

**NATIONAL REGULATIONS AND GUIDELINES AND THE LOCAL FOLLOW-UP IN THE CHAIN OF ACTIONS IN SPECIAL EDUCATION**

**Sven Nilsen**  
**Camilla Herlofsen**  
*University of Oslo*

*The topic of this article is the chain of actions in special education in Norwegian compulsory schooling. The main research question is: how do local practise concur with national regulations and guidelines in different phases of the chain of actions in special education? The study is carried out as an evaluation study. The criteria on which the analysis of local practice relates to are clarified based on the analysis of national regulations and guidelines. A qualitative content analysis of written documents has been conducted, both with regard to regulations and practice. Data aimed at throwing light on local practice covers a total of eight pupil cases, each of which contains the relevant documents from the phases in the chain of actions. Based on the results, we can first of all conclude that a rather varying accordance exists between practise and regulations in different phases of the chain of actions. Certain parts of the regulations appear to be followed up effectively, but the follow-up in other areas is far less clear and at times inadequate. Second, the results indicate that the interrelationship between the different phases of the chain of actions varies. This represents a serious challenge, not only for the individual phases, but also for the chain as a whole. Thus, there appears to be a clear need to improve the quality, where the focus should be on aspects of practice as well as the regulations.*

The central issue of this article is the chain of actions in special education in Norwegian compulsory schooling. National regulations and guidelines have been laid down for each phase of the chain of actions, which local practice is subject to and shall endeavour to comply with. National regulations in this context are defined as first of all national legislation, as well as associated regulations, including the national curriculum. National guidelines primary relate to the Norwegian Directorate for Education and Training's guidelines on special education, which illustrate the desired practice based on an interpretation of national regulations. Local practice encompasses local schools and the local Educational and Psychological Counselling Service (PPT). This relates to a coherent chain of actions aimed at identifying and expertly assessing the need for special education, in addition to determining a resolution on, planning, implementing and assessing such education.

*The Principle of Adapted Education and the Right to Special Education*

In Norwegian schools, special education is part of a more overarching principle of adapted education. The emphasis on adapted education is partly connected to the development of the Norwegian unitary school system, where the aim has gradually been to cover steadily more groups of pupils, regardless of background, abilities and aptitudes. This has increased the diversity of the pupil population, and consequently also the need for adapting the education in order to cater for the diversity (Nilsen, 2010). The Education Act (Norway) stipulates that education shall be adapted to the abilities and aptitudes of the individual pupil. This forms the formal basis for adapted education as an *overarching principle*. Initially, this is aimed at what the Act refers to as the ordinary education. However, experience shows that such adaptation is not sufficient for some pupils to achieve a satisfactory benefit from the education. These pupils are considered to need a more extensive adaptation, and the Education Act gives them the *right* to special education. The more extensive adaptation and the support through special education may relate to a greater adaptation of content, expressed through an individual education plan, greater input of resources; mainly time, and a strengthened competence-related input in the form of special education competence.

*The Chain of Actions in Special Education*

The local work aimed at protecting the right to special education shall be carried out through many links in the chain. We talk about a chain of actions. The chain starts when a problem is identified and reported by individual teachers, and continues until special education has been expertly assessed, approved, planned, implemented and evaluated. This chain of actions involves interaction between participants in several local arenas, in particular in schools and the PPT. In addition, the parents and the actual pupil are also key players in certain phases (Nilsen, 2011). National regulations and guidelines set standards for how the work in special education shall be carried out in every phase and on the cohesion between the phases. These standards can form a basis for comparing practice. Based on the regulations, the chain of actions in special education covers the following main phases:

*The teachers describe their concerns of the possible need for special education in a report to the head teacher.*

*The school sends a referral to the PPT of the need for special education.*

*The PPT conducts an expert assessment of the need for special education.*

*The school owner (or head teacher after delegation) makes an individual resolution for special education.*

*The school devises an individual education plan (IEP).*

*The school implements the special education.*

*The school generates a semi-annual report on the special education and the pupil's progress.*

This study is confined to the four phases from the school's referral to the PPT up until the school devises an IEP. Further reference to the regulations for these phases is given in the results section, as part of the work on clarifying criteria that are used to compare the quality of practice.

A document will be prepared during each of these phases, which will show the processing of the case. These documents relate to the school's referral to the PPT, the PPT's expert assessment, the local authority or the head teacher's resolution protocol and the school's IEP. By studying such documents and following them from phase to phase, a picture can be obtained of the case handling in each link and of the cohesion between the links. By comparing the content in the relevant document with regulations and guidelines for the phase, a picture can be formed of the quality of the case handling and the work on special education in each phase. The quality is then analysed based on the relationship between what is prescribed in regulations and guidelines, and what is demonstrated in practice.

