



Fact Sheet: Overrepresentation of Romani Children in Special Education in Macedonia

For more than a decade the European Roma Rights Centre (ERRC) has monitored access of Roma to education in Macedonia. In 2011 the ERRC found that Romani children accounted for over 46% of the children in a selection of special schools and special classes, with 42.5% of them in special schools and 52% in special classes in mainstream schools. Roma account for only 2.66% of the total population in Macedonia according to the last census, or around 9.8% according to reasonable estimates. This indicates a significant overrepresentation of Romani children in special education intended for children with mental disabilities.

To understand this phenomenon in more detail, the ERRC and the National Roma Centrum (NRC) conducted a survey in the first half of 2012 in all Macedonian cities where special education exists. The survey was implemented among 219 Romani families with 252 children enrolled in special schools and classes for children with special needs in mainstream schools. The results of this survey give rise to significant concern.

The Survey Results

Macedonian law stipulates that enrolment in special education can only happen after the child is categorised by a commission responsible for categorisation. Of the children accounted for in the survey sample, 132 Romani children enrolled directly into special education and 120 were transferred from mainstream classes into special education. Of the respondents whose children first attended mainstream class:

- 58.3% stated that school authorities never contacted them to discuss how to deal with the problems that their child was having in school.
- 76.3% said the mainstream school did not offer any extra educational support to enable the child to continue there.

Seventy percent of respondents with children in special education indicated that their children did not attend pre-school education.

Low awareness of the difference between special education and regular education among Romani parents

The survey points to the fact that a significant proportion of Romani parents with children in special education do not understand the nature of the education being provided to their children.

- 38.6% of Romani parents responded that they do not know what a special school is; and
- 45.3% of Romani parents responded that they do not know the difference between special education and education in a mainstream class.

Among the Romani parents who said they know the difference between special education and mainstream education, the main differences listed included: 1. that special education is for children with disabilities; 2. that the curriculum in special education is easier; and 3. that children completing special education have advantages when seeking employment in Macedonia.

Categorisation and enrolment in special education

When asked who recommended their children to be sent for testing to attend the special education:

- 68.5% of cases were recommended by a school official, an education expert, a doctor or a social centre.
- 29% of cases were initiated by parents.
- 2.5% of cases were initiated following the recommendation of an NGO, friend or neighbours.

As such, in 97.5% of cases parents did not oppose the recommendation to send their child for testing.

The results of the survey indicate problems in the categorisation process:

- 46.9% were not told what the testing of their child aimed to establish.
- 38.5% were not told that they have the right to be present while their child is tested.
- 54.4% did not sign any documentation during or after test.
- 46.8% did not know what diagnosis their child was given after they were tested.
- 31.0% were never given the test results.

Ability of parents to make sound educational choices for their children

The ability of parents to make the best choices concerning their child's education is predicated on having access to full information about the choices available. The survey results show that, among Romani parents of children in special education in Macedonia, this is far from the case. In addition to being given little or no information about the aim of testing their child:

- In 78.9% of cases parents were not told that they can challenge the recommendation for enrolment in special education.
- In 67.6% of cases parents said they were not told that attending special education will severely limit the ability of their child to access to higher education and employment.

When asked why they agreed to send their children to special education:

- 23% agreed because they were told so by the school authorities and the categorisation commission;
- 24% agreed because they thought the curriculum is easier in special education;
- 21% agreed they think their children are more likely find work due to disability;
- 18 % agreed because their children would receive free books, meals and other benefits;
- 5.5% agreed because they felt special schools provide a more secure environment or because many Romani children from the area go to the special school; and

Even in the absence of information about the differences between special and regular education and not knowing the future limitations posed by special education, 36.5% of the Romani parents that responded to the survey stated a preference for their child to attend a mainstream school.

Re-categorisation and reintegration into mainstream education

The likelihood that the development of children will be sufficiently tracked with a view to their re-categorisation and reintegration from special into mainstream education is also influenced negatively by the inadequate information made available to parents.

- 58.3% of survey respondents stated that they were never informed that they have the right to request re-testing and reintegration of their child into mainstream education.

- 69.6% of parents responded that after the initial categorisation their child was never tested again.

Perception of discrimination with respect to Romani children in access to education

When asked if they consider the enrolment of their child in special education to be a form of discrimination, 19.8% of Romani parents responded affirmatively. At the same time, 76.4% said they would not know where to complain about discrimination.

