

Inclusion is about changing an old and creating new system of education principles and values rather than adapting a child to the system. When we include, we create conditions, change the environment, eliminate barriers and apply methods to facilitate the student's development, progress and achievements. Inclusion differs from the 'integration' or 'mainstreaming' model of education, when the latter imply changing and adapting a student to the mainstream. Inclusion is about the child's right to participate and it is the school's duty to organize a suitable learning environment. Inclusive system of education accepts and values abilities, needs, aspirations and plans of an individual student supporting, assisting and motivating for setting and achieving goals. Here an inclusive learning environment is an aim and a tool for a student's development.

According to 2017 Ukraine's Law on Education, an inclusive educational environment is a totality of conditions, ways and means of their realization for co-education, upbringing and development of education seekers based on their needs and capabilities (The law on education, 2017). The term *inclusive educational environment* is abundant in publications by Slavic scholars, whose English is not their first language: N. Kalinina, E. Zvoyleko, A. Smantser, E. Ignatovitch, S. Kalashnikova, I. Klimenko, A. Oschepkov, V. Salahova, M. Simanovskaja (Kalinina et al., 2016). International scholars tend to use the term inclusive learning environment, though Julie Jones in her dissertation argues that the term inclusive educational environment refers to students with academic learning disabilities who receive academic benefit from the educational model (Jones, 2009, p. 19).

It is important to create such an educational inclusive environment at school that will stimulate students for constructive, collaborative and contextual learning and development, taking into account individual differences, abilities and disabilities. Each child is unique in his or her development and perception of the world, so two students with the same disability may react differently to the same situation and have different cognitive needs (Tassoni, 2015).

In order to organize and maintain an inclusive learning environment educators should take a system approach toward certain components. Analyzing available resources, one can add the following advices how to organize inclusive learning environment for all:

- challenge barriers to participation, learning and resources to support all students within schools;
- use ICT and other tools to assist all learners in inclusive settings; and

- collaborate within learning communities (school leadership, teachers, teaching assistants, specialists, students, parents) in order to establish a systematic framework of inclusive values and practices (e.g. UDL or co-teaching involving general education and special education teachers).

It is important to rethink teacher training and encourage the proliferation of activities to raise awareness among teachers and the entire educational community in terms of improving school context and attitudes on all levels of the educational system (Arnaiz Sánchez et al., 2019, p. 24).

The twentieth century marked the recognition of the right of quality education for all without any discrimination. The inclusive education environment is the requirement for schools to be able to cater for various categories of learners. All relevant human rights instruments combat discrimination on any grounds, including gender, disability, ethnic background, and other aspects of identity.

2 Legislation

International law facilitates realization of the right to education throughout the world. The Convention on the Rights of Persons with Disabilities (CRPD) put steps forward for the protection of the rights of persons with disabilities to education (Cera, 2015, pp. 79–80). It provides a legal framework for all areas related to the lives of persons with disabilities. Currently 173 countries have ratified the CRPD, and are in the process of developing new policies and reforming educational systems to align and comply with the Convention. The General Comments No. 4 (2016) to Article 24: Right to Inclusive Education lists core features of inclusive education, among them are: “whole educational and learning-friendly environments, whole systems and person-centered approaches, respect for and value of diversity, support and monitoring, recognition of partnerships” (UN Committee on the Rights of Persons with Disabilities, 2016, pp. 4–6).

During the World Conference on Special Needs Education held in Salamanca, Spain in 1994 the representatives of 92 governments and 25 international organizations agreed on the dynamic new Statement on the education of all children with disabilities. The Conference adopted a new Framework for Action, the guiding principle of which is that ordinary schools should accommodate all children, regardless of their physical, intellectual, social, emotional, linguistic or other conditions. All educational policies stipulate that children with disabilities should enjoy the opportunity of attending a neighborhood school of their choice. The Statement contains a commitment to Education for All, recognizing the necessity and urgency of providing education for all children,

young people and adults within the regular education system and calls for inclusion to be the norm.

In 2015, the Sustainable Development Goals for countries to work toward and achieve by 2030 were set. Disability is addressed in Goal 4 on education: ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities; and build and upgrade education facilities that are disability-sensitive and provide safe, non-violent, inclusive and effective learning environments for all.

UNESCO'S 2020 Global education monitoring report: Inclusion and education published during the Covid-19 crisis collects information on how each country addresses the challenges of teaching persons with disabilities and provides an opportunity to learn from each other, especially at the regional level, where contexts are similar. It is argued that resistance to address every learner's needs is a real threat to achieving global education targets and identifies curricula, learning resources, and assessment tools; teacher training; school infrastructure and management; practices in policy and finance; cooperation among students, parents, and communities that should facilitate inclusion. The report is a tool to monitor progress on education and implementation of national and international strategies to achieve Goal 4, dedicated to teaching ALL without discrimination. Education offers an entry point for inclusive societies if policy makers and educators see diversity not as a problem but as an opportunity: to identify individual talent in all shapes, create conditions for its flourishing and treat it with dignity to overcome barriers. Inclusion for students with disabilities means more than placement; it serves multiple objectives and involves many more changes in school support and ethos. The report makes recommendations to achieve inclusion targets by the 2030:

- widen the understanding of inclusive education for all learners, regardless of identity, background or ability;
- allocate and provide financing to those left behind;
- share expertise and resources;
- engage in meaningful consultation with communities and parents;
- ensure cooperation across government departments, sectors, and tiers;
- make space for NGOs to challenge and fill gaps;
- apply universal design – ensure inclusive systems fulfill every learner's potential;
- train, empower, and motivate educators;
- collect data on and for inclusion with attention and respect – avoid stigmatizing labeling; and
- learn from peers on interpersonal and international levels (Antoninis et al., 2020).

Once ratified, the international documents influence national legislation and a country is obliged to guarantee the right to equal and just education for persons with disabilities.

3 Practices

Ensuring an inclusive learning environment for all students is a complex process, it depends on the country's income, sociocultural development, availability of trained teachers and resources. Based on its monitoring work, international organizations provide technical assistance and policy advice to Member States that seek to develop, improve and reform their legal and policy frameworks.

National legal frameworks should aim at achieving the following:

- provide a contextualized definition of disability and inclusion and recognize inclusive education as a right;
- adapt and modify national educational curriculums;
- define standards in relation to the right to education, including physical, communication, social and economic accesses and reasonable accommodations, and early identification;
- ensure individualized supports, education and transition plans for students with disabilities;
- implement a deinstitutionalization reform to reunite and strengthen family and community living;
- engage stakeholders and identify their responsibilities;
- provide resources, instruction in alternative language and access to assistive technology for students with disabilities;
- establish monitoring and evaluation as well as complaint and redress mechanisms; and
- empower students with disabilities and parent groups (Hayes & Bulat, 2017).

4 Inclusive Education Systems in the USA, Sweden ... and Ukraine

Let us look at three UN member-states in Northern America, Northern Europe and Eastern Europe respectively and see examples of national legislations and practices to develop an inclusive learning environment that is equally accessible for students with and without disabilities. It is worth mentioning that each country, either on its own or with international support, needs to chart its own path toward inclusion based on its societal values, education legislation, and

available support (Tichá & Qian et al., 2018, p. 55). Each country's experience is invaluable and can offer a solid base to start inclusion in the countries that used to have a traditionally segregated education system.

The United States of America has a long and successful history of protecting human rights. It signed the UN Convention on Rights of Persons with Disabilities in 2009, but to date has not ratified it. The rights of persons with disabilities are protected and promoted through the national legislation documents: the Rehabilitation Act (1973), the Education for All Handicapped Children Act (referred to as the Individuals with Disabilities Education Act–IDEA) (1975) and the Americans with Disabilities Act – ADA (1990). Although the principles behind the CRPD are inspired by and resemble those stated in the ADA and the Rehabilitation Act, some scholars posit that the CRPD goes further because it specifies the steps to take to ensure the rights of people with disabilities worldwide (Tichá & Abery et al., 2018).

Being in effect for over 30 years the ADA regulates all spheres of public life, including education that should be accessible by all students. Using systematic approach, many strategies and methodologies can effectively be implemented internationally to create instructionally, physically, socially, and psychologically inclusive environments. The system of these works on the principles of diversity and equity making it possible to include individuals with respect to their (dis)abilities, race, ethnicity, gender and social status.

Instructional inclusion is a vital factor in an inclusive education implementation framework. The following techniques are effective: universal design for learning, multi-tier system of supports, differentiated instruction, and peer assisted learning strategies, co-teaching, integrated learning. For instance, response to intervention has the potential to serve as a preventative framework for students who show signs of falling behind academically due to a variety of language-based, socio-economic, or disability-related reasons. This approach is an important tool for facilitating enhanced collaboration between general and special educators as well as specialists. This approach saves resources and allocates sufficient amounts to those students who really need support.

Social inclusion refers to promoting ongoing, positive and social interactions between students with SEN and their peers. In order to develop an effective inclusive learning environment, educators can apply the following methods: cooperative learning, civic responsibility and engagement, inclusive service learning. The latter provides an important connection between academic content taught in the classroom and real life in the community that results in teaching and learning both more explicit and applied, thus making it more meaningful and relevant to students who do not benefit from abstract instruction. Inclusive service learning is beneficial for all; it demonstrates positive

effects on students without disabilities, changes their attitudes towards their peers and foster interpersonal skills. It is worth mentioning that although students with disabilities may require additional support, they are invaluable resource themselves. By studying and working as a team to solve common problems, students with and without disabilities learn to cooperate, discover unique strengths, talents and capacities each one possesses. Discovering that they are a lot more alike than different places social relationships between students with and without disabilities within a different context and has the potential to lead to greater mutual understanding and support. The soft skills developed during inclusive service learning is a great resource itself for the meaningful and independent life in society.

The goal of *psychological inclusion* is to facilitate the self-esteem and wellbeing of a person. Positive behavior intervention and support framework proved to be highly effective as well as circles of friends, inclusive service learning, and social networking programs help a person feel valued and accepted as an important member of the group at school and in the community.

Implementation of the above strategies often goes with the use of formative assessment that enables teachers to monitor a student's progress and change instructional and other approaches when current methods are not demonstrating effectiveness. Educators learn how to use the principles of universal design for learning, differentiated instruction, and cross-disciplinary collaboration to adapt teaching strategies to meet the needs of diverse students. It is important to monitor and evaluate the progress of students with SEN on a regular basis (Tichá & Qian et al., 2018, p. 55).

In 1991, just a year after the Americans with Disabilities Act became law, "Teach Me To ... Teach Me Too!", an experimental program designed to meet the needs of secondary students with diverse academic and behavior capabilities within the regular educational setting and with the regular educational curriculum was launched in Corvallis rural school, USA. The program aimed at establishing a classroom environment that would be beneficial for students with various learning needs and styles. The unique approach at that time combined inclusion, inquiry-based learning and instructional strategies, at the same time the academic standards for all students were high. Service delivered primarily within the classroom setting addressed the educational requirements for gifted students as well as for those with disabilities. This philosophical shift called for new models of service delivery, coupled with new methods of reaching all students in ways that enhanced educational opportunities for everyone. The approach-encouraged co-teaching allowing the regular educator and the special educator to work as a team in an efficient and effective manner. The model involved pre-teaching key concepts to those students identified as having

special learning needs; then teaching the entire class, often using cooperative learning groups; and subsequently giving special needs students an opportunity to review key concepts before testing occurs. The regular educator taught the course content while the special educator presented a lesson on learning focusing on learning styles, time management, note taking, test-taking strategies, and other topics. Exponential energy of two teachers planning and teaching together created an exciting learning environment that benefitted every student. The students were encouraged to analyze their learning styles, use collaborative and peer tutoring techniques, and demonstrate leadership qualities. The project showed the achievement growth of all students irrespective of gender and disabilities, and the quality of personal and interpersonal skills of the students and teachers increased too (Jakupcak, 1996).

Sweden, a country in the north of Europe has a free public education system composed of compulsory and non-compulsory schooling. Preschool, upper secondary school, upper secondary school for students with learning disabilities, municipal adult education, and adult education for adults with learning disabilities are non-compulsory. The 9-year compulsory school program is for all children between ages 7 and 16 and includes regular school, Sami ethnic minority school, special school, and programs for students with learning disabilities. Students with significant intellectual disabilities can attend special schools, while other students who struggle are entitled to special support within the mainstream compulsory school system. This support can be provided in the mainstream classroom, in separate special teaching groups, or in special resource schools (Berhanu, 2011, p. 131).

The Sweden Education Act *for Knowledge, choice and security* came into effect in 2011. It introduces reforms in all levels from preschool to adult education, reflecting the current division of responsibilities between central and local governments. The legislation has undergone a comprehensive review aimed at drawing up a new and modern law that reflects the conditions in the school sector as well as the management by objectives approach in school governance. The Education Act states that access to equivalent education for all is the basic principle guiding Swedish education from childcare to young adulthood. Therefore, students with SEND are not different; special education support is integrated as much as possible into the framework of regular education. Schools use mechanisms to monitor to what extent all students have access to education services and can explore the quality of a social, pedagogical and physical environment that is accessible for all their students (Öhman, 2017, p. 345).

In 2011–2012, the Swedish government introduced the new standards-based curriculum for the compulsory school that marked a shift from a competence-oriented to a performance-oriented pedagogical model and introduced clearer

prescriptions regarding standards. The reforms also increased the importance of students' grades, national testing and eligibility criteria for upper secondary school. The implemented educational reforms had particular implications concerning inclusive education practices. The requirements regarding placement of students in special schools or in special teaching groups became stricter. The new regulations limited access to more extensive forms of special support. The first line of support – the 'additional adjustment' was not adequate, partly because the regular teachers received insufficient support from special educators. The consequence of the reforms was instead that more struggling students attended an increasingly performance-oriented and competitive mainstream compulsory school, where inclusive practices were not priorities. At the same time, fewer students received support to deal with this new environment (Högberg & Lindgren, 2023). It is a challenge for the Swedish education system to develop and sustain an inclusive model of education that will take into account unique needs, abilities, interests and aspirations of every student.

Inclusive education in *Ukraine* had not had broad and comprehensive presentation in national legal and policy frameworks until 2017, when the new national law On Education came into effect and subsequent documents proclaimed the right of students to be educated in the community. The reforms commenced from the elementary school level exposing a problem of lack of specially trained general education teachers capable of organizing inclusive settings. Thus, the problem of training qualified professionals to work in an inclusive learning environment, especially in higher education arises.

Being a post-communist country with a long history of human rights oppression and relatively short history of including students with special educational needs and disabilities, Ukraine faces the problem of bureaucracy, inadequacies in regulation and loopholes in legislation.

In shaping educational legislation, one can use the bottom-up approach that involves social and institutional contexts as an option to the conventional top-down law-making procedure. The baseline study made it possible to make more than a hundred amendments to the Law on Education that were related to the structure of education, quality assurance, self-governance of the institutions, standards of education, academic integrity, and outsourcing of services provided by practitioners, ensuring instruction and scientific activity. The approach motivates pre-service and in-service teachers to participate in the processes of shaping education policy, legislation, and regulation. It also can bring a change to the students and teachers' vision of the school structure, the content of education, and the way the teacher is motivated (Bobrytska et al., 2020).

5 Global Sharing of Inclusive Policies and Practices Is the Key

International cooperation develops just and universal legislation that becomes part of national legislations. Relevant human rights documents that combat discrimination on any grounds, including disability, gender, ethnic background, and other aspects of identity are legally binding and provide mechanisms of support, monitoring and evaluation.

Inclusive learning environments ensure realization of a fundamental right to education for all, supporting and valuing individual differences and talents, celebrating diversity and stimulating students for constructive, collaborative and contextual learning and development. Inclusive education training helps teachers to organize effective learning environments and can motivate them to initiate changes and shape educational legislation and policies using bottom-up approach.

There are countries that do not have provisions for inclusion of students with disabilities in their legislation and policy. Even more countries do not have experience or resources to implement and sustain inclusion. International experience and best practices enable learning and sharing among inclusive education communities so that countries with efficient legislation as well as an extensive and successful history of inclusion can be role models on how to implement the practices and support inclusive education. At the same time, each country can contribute to the global progress.

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