The chain of actions in special education aims to fulfil several objectives. This relates in part to a *formal, administrative objective*, whereby correct case handling helps ensure that the right to special education is well protected. However, the objective also has an important *practical, educational aspect*, whereby an optimum support system shall be developed for the practical work in special education in schools and the classroom (Nilsen, 2011). If both of these objectives do not work together, and it becomes the formal, administrative object that is salient, the teachers may easily perceive the regulations to be unnecessarily formal and bureaucratic, and look upon the work with the documents, such as the IEP, as a waste of paper (Cooper, 1996).

*Local Follow-up of National Regulations and Guidelines*

An OECD assessment of the Norwegian school system has recommended that more emphasis should be placed on the principle of adapted education. It was highlighted that the schools need to develop better strategies in order to identify and follow up pupils who face problems. It was stressed that in order to improve the school system, active effort is demanded from everyone involved, as well as local school authorities and schools (Mortimore et al., 2004).

Developing a good interplay between the different levels in the education sector has long been considered a challenge for Norwegian schools (Report no. 37 to the Storting (1990-91)). A difficult balance of decisions between national governance and the decentralisation of responsibility has engendered questions about whether the quality of education is governable or not (Weiler, 1990). In a more recent report to the Storting, the need is stipulated for both clearer national governance and better local follow-up, and that the quality in schools is dependent on joint effort at all levels (Report no. 31 to the Storting (2007-2008)).

Success in the different phases of the chain of actions is dependent on interaction between national formulation and local realisation. Each phase is subject to national regulations and guidelines, which are

aimed at both the PPT and the individual school. Simultaneous to this, the quality in the chain of actions depends on these local bodies following up and executing each phase in accordance with the national standards.

This requires local work on improving the quality of special education to be carried out using legislation, the curriculum and other regulations as the determining framework and direction for the input. The national regulations and guidelines form key criteria for the work on quality improvement, which the local input must be assessed against. The national regulations and guidelines also give room for local priorities and adaptations. Thus, it is not just about a one-sided goal-means-rationality, where finding the right means to meet national goals is all that matters. To a certain extent, it also has a cultural and institutional perspective, where the individual school acts based on local culture and tradition and its experiences of what type of practice works well (Christensen et al., 2007).

#### *Research Question*

The main research question addressed in this study is: *how do local practise concur with national regulations and guidelines in different phases of the chain of actions in special education?* This study of the chain of actions is confined to four phases. In order to put the main research question in more concrete terms, four sub-questions are posed. These relate to the interrelationship between local practice and national regulations and guidelines with regard to (1) the school's referral to the PPT, (2) the expert assessment from the PPT, (3) individual resolutions on special education and (4) the school's formulation of IEP respectively. These questions are addressed in the results section in the same order as rendered here, first with a clarification of regulations and guidelines, followed by an analysis of local practice. These questions aim to give us an insight into how regulations and guidelines for the different phases of the chain of actions in special education are followed up and practiced by local bodies, and challenges that manifest themselves in this regard.

#### **Method**

The study is carried out as an evaluation study (Weiss, 1998). It relates to a systematic collection, analysis and comparison of data on the different phases in the chain of actions in special education. The analysis is in two parts. For each phase, the national regulations and regulations are studied, followed by local practice. The criteria on which the analysis of local practice relates to are clarified based on the analysis of national regulations and guidelines.

The primary research method, on which the evaluation is based, is document analysis. A qualitative content analysis of written documents has been conducted, both with regard to regulations and practice (Krippendorff, 2004). In relation to the regulations, this entails the study of relevant legislation (the Education Act and Public Administration Act) and regulations, including the national curriculum. The interpretation is also based on the Norwegian Directorate for Education and Training's guidelines on the education legislation on special education, and other education policy documents such as reports to the Storting, white papers and Storting's reports on these. A hermeneutic-based analysis is carried out, where various sections in the documents are considered in conjunction with each other with a view to gaining a holistic understanding of each phase in the chain of actions (Gadamer, 2004).

The same principle approach is also applied to the practice side, where the local follow-up of regulations is studied. Data aimed at throwing light on local practice covers a total of eight pupil cases. This data is collected from four schools, which have each provided two pupil cases. The schools are spread over two municipalities, with two schools from each. Each pupil case contains the relevant local documents from the phases in the chain of actions we are examining (the school's referral form, the PPT's expert assessment, the school's resolution protocol and IEPs). The documents are retrieved from the schools' pupil files, and permission to access the files is obtained from local education authorities and the parents. The sample is made up of cases from pupils who have received an individual resolution for special education, and where the cases will therefore have followed the phases of the chain of actions. This relates to pupils with difficulties in subjects (primarily mathematics, reading and writing) that are commonly the basis for the need for special education.

The sample of municipalities is made up of one urban and one rural municipality, and these are located in two different regions of Norway. Despite such differences, the analysis shows a number of common features in the characteristics of different pupil cases and phases in the chain of actions. It will therefore mainly be such patterns in practice that we will concentrate on identifying and describing (Patton, 2002) with a view to ascertaining how the work in special education is carried out in each phase. Where clear

differences can be seen, these will also be highlighted. We expect the patterns that we find to demonstrate interesting examples of local practice in key parts of the chain of actions. Further generalisations must be of an analytical nature.

## Results

Results for the four relevant phases of the study on the chain of actions in special education are presented below. First, key aspects of national regulations and guidelines on the chain of actions are discussed for each phase, followed by an account and assessment of the schools and the PPT's follow-up in the area, and a comparison of this with regulations and guidelines.

### *The School's Referral to the PPT for Expert Assessment*

#### *National regulations and guidelines*

The first phase in the chain that is analysed is the school's referral to the PPT. There are no statutory requirements as regards what information needs to be provided when referring to the PPT. However, the guidelines of the Ministry of Education and Research (2004) and the Norwegian Directorate for Education and Training (2009) recommend that referral should be in writing, and that an educational report should be compiled as part of the referral, either as a separate document or as part of the referral form.

Based on the guidelines, we have limited the analysis of the referral to four criteria: what types of assessments and investigations the school has carried out; how the pupil functions in the group/class; what measures have been tried, and an assessment of these; the cooperation with the pupil and the parents. Further details are given below of each of these criteria, first with a reference to regulations and guidelines, followed by a description of the practice in the schools.

#### *The schools' follow-up*

It should be noted that a written referral document is prepared in all cases. However, not all cases have a separate educational report.

With regard to the first criterion in the analysis of the referral to the PPT, the national guidelines recommend that the referral includes a description of what types of *investigations and assessments the school has carried out*. The guidelines also recommend that this should include both individual and system factors linked to the pupils' aptitudes and the educational provision. The school's assessments can be founded on both the results from mapping work and on the impression that the school has of the pupil's skills and functioning based on the ongoing assessments that are part of the education. It is important to consider the strengths as well as the weaknesses of the pupils' competence here. The guidelines are more limited and less clear in relation to how the education should be mapped.

With regard to practice, reference is made to mapping tests for all of the pupils in the study except one. The schools in one municipality have given only brief descriptions, while the other have provided much more in-depth descriptions of the pupils, both in relation to mapping test results and the pupil's ability to function in the different subjects. The assessment of this functioning is not covered to any large degree, either in relation to the goals for competence in the national curriculum or the other pupils' levels of ability. Additionally, the mapping work and assessments generally have a much clearer focus on the individual than on the system.

As regards the second criterion; *how the pupil functions in the group/class*, the guidelines give no further details of what this entails. One possible interpretation is that it relates to how the pupil functions socially, i.e. in relation to working with others, verbal interaction and friendships. With regard to the school's practice, all of the cases provide a description of how the pupil functions in the classroom. Descriptions are given, albeit often brief, in relation to the situation concerning friends, interests, verbal participation, level of conflict and ability to concentrate. Such descriptions can help form a complete picture of the pupil in relation to strengths and problems, which is important for the PPT.

When it comes to light that a pupil is not getting adequate benefit from his education, the guidelines say that various ways should first be tried to adapt the ordinary education. If there is still considered to be a need for special education, the guidelines recommend that details are given and assessments made of *what measures have been tried*. With regard to the schools' practice, the analysis shows that the referral forms rarely include very much detail of the types of measures that have been implemented for the pupils. The descriptions that are given mainly relate to the organisation of the education, and the few

assessments that are given of the measures tried are brief. In one municipality, none of the schools have given an assessment of the measures for any of the pupils. The assessments in the other municipality mainly relate to the fact that the pupils are not showing satisfactory development despite the measures implemented.

With regard to *the cooperation with the pupil and the parents*, the Education Act requires parental consent for a pupil to be referred to the PPT (until the age of 15). The Act also stipulates that the offer of special education shall, as far as possible, be devised together with the pupil and the parents, and that their views will be a key focus. The guidelines justify the cooperation with the assertion that it is the parents who know the pupil the best, and it is therefore crucial that their knowledge and opinions are taken into account.

In relation to the requirement of the Education Act for parental consent prior to referral to the PPT, a somewhat varying practice can be noted in the schools. In one municipality, half of the cases have no parent signatures. In the other municipality, all of the cases have a signature and consent. The review of the cases also shows a strong varying practice with regard to whether the parents' information and opinions are described and assessed. A number of cases refer to the dialogue and cooperation between school and home, and comments are given on how the parents help the pupil with their homework. Likewise, the parents' experiences, assessments and wishes are also described. In other cases, none of these aspects are mentioned.

#### *The Expert Assessment from the PPT*

##### *National regulations and guidelines*

The second phase in the chain of actions covered in this article is the PPT's expert assessment. The Education Act imposes an obligation on all municipalities to have a PPT (in cooperation with other local authorities if appropriate), which aims to ensure that an expert assessment is undertaken before any resolutions on special education are determined. This assessment shall show both *whether* the pupil has a need for special education and *what special education* should be provided.

The Act also imposes requirements on the content of the expert assessment. It shall, for example, report on and assess the benefit that the pupil gets from the ordinary instruction, which must particularly be viewed in conjunction with the Act's provision for a pupil's right to special education. The next point is the pupil's learning difficulties and other special conditions that have a bearing on the education. These two points can be regarded as constituting the expert assessment's review section. The review must then be followed up with an assessment of consequences in the form of advice on the special education that the pupil needs, which can be regarded as constituting the recommendation section of the assessment. This section shall first of all contain advices on realistic educational objectives for the pupil, and second, whether the pupil's difficulties can be addressed within the ordinary instruction, and third, what type of instructions constitutes a reasonable educational provision.

The Act does not impose any requirements for the form of the expert assessment. However, it must be assumed that the assessment has to be in the form of a written report that satisfies the content requirements. Primarily, the expert assessment must be clear and specific enough to form the basis for determining a resolution on the special education. In addition, it must also be suitable to act as an aid to the schools' planning of special education based on the resolution.

#### *The PPT's follow-up.*

It must first be noted that in all of the cases on special education that are analysed in this article, an expert assessment has been carried out, as required by law. The PPT performed these assessments. All of the assessments explicitly conclude that the pupils have a need for special education. There appears to be reasonably good cohesion with the previous link in the chain of actions, since the expert assessment refers back to the school's referral. As a general observation, the expert assessments have varying structures, and adhere to the content areas and the order that corresponds to the content requirements of the Act to varying degrees.

The Act's requirement for a report on the pupil's *benefit from the ordinary instruction* is covered in all of the assessments. The assessments primarily seem to place the emphasis on individual characteristics here. These relate to what abilities and aptitudes the pupils have for benefitting satisfactorily from the education, and only to a limited extent to the education's ability to give the pupils such a benefit through adequately adapted education.

In several of the cases, the PPT has referred to various difficulties of a specific nature. The diagnosis in itself does not entitle a pupil to special education, but the PPT refers to the diagnosis when it concludes that the pupil does not benefit satisfactorily from the education and therefore has a need for special education. The pupil's difficulties and benefits are thus clearly linked together in several of the cases. On the other hand, the pupil's competence is not so clear in relation to the development that can be expected based on the goals for competence in the national curriculum, and this also applies to comparisons in relation to other pupils of the same age.

The emphasis on difficulties is also connected with the fact that several of the assessments merge this point with the next requirement of the Education Act, i.e. *the pupil's learning difficulties and other special conditions that have a bearing on the education*. All of the expert assessments in the study discuss and give in-depth details of the pupil's difficulties.

With regard to this point, the Norwegian Directorate for Education and Training (2009) recommends that the PPT also comments on the pupil's strengths, in order to obtain a complete picture of the pupil's competence. These are aspects that help enable advice to be given on which instruction should be provided, and not least to comply with the legislation where it stipulates that particular emphasis shall be placed on the developmental prospects of the pupil. The analysis shows, however, that the majority of cases are oriented towards difficulties, with the focus on areas where the pupil is struggling. Nevertheless, some of the cases also focus on the pupil's strengths. Characteristics that relate to social skills and personality feature strongly. Some test results are used to highlight the pupil's competence; both difficulties and strengths.

With regard to the recommendation section, the Education Act imposes requirements for the expert assessment to indicate *realistic educational objectives for the pupil*. It is crucial that a realistic assessment is made of both the goals for competence in the national curriculum in different subjects, and what the individual pupil can reasonably manage with the learning support that the school will try to provide. This must also be viewed in conjunction with the fact that the Education Act is open to exceptions from the ordinary content in the curriculum. It is reasonable to assume that the goals set by the PPT are of a general character to a certain degree, since the school will set more specific goals when devising an IEP for the pupil. However, the goals should also be specific enough that they guide the school on what type of goals the pupil should aim for. The goals should also be stipulated in such a way that they provide assistance in formulating a resolution on special education.

The analysis shows major differences in the advice that is given with regard to realistic educational objectives. For a few pupils who had moderate difficulties, it was assumed that the pupil could follow the goals for competence in the curriculum as long as the pupil received help with his difficulties. For other pupils with a greater need for support, the goals were individually adapted to a much greater extent. This may relate to changes in goal achievement in certain subjects or choosing goals in the subject that are applied at a lower year. In certain cases, it relates to the de-selection of goals because they seem too demanding for the pupil. The goals that are specified by the PPT also vary considerably in terms of how specific they are; from very open and general – and sometimes diffused – to the very specific and methodical. Additionally, educational objectives are often formulated in such a way that they constitute a mixture of goals and actions.

The second requirement in the recommendation section relates to *whether the pupil's difficulties can be addressed within the ordinary education offer*. It is natural to consider this in conjunction with both the first requirement in this paragraph on evaluating the pupil's benefit from ordinary education and with the condition for receiving special education: whether the pupil is or can benefit satisfactorily from ordinary education. These are often assessed together in the expert assessment, to a lesser or greater extent, instead of in a separate section. It may appear as if the PPT believes that the requirements of the Education Act overlap here or are repeated. References often relate to highlighting the difficulties that the pupil has, and all of the cases concluded that the need for adjustment is too great to be addressed through ordinary education.

The final point that the expert assessment should address is, *what type of education constitutes a reasonable education offer*. This can be understood as a unifying and conclusive point in the expert assessment, where both the review section and the other points in the recommendation section are used as a basis. The understanding of what educational objectives are realistic for the pupil will be covered in the basis of assessment. In addition to this, it may be expedient to give advice on what content the pupil

should work with and ways of working and forms of organisation that should be used. The scope of the special education should also be covered.

The analysis of the pupil cases shows that there are large variations in whether and how this point is covered. Comments regarding reasonable education offer are sometimes rather general. Only one local authority's assessments refer to the scope of the special education in terms of teaching hours. Not all of the assessments give details of the organisation of the special education. Comments in this point often consist of actions, without any reasons being given for why such actions would contribute to a reasonable education offer.

#### *Resolutions concerning Special Education*

##### *National regulations and guidelines*

The next main phase in the chain of actions in special education is individual resolutions on special education. Pursuant to the Education Act, it is the local authority that determines individual resolutions on special education within compulsory schooling. This authority can also be delegated to head teachers. The school, PPT and school owner are regarded as administrative bodies, and in cases relating to special education the local authority/head teacher must act in accordance with procedure rules in the Public Administration Act. The expert assessment provides the basis for the resolution, and if the resolution deviates from this assessment the reason must be clearly specified.

The legislation does not impose any requirements for the form of the individual resolution, different practice and different templates are therefore possible in the local authorities. However, the Public Administration Act states that an individual resolution shall be in writing. The individual resolution must also be justified, and in cases relating to special education this must be done at the same time the resolution is finalised. The content of this justification is also regulated by the Public Administration Act, where three conditions in particular must be covered by the individual resolution. First, reference shall be made to the rules on which the resolution is based, in this case the rules in the Education Act. To the degree it is necessary, the content of the rules shall also be quoted, or the problem on which the resolution is based.

Second, reference needs to be made to the actual conditions on which the resolution is based. Referring to the expert assessment may suffice, since this is a part of the case preparation and the pupil or parents will have had the opportunity to familiarise themselves with it. The third element to be included is the chief considerations that have been the determining factor in the administrative assessment. Of particular relevance is where the emphasis lies in relation to the legislation's conditions for special education (Norwegian Directorate for Education and Training, 2009).

Based on the total requirements that are imposed, the individual resolution should consider the content, scope and organisation of the special education (Odelsting Proposition no. 46 (1997-98)). As mentioned, the individual resolution may refer to the expert assessment for further details, provided that this is clear and complete. Out of consideration to legal safeguards for the pupil, the resolution on special education shall be individual. Consequently, the resolution shall not be standardised (however a small part of the resolution may be standardised, e.g. on the rules on which the resolution is based). Beyond that, the Public Administration Act has further provisions on the information that the school owner/head teacher shall provide in the individual resolution. This includes information on the right of appeal, advance notification and right of access.

##### *The schools' follow-up*

It must first be noted that in all of the cases in the study, an individual resolution has been made for special education, all by the head teacher at the relevant schools. In other words, a delegation practice seems to have been adopted in this area. Otherwise, the practice in the schools in the two municipalities varies somewhat.

*One local authority* has a standardised resolution that is the same for the four cases under assessment. The only aspect that distinguishes the cases from each other is the scope of the special education, which is considered for the individual pupil. With regard to the organisation of the education, a general sentence is formulated in the resolution on various forms of organisation. No individual assessment is given in relation to the individual pupil's needs. Likewise, there is no individual justification for the content of the pupil's special education. However, the resolution does state that the special education shall be provided in accordance with the expert findings. The consequence of this is that the PPT's

recommendation must be followed in the formulation of the education offer, both with regard to content and organisation. It is therefore important that the expert assessment is clear enough to ensure that there is no doubt about what type of education offer the pupil will have.

With regard to the legal conditions on which the resolution is based, reference is made to the requirements of the Education Act, but without quoting the content of this. As already mentioned, the Public Administration Act also sets requirements for the resolution to stipulate the chief considerations that have been vital to the assessment of the right to special education. There is nothing in the resolution that could be regarded as covering this point. Furthermore, the resolution includes some information on right of appeal, but does not refer to the relevant legislation.

*The other local authority* has a slightly different – and varying – practice. Two of the cases are given a standardised justification, while the other two have an individual justification. None of the resolutions have been specific about the scope of the special education for the pupil. Neither has the scope been considered in the expert assessment. The only reference is to which subjects the pupil needs special education in, and no indication of teaching hours is given. Thus, the scope of the special education has not been specified either in the resolution or the expert assessment. In the cases that have an individual justification, a brief description is given of the pupil's difficulties and needs.

Furthermore, no clear account has generally been given of the content of the special education that the pupil needs. The justification for special education in the resolution tends to refer to the expert assessment in general, without explicitly stating that the recommendations in this assessment are to be followed with regard to the content of the education.

The resolutions are also unclear as regards the organisation of the special education. In addition to this, there are numerous examples of discrepancies between what is stated in the resolution about the organisation and what the expert assessment recommends, while simultaneously referring to the expert assessment. The wording in the general formulations in some of the resolutions (e.g. *most of the special education is carried out in small groups*) is inconsistent in places with the formulation of the expert assessment for the pupil (e.g. *the pupil can easily be in the class, with some adjustments*). Such cases do not seem to have an individual resolution that is as clear and complete as the regulations are assumed to require.

All of the four cases in this local authority include an appendix giving details of the relevant rules of law in the Public Administration Act. This information can be regarded as informative for the parents/pupil, and in line with the requirements of the Act in relation to the content of an individual resolution.

#### *Individual Education Plans*

#### *National regulations and guidelines*

After the individual resolution, the individual education plan (IEP) is the next phase in the chain of actions in special education. The Education Act requires an IEP to be drawn up for all pupils for whom an individual resolution on special education is determined. The school has overall responsibility for devising the IEP, based on the resolution and expert assessment. The aim of the plan is to help the school give the pupil an educational provision in-keeping with the resolution.

With regard to the content of an IEP, the Education Act states that it must specify goals for the education, the content in the education and how the education will be administered. Beyond this, the school has a free hand in drawing up an IEP. Local authorities often create a template that the schools can use when working on an IEP. With regard to goals and content in an IEP, the schools must try to balance the consideration to the national curriculum and the pupil's aptitudes. This relates to the fact that the guidelines in the national curriculum on the content in the education also apply to special education, but only to the degree appropriate. This can be interpreted in such a way that the special education shall ensure consideration to academic community and individual adjustments, to inclusion and differentiation. Main subject areas and associated competence goals in the national curriculum may, to a lesser or greater extent, be excluded, all depending on what is appropriate and is realistic for the pupil. As mentioned previously, the expert assessment should consider what educational objectives are realistic for the pupil, and any de-selection in the IEP shall be done within the framework of the resolution.

With regard to the content, the IEP should also give details of working methods that the pupil shall employ in order to build up the desired competence. The plan shall also show how the education is to be

organised, as a follow-up to the resolution. How comprehensive an IEP should be must be considered in relation to the individual pupil's needs. It is essential that the plan acts as a practical tool for the teachers in the planning and implementation of the education. It should therefore be simple and logical, and show totality and cohesion in the pupil's educational provision (Norwegian Directorate for Education and Training, 2009).

#### *The schools' follow-up*

In all of the cases in this study, an IEP has been drawn up for the pupil, and is presented as a separate document. Practice in the two local authorities differs somewhat in this link of actions.

