Inspecting in the Area of Inclusive Education

1. Inclusive Education in Estonia

§ 37 of the Constitution of the Republic of Estonia states that everyone has the right to education. The right to education is also a precondition for the exercise of a number of other fundamental rights. The overarching principle of Estonian educational organization is that high-quality general education must follow inclusive principles of education and be equally accessible to all, regardless of their social and economic background, nationality, gender, place of residence or special needs.

The framework for school inspection closely follows these principles. Making sure that the education in practice is as inclusive as necessary is one of the priorities in school inspection.

However, there are also some limitations in this process. Mainly that the Ministry of Education and Research as an external evaluator only exercises supervision over the lawfulness of the activities of schools and their owners with the aim of ensuring the availability of basic and general secondary education and accessibility thereto on equal grounds, the organization of teaching and education, and the quality and effectiveness thereof.

1. Legal requirements for schools in the field of inclusive education

Mainly, the supervision of lawfulness of the activities of a school focuses on checking whether or not the school has followed all the requirements set out in the Basic Schools and Upper Secondary Schools Act, other legal acts and its own policies that have been enacted based on legal acts.

The main requirements in the field of inclusive education that form the basis of evaluations are:

1. Basic Schools and Upper Secondary Schools Act § 6 sets out the principles of organisation of studies. It states that general education of good quality needs to adhere to the principles of inclusive education and be equally available to all persons regardless of their social and economic background, nationality, gender, place of residence or special educational needs.
2. Basic Schools and Upper Secondary Schools Act § 37 sets out the requirements for supporting the development of students It states that teachers need to observe the development and coping of students at school and, where necessary, adjust studies according to the individual needs and abilities of students. Where necessary, at least the services of a special education teacher, a speech therapist, a psychologist and a social educator need to be ensured. The owner of the school has to create and the head of school needs to organise opportunities for implementation of the services of support specialists.

In inspections, in addition to whether or not these services are guaranteed, the qualifications of these support specialists are also viewed. All of them except for social educator are required to have a master’s degree in their field of profession. The descriptions of the services of the support specialists and the procedure for the implementation of the service is established by a regulation of the minister responsible for the field. Often, in inspections it is viewed if they have followed these procedures in their daily work and documented it accordingly.

1. The Basic Schools and Upper Secondary Schools Act also sets out that where it becomes evident that a student is gifted, the implementation of an individual curriculum for the student needs to be ensured at school and, where necessary, additional instruction by subject teachers or other specialists via educational programmes or educational institutions.
2. The Basic Schools and Upper Secondary Schools Act also sets out that a developmental conversation needs to be held at school with each student at least once per academic year for the purpose of supporting the development of the student, and further study and development goals are agreed on the basis thereof.

The student, class teacher and, in the event the student has limited active legal capacity, a parent participate in a developmental conversation. Where the school has been unable to get hold of a parent of a student obligated to attend school in order to agree on the time of a developmental conversation or a parent has failed to attend the developmental conversation for the second time, the school is obliged to inform the rural municipality or city government of the student’s residence thereof and the latter, where necessary, take measures to protect the rights of the child.

Usually it is closely monitored in inspections if these developmental conversations have been carried out at the school with all students regularly.

1. Basic Schools and Upper Secondary Schools Act § 46 sets out the duties of school and owner of school upon identification and implementation of required support. The owner of the school has to create opportunities for identifying the special educational needs of a student and providing the student with the required support and the head of school arrange it. The head of school needs to appoint a coordinator for the studies of the student with special educational needs whose duty is to organise internal teamwork required for supporting the studies and development, and to coordinate participation in external networking.

The coordinator of the studies of the student with special educational needs has to support and supervise teachers upon identifying special educational needs, advise the parents and make proposals to the teacher and the head of school for further educational work. It is also his/her task to apply measures in school in support of the development of the student or carry out additional surveys and support the movement from one level of education to another.

1. Where it becomes evident that a student needs support, a parent needs to be notified thereof and the school has to arrange a pedagogical-psychological evaluation of the student. Where necessary, cooperation with the specialists of other fields needs to be pursued and additional surveys be recommended.

The school has to provide a student who has difficulties in performing the duty to attend school or lags behind in achieving the study outcomes with general support, which needs to involve individual additional instruction by a teacher, the availability of the services of the support specialists and, where necessary, the organisation of study assistance lessons individually or in a group.

Where the general support provided by the school does not produce the desired results for development of the student, enhanced support or special support may be applied upon recommendation of an external advisory team. In such an event the student is considered a student with special educational needs.

1. Upon organisation of the studies, the school has to rely on the principles of inclusive education. Depending on the individual needs of the student, studies corresponding to the student’s abilities and the required support in cooperation between the teachers, support specialists, assistant teachers and other specialists must be ensured for the student.
2. Special classes may be formed at schools in addition to ordinary classes. Studies in a study assistance group, level-based group or special class must be reasoned based on the needs of the student and limited in terms of the time, and attention must be paid to the recommendations of the coordinator of the studies of the student with special needs or those of the external advisory team or both. Upon teaching a student who needs special support in an ordinary class, the recommendations of the external advisory team must be taken into account. The head of school decides the admission to a study assistance or level-based group or special class. Upon making the decision, the director relies on the basis of parental consent regarding the student or the student with limited
3. Inspection Process

In order to determine in inspections whether or not the school has fulfilled its previously listed obligations, the following methods are used:

1. The school is notified about the inspection 1-2 months before the planned school visit. Usually a telephone call is made by the leading inspector and an e-mail is sent. In this notification, the headmaster is asked to electronically send the Ministry all relevant documents that give an overview of its previous activities before the school visit. The list of documents is sent to the headmaster, but the headmaster can send any additional documents that he/she wishes. All relevant documents are read by the inspector. The school is not required to produce any new documents for the inspection, only documents that the school is required to have anyway are asked. Reviewing the documents is desk research for inspectors. During school visits, usually no documents are viewed, in exceptional cases additional documents may be asked.
2. On the basis of the documents sent by the school, the inspector prepares questions for interviews held during school visits.
3. Usually, a school visit lasts for 3-5 working days. Inspections and school visits are always announced to schools 1-2 months before the start of the planned school visit. During school visits, a number of thorough interviews are held with all possible stakeholders. Students, parents, teachers, other school staff, including the headmaster and school owner are always interviewed. Every inspector has a liberty to determine if he/she holds group interviews or individual conversations and how long these interviews last. Usually, one interview can last for 1-3 hours, the duration is always agreed beforehand with the school. Usually school headmaster is the one who is consulted before arranging the interview schedule, often the headmaster is asked to make up the interview schedule, because that way, the inspector can respect everyone’s working hours and disturbs the school staff the least.
4. In every school visit, some time is scheduled for “open microphone” where everyone who wish can come and have a conversation with the inspector. The inspector’s contact details are communicated to all stakeholders, so that they can also have a private phone call or send an e-mail.
5. Minutes of all interviews are taken and all participants are asked to sign the minutes to verify that they agree with what was recorded and they were understood correctly. Usually, inspectors inspect in pairs – one of them is the leading inspector who prepares the process and the other assists (e.g. takes notes and minutes etc.).
6. During school visits, 2-3 lessons are observed together with the school management. The aim of this activity is not to assess individual teachers, but to monitor how the school management observes lessons and gives feedback to teachers. This activity was cancelled for the duration of the Covid-19 crisis.
7. About 1 month after the school visit, a written document about all important inspection findings is compiled, it is called a statement. The results of supervision are set out in a statement.

The statement is communicated to the head of the school and the owner of the school at least within 60 calendar days as of the commencement of supervision. Before the statement is signed, it is sent to the school to verify that all information stated in it is correct.

1. The statement must contain the time and place of drawing up the statement, brief details on the education institution, the supervisory body exercising supervision, the time of exercising administrative supervision, the names of the officials and experts who carried out supervision, the results of supervision, the time and description of offences, the precepts and proposals made, and the term of notification of complying with the precepts.
2. The following is specified in a precept:

1) the name of the person or body whom the precept is aimed at;

2) the obligation to make precepts required for the termination of the offence;

3) the basis of the precept;

4) the deadline for complying with the precept.

The owner of the school is obliged to comply with the precept for the deadline. Where the owner of the school fails to comply with the precept within the term specified in the precept, the supervisory board may impose a penalty The maximum limit of the penalty payment is 640 euros. Where the owner of the school does not comply with a precept related to a breach of the duty to provide students with special education needs with support within the prescribed time limit, the maximum penalty payment is 10 000 euros.

In conclusion, in Estonia, inspectors have quite a lot of liberty to modify the inspection process to the needs of the school that is being inspected. There are not many fixed processes for inspection, so a tailor-made process is created for every school. There are no fixed questionnaires that the inspectors could use. It is the task of the inspector to check if the school has fulfilled its legal obligations and it is largely up to the inspector, how it is done. The inspector can hold interviews, read documents, consult parents and students etc.