Survey responses also point to problems in the treatment of Romani children in mainstream education in Macedonia, which may impact the placement of Romani children in special education. Survey respondents reported numerous forms of ill-treatment or discrimination by teachers in mainstream education: 20.4% said that the teachers ignored their child in class; 13.4% said that their child was placed at the back of the class; 5.1% reported that teachers humiliated their child in front of the class; and 2.5% reported that teachers physically harmed their child.

Another significant problem that may navigate Romani children toward special education is bullying by peers: 73.3% of survey respondents confirmed that their child was bullied while in a mainstream school. Of those, 32.9% believed that the motivation was based on the child's learning abilities, 50% based on poverty and 17% based on ethnicity.

Legal gaps which lead to overrepresentation of Romani children in special education

A number of gaps and shortcomings in the regulatory framework around special education in Macedonia may contribute to the problems outlined above:

- Contradiction within the Law on Primary Education (LPE) which establishes the inclusion of children with special educational needs (Article 3) and also their segregation in special schools and classes (Article 10);¹
- Systematic segregation of students with special educational needs in special primary schools and special classes within mainstream primary schools (LPE, Article 10);
- Lack of a legal definition of "special educational needs";
- Imprecise regulations on assessing physical and mental development difficulties and the work of categorisation commissions;²
- Imprecise regulations on primary education of students with development difficulties;³
- Lack of clear guidance on provision of adequate information to parents and procedures for informed consent;
- Inadequate and biased assessment tools;
- Failure to adopt regulations on the manner and conditions for enrolling students with special educational needs in the primary schools as stipulated in the LPE;
- Unclear processes and responsibilities for monitoring, recategorisation and class transfer of children with special educational needs, development difficulties or disabilities; and
- Educational negligence (asocial behavior) and offensive behavior are grounds for placement in special education intended for children with mental disabilities regardless of the absence of physical or mental impairment.

¹ Law on Primary Education ("Official Gazette of Rep. of Macedonia" No. 103/08 from 19.08.2008, 33/10, 116/10, 156/10, 18/11, 51/11, 6/12) and Rulebook on the criteria and method for implementation of the primary education for students with development difficulties ("Official Gazette of Rep. of Macedonia" No. 27/96 from 05.06.1996).

² Law on Social Protection ("Official Gazette of Rep. of Macedonia" No. 79/09 from 24.06.2009., 36/11, 51/11) and Rulebook on assessing specific needs of persons with physical or mental development difficulties ("Official Gazette of Rep. of Macedonia" No. 30/2000 from 19.04.2000.)

³ Law on Primary Education ("Official Gazette of Rep. of Macedonia" No. 103/08 from 19.08.2008, 33/10, 116/10, 156/10, 18/11, 51/11, 6/12) and Rulebook on the criteria and method for implementation of the primary education for students with development difficulties ("Official Gazette of Rep. of Macedonia" No. 27/96 from 05.06.1996.)

Recommendations

In line with the legal commitment of the Macedonian Government to guarantee all children the right to education without discrimination, the ERRC and NRC urge Macedonian Government to:

- Stop the placement of children in special education while the relevant regulations are being adopted or revised;
- Adopt legislation explicitly mandating the desegregation of Macedonian education system;
- Develop a comprehensive policy with specific targets, measures, funding and a set timeline for achieving inclusive education in mainstream schools for all children and where needed, provide adequate educational support for pupils with special educational needs within such schools;
- Prohibit the enrolment of children without mental development difficulties in schools and classes designed for children with mental disabilities, regardless of parental consent or request, and provide the opportunity for parents to take legal action against school officials who enable the wrongful placement of non-disabled children in such schools;
- Design a system of incentives for mainstream schools that accept children from special schools or special classes in order to facilitate transfer of children from special to standard schools;
- Clearly define the “students with special educational needs” category;
- Provide targeted financial support to civil society organisations to carry out information campaigns among Romani parents about their roles and rights as the primary decision makers regarding their child’s education, and the benefits of integrating children from special into mainstream education;
- Provide assistance to Romani parents in enrolling their children in integrated schools; and
- Secure reliable and regular ethnically disaggregated data collection at the school and national level by education authorities and government statistical services, in accordance with the national, EU and international standards on data protection.