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How to cite:

Rix, Jonathan (2009). Statutory Assessment of the class? Supporting the additional needs of the learning context. *International Journal of Inclusive Education*, 13(3) pp. 253–272.

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Version: Accepted Manuscript

Link(s) to article on publisher's website:
<http://dx.doi.org/doi:10.1080/13603110701433956>

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This is a draft version of: Rix, Jonathan(2009)'Statutory assessment of the class? Supporting the additional needs of the learning context',International Journal of Inclusive Education,13:3,253 — 272

Statutory Assessment of the class? Supporting the additional needs of the learning context

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Introduction

The problems of delivering appropriate funding to support those who face difficulties in learning are not purely structural and economic. At their core are the people who are being supported and to whom the assessment and labelling is done. The tensions within this process are outlined within this paper using a Foucauldian framework. The paper then goes on to explore funding and assessment processes through the key perspective of justice and rights. It identifies the focus upon the individual within this process in countries around the world, and considers the strengths and weaknesses of the current form of Statutory Assessment of Special Educational Needs within England, in particular, drawing upon a range theoretical and evaluative papers as well as policy documents. In an attempt to resolve the problems inherent in the individual approach and the English system, it proposes a Class Funding Approach. This is an assessment form that builds on a notion of justice for all, reduces the

opportunities for wide variations in provision, and has the potential to minimise the negative impact of current dividing practices.

Issues of classification, assessment and labelling

‘Why are those who are born or who become different referred to by all those various names? Why so many categories? Why even such dramatics in the face of what happens...so often, and which can happen to any of us?’ (Stiker, 1999 p5)

There is a long history of classifying practices within education and beyond that have created what Stephen Garton calls “problem populations” (2000). These classifications have shifted over the years from a moral-deficit definition to a medical-deficit definition (Franklin, 2000), but are still defined through heredity, social, racial, psychological and familial factors (Garton, 2000, Baker, 2002). More recently, the social construction of these categories has become increasingly evident. Thomas and Glenny, (2000) for example, apply a Foucauldian analysis to the current definition of EBD. They demonstrate how children who were once seen as naughty and in need of punishment are now seen as disturbed and in need of special help. They suggest that problems imputed to children with the label of Emotional and Behavioural Difficulties are ‘in reality rarely theirs’ (p294). Similarly, Harwood (2006) can ask:

‘Perhaps we should be asking not who is at risk of behavioural problems, but, rather, who is at risk of being diagnosed disorderly?’ (p27)

Underpinning this social construction are what Foucault (1994c) described as a mode of inquiry, a way of thinking about and talking about an individual that gives itself ‘the status of sciences’ (p326). Key to this mode of inquiry, in relation to assessment in education, is the assumption of the beneficial and benevolent actions of those using this approach, the professionals, acting on behalf of children. The assumed vulnerability and limited rationality of the children validates the professionals protective actions. However, the knowledge that professionals bring to bear does not have to be true to have power. As Goodley (2000) demonstrates, it is not uncommon for the professionals’ definitions of an individual to prove false. This knowledge maintains its authority merely by being passed on and treated as truth. The process by which it is passed on is built upon this acceptance of their knowledge as truth and thereby reaffirms it to be so. The knowledge is reified by the weight it is given within authority processes, by its influence in relation to access to resources, and perhaps most significantly, by its impact on how the child is viewed. Here we can see the interplay of the Foucauldian fundamentals of experience, truth, power and relations of the self (1994a), building upon what Fairclough (1994) calls a preconstituted reality, made of preconstituted objects and social subjects.

At the heart of this process are dividing practices (Foucault, 1994c) which objectivise the individual, dividing them from others and within themselves. Central to this is the classification of the individual and the use of labeling. By their nature these processes, and the labels they produce, generalise any individual to whom they are applied constraining their identity within pre-ordained characteristics. They create a paternalistic approach towards the individual, positioning them as other and segregating them from their peers (Lea, 1988). The

labels themselves imply deficiency (Abberley 1987), and are commonly used in a pejorative way, so that it is possible to identify a sliding scale of offensive labels (Foreman 2005).

Once a label is applied to an individual it triggers other dominant discourses (medication, legislation etc) (Gillman 2000), and different procedures apply to them (Vehmas 1999), fixing the view of their impairment across time in a variety of social contexts (Clapton 2003). People are commonly described by their label as a starting point, and find that other differences are submerged into it (Watson et al 1999). Labels bring assumptions about worth, about behaviours, about other “symptoms”. A bio-medical lens makes it harder to view the person as a whole, so that there is less respect for the individual. The label acts as a ‘more or less useful’ hypothesis which can become a self fulfilling prophecy, and which can result in individuals losing confidence in their ability to support someone (Gillman 2000).

Even though the assessment and labelling process can be recognised as maintaining the dominance of some over others, and as being a key player in how an individual’s identity is constituted (Foucault 1978), it can still be seen as easing pressures upon that individual. For example, labels can mean that individuals are not seen to be morally responsible for the difficulties that they face (Wilson 2000), for example their ‘bad’ behaviour being attributed to their impairment (Watson et al 1999).

The process can also provide a solution to a number of the socially-constructed problems an individual faces. Without formal labels the individual risks being given negative informal labels (Gottlieb et al 1994), so that individuals who are ridiculed prior to receiving a label

can find that they are ridiculed less subsequently. Through more detailed labelling they are not lost in broad categories, and can receive appropriate support (Riddick 2000). The label can also provide legitimacy to an individual and the ways of supporting them. It can help to minimise their resentment too, and offer an explanation for characteristics and behaviours, presenting the possibility of a new group membership for individuals, as well as access to resources (Gillman 2000).