*One local authority* has an IEP template that is easy to follow and has a simple design. The template places the emphasis on the development prospects of the pupil, which is one of the points in the legislation's provisions on special education. The plans refer to the pupils' strong sides and sides that may be strengthened (instead of only discussing difficulties). Pursuant to the legal requirements, the IEPs cover goals for special education, content and working methods. The goals appear to be specific and realistic for the pupil in relation to the expert assessment. Details are also given of which working methods shall be used in order to achieve the goals. In all of the cases in this local authority, the resolution refers to the fact that the education will be carried out in accordance with the expert assessment. The analysis shows that, for the most part, the IEP follows up the recommendations of the expert assessment with further specifics. The IEP also stipulates the scope of the special education and how it is to be organised. This mainly concurs well with the individual resolution. Overall, there is good cohesion between the expert assessment, the resolution and the IEP in this local authority.

All of the cases have a parent/guardian signature. It seems that a practice has been adopted where the parents give consent to the IEP, without this being a legal requirement. However, it is not clear whether the signature is just an approval of the plan or if it reflects cooperation in the preparation of the plan. Nevertheless, we can see from the earlier phases, particularly the expert assessment, that emphasis has been placed on the parents' and the pupil's information in the review.

*The other local authority* has a slightly different practice, and gives a more varying impression of the follow-up of the regulations. The template for the IEP is rather unclear and is not easy to follow. It refers to the IEP being based on the expert assessment, but not explicitly to the individual resolution in any of the cases.

A description is given of the pupil's functional level both socially and academically, based on mapping carried out by the school and not on the expert assessment. The plan has a separate point on the pupil's strengths, which mainly relates to personal qualities, interests and social functioning. Two of the cases, however, also give a brief description of the pupil's academic strengths. Thus, the plans appear to aim to highlight the pupil's development prospects.

A number of examples of lack of cohesion can be found here by comparing the IEP with the resolution and expert assessment for each pupil. For example, the organisation of the special education indicated in the IEP differs from the expert assessment, which is referred to in the individual resolution. It may appear that this local authority has adopted a practice of special education being carried out in small groups, despite the PPT recommending that the pupil can be part of a class. In one of the cases, the IEP is older than the individual resolution, and was therefore drawn up before the resolution was formally in existence. In this case it may be that the pupil has had extra support in the education and an IEP, without an individual resolution on special education being in place. This implies disorder in the chain of actions.

Several cases give the impression that the IEP is based more on the school's own assessment of the pupil's difficulties and needs than on the PPT's expert assessment. Furthermore, the resolution is not followed up to a sufficient extent. The scope of the contact and cooperation with the parents is unclear. In two of the cases, parent signatures have been obtained. The general picture that the analysis forms of this municipality is a varying, and often limited, cohesion between the links in the chain.

#### **Discussion**

The focus of this article is on the chain of actions in special education in compulsory schooling. The research question has focussed on how local practice concur with national regulations and guidelines in different phases of the chain of actions. We have limited this study to examining four of the phases in the chain of actions.

With regard to *the schools's referral to the PPT*, the results show that the schools follow the regulations and guidelines reasonably well in relation to several criteria in this phase. In relation to the requirement to first test different adaptations of ordinary education before resorting to special education, the schools have only given a brief account of what such tests entail. The referrals seem to be predominantly characterised by a focus on individual characteristics of the pupils, while the guidelines also emphasise a focus on the ordinary education.

As for the *expert assessments*, these seem to be characterised by a rather variable local formulation. Headings and the sequence appear to deviate from legal requirements for the content of such assessments, and certain points could be merged. The assessments primarily place the emphasis on characteristics of the pupils, and less on how the ordinary education is adapted to the pupils' abilities and aptitudes.

With regard to *resolutions on special education*, a delegation practice has developed whereby the head teacher of each school determines all of the resolutions. The main impression is that the resolutions are standardised and not particularly tailored to the individual pupil's needs. Overall, the resolutions seem to reflect a practice that represents an unclear and invidious follow-up of the regulations, which can sometimes be at the expense of the pupil's legal protection.

The results indicate major variations in the follow-up of regulations and guidelines in the *schools' formulation of IEP*. The pupil cases in the two municipalities are rather different in terms of how IEP builds on the two earlier links in the chain of actions. It transpires that IEP, in a number of cases, deviates somewhat from individual resolutions and expert assessments with regard to both content and organisation.

With regard to the interrelationship between the phases in the chain of actions, it must be viewed as a positive attribute that the expert assessments build further on the school's referral and on information from parents and the pupil. On the other hand, the interrelationship between the expert assessment and the resolution seems to be more variable. In a number of cases, the expert assessments appear to be rather diffused, and therefore difficult to build on. The resolutions also sometimes include guidelines that point in a different direction to the expert assessment, and are somewhat more standardised than the more individualised expert assessments facilitate. This is likely to create uncertainty and confusion when the schools are to consider resolutions and expert assessments in conjunction with each other. In the same way, the connection between IEP and the two preceding phases in the chain of actions also varies. IEP, resolutions and expert assessments thus become independent phases, which breaks the chain of actions instead of linking it together.

In view of this, one vital question will be whether the extensive work and the large resources that are put into the different links of the chain of actions contribute to the quality of actions being gradually improved, and thereby to adequate and adapted measures being implemented for the pupils. If not, it may be questioned whether the chain works as intended. This applies to the legal side of the case, in relation to how the chain of actions helps protect the right to special education. It also relates to the more practical educational objective, which emphasises that, via the chain, a good support system is developed for the individual pupil with special education. Thus, this seems to relate to a clear need for improving the quality in the chain of actions. When discussing the need for improvement, the focus should be on practice as well as regulations, and on the cohesion between these.

The practising of the regulations depends on what knowledge and insight the users in the school have on rights and principles that are applicable, and on the responsibilities and obligations that ensue from these, including to pupils and parents. Such knowledge is vital in order for rights to be protected. Local education authorities can play a key role in the development of an inclusive and adapted education (Ainscow et al., 2000). Although municipal guidelines on the chain of actions may help to clarify and specify national regulations to the schools (Nilsen, 2011), our study indicates that the schools' follow-up can be somewhat lacking. The municipal input should not, therefore, only be related to the local authority giving details of requirements to the schools on correct procedure. The study also underpins a need for the local authorities to be in a dialogue with the schools and guide and support them, with the aim of systematically seeking to improve the quality of the special education.

Another important element in this context applies to which resources are put at the disposal of the schools and how these are used. This relates to ensuring that the teachers have sufficient time and

educational resources to carry out their work, e.g. time for discussion, including joint discussions, planning and evaluation, as well as preparing the documents to be drawn up. As regards educational resources, it may be necessary to recruit special education expertise, develop competence and utilise services such as those offered by the PPT. This should be combined with an improved and developed system for quality assessment, whereby the schools and the local authority can remain up to date with how the regulations are to be practised and ensure that the quality of the chain of actions is maintained.

Improving the chain of actions will require a whole-school approach, where all personnel are involved, and where the management takes clear responsibility for and conveys the importance of this work. It is not sufficient for the chain of actions in special education to only involve teachers within special education. The chain entails interaction between the adaptation of ordinary education and special education, and therefore also requires cooperation between general teachers and special education teachers.

Additionally, this study may give grounds to aim the spotlight at the actual regulations. The area to be regulated is extremely complex, and one of the questions is how the users perceive the relationship between the regulations and the framework condition. Facilitating clear and practical procedures – and ensuring that these are perceived as having a practical utility value for the daily work – must be assumed to be vital by many teachers. The current regulations entail a major balancing act, which on the one hand is necessary to protect the need for flexibility, but on the other are not always easy to carry out. Studies show that teachers find it difficult to balance between individual aptitudes and goals for competence in the national curriculum, and that the requirement to achieve common goals for competence is perceived as contradictory to catering for individual learning aptitudes (Buli-Holmberg and Nilsen, 2011).

It is clearly recognised that the teacher is the source of influence in the school that has the greatest impact on the pupil's education (Report no. 11 to the Storting 2008-2009). Consequently, it is also recognised that the teacher's competence is a vital factor. Studies show that the teachers' competence is absolutely vital to how much the pupils benefit from the special education (Egelund and Tettler, 2009). Whilst the right to special education is important, there are no requirements for competence for the teachers who administer this right in Norwegian schools, beyond standard teaching qualifications. No special education qualifications are required to carry out special education. In addition, it emerges that a large number of assistants are used in special education, and that there are no requirements for the competence of these assistants. Assistants are only meant to assist the teaching staff in the special education. However, the use of assistants has increased gradually in recent years. They are being given more and more responsibility to execute the special education on their own, sometimes as a stand-in when the special education teacher is absent, and sometimes because the special education teacher is used as a supply teacher when other teachers are absent (Union of Education Norway, 2010). One question is what impact such conditions have on the quality of the special education. This also applies to the conditions for the schools to comply with national regulations and guidelines in the chain of actions, and for the pupils to have a reasonable benefit from the education.

### **Conclusion**

The overall impression of the study is, first of all, a rather varying concordance between regulations and practice in different phases of the chain of actions in special education. Certain parts of the regulations appear to be followed up well, while the follow-up in other areas is far more unclear and sometimes inadequate. Second, a varying cohesion between the phases in the chain of actions has been identified, both between the expert assessment and the resolution, and between the IEP and the two preceding phases. This creates the risk of fragmentary work instead of an overall chain.

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