This latter point is central to this paper. The nature of funding parameters means that there are usually scarce resources available for the support of individuals with labels and so the label and the assessment that goes with it, become a means of allocating those funds and defining the nature of the support provided. It is at this point that one description is prioritised and authorised through the quantification of support, and its author's knowledge becomes the accepted truth.

The assessment and labelling process is one that exists as a tension. It is a process that requires acknowledging the truth that it conveys about an individual even though it can only ever offer a limited representation of that individual. In so doing, it defines an identity which can restrict and/or facilitate engagement with social systems, interpersonally and intrapersonally. It therefore condemns and it rewards at both micro and macro levels of society. This tension cannot be avoided, the best that can be achieved is a minimising of the negative impacts of the process and a maximising of the positive.

Rights, Social Justice and the focus upon the Individual

At the heart of the drive to access assessment and consequent support is the notion of rights.

‘Rights would also seem to encourage a more careful and objective distribution of resources. It avoids the dangers of relativism and localism. It can potentially identify and secure not only type and amount of provision but also placement, policy, practice and curriculum, for example the least restrictive environment as in the USA. ‘Rights’ would seem to strengthen the social justice element in opportunity to raise broader social as well as educational issues.’ (Roaf & Bines 1989)

Rights are also a key driver in much inclusion literature, which has been framed in terms of Children’s Rights (Rustemier 2002). The nature of rights varies from country to country however, and changes within a political landscape. For example, as Roaf and Bines pointed out in 1989, whereas in the UK pupils have the right to receive their support on the basis of available resources, in the US the right to provision is defined regardless of resource availability. Changes in recent UK legislation have not greatly altered this reality, but the surrounding shift in rhetoric suggests a clearer commitment to changing structures if it would benefit the individual.

‘However, with disability legislation providing a stronger rights-based approach than existing SEN legislation, there is growing confusion in this area.’ (House of Commons 2006 p 16)

With the increased call for meaningful rights for individuals who face difficulties in learning, there have been concomitant calls to respect the rights of all individuals in the mainstream

when there is perceived disruption caused by the 'other' within the classroom. These calls often come from those who see an ongoing role for segregated provision, even though the need to be concerned for all individuals in the learning context is a part of the social justice rationale for inclusion.

Social justice is central to the original notions of inclusion (Thomas and Vaughan 2004), and is often seen to be achievable through the application of rights (eg: Rustemier 2002).

However, by calling for freedoms through rights we constrain people within a political frame, we use a legal concept of the subject (Foucault 1994b). As Young and Quibell (2000) point out, rights to ensure justice have failed to deliver on many levels due to the need of individuals to be in an empowered position to exercise those rights.

A possible factor in the failure of social justice goals to deliver on rights is the nature of the social justice being aspired towards. Inclusion can be seen to have been driven by a liberal/democratic approach (Rawls, 1972), which focuses upon removing social barriers, that prevent equity, access and participation, and which have arisen from unequal power relations. As Lloyd (2000) suggests, however, the recent decades have been dominated by the market/individual approach to social justice, which see entitlement as being dependent upon that which is produced. More recently in the UK the social/democratic view has come to the fore.

From this latter perspective removal of barriers is organized and encouraged by the state but the market is allowed to define how this is put into practice.

‘The underpinning ideology of the market in educational policy can be seen clearly in concepts of efficiency, value for money, effectiveness, competition, etc. Citizens are seen as consumers of publicly provided goods and public services, including education, are viewed as commodities. Distribution of public services is made according to consumer demand and these services must compete for customers/clients in order to succeed.’ (Lloyd 2000 p136-137)

Parents, for example, are now regularly informed by politicians and the media that they do and should have the right to choose their child’s school. They have also been encouraged to assess schools effectiveness through published tables and statistics. These have resulted from two decades of school improvement approaches driven by the standardisation and inspection of education. These in turn have resulted in a discourse that increases the pressures upon children to achieve high grades at exams, and for parents to feel that pressure too.

‘Within this climate pupils with special educational needs are not viewed as politically significant and questions of social justice and equity become marginalised.’ (Barton and Oliver 1992, p17)

In many ways it is not surprising that the social/democratic model has come to dominate. It reflects the reality that the government has finite resources. Political parties need to prioritise practices, to both satisfy and keep control of a range of political and electoral stakeholders. Not only is support for those facing difficulties in learning a relatively low priority, there is also a powerful range of voices to argue against changes to delivery approaches. The domination of this model means, however, that the individual is at the centre of policies. Social justice is delivered on a person by person basis, with individuals having a right to

access those services that can best be mustered. Conveniently, this feeds into the traditional bio-medical lens and deficit definition of individuals facing difficulties learning in schools. In its current form therefore the assessment of individuals is widely seen as the best defence against failing to provide support and one which can build on the current infrastructure.

The focus on the Individual around the world

This focus upon the individual is not restricted to the UK and the US either. In seeking out alternative models from which to draw, the author considered the funding and assessment process in 29 countries, drawing upon a number of different literature sources, including legislative documentation, reports to international settings and journals, as well as evaluative academic papers covering various issues that pertain to assessment and support of special educational needs (see bibliography). In this process, it became apparent that in struggling to deal with issues of funding and assessment similar problems seemed to be being created in a variety of different ways. In all 29 countries (Antigua and Barbuda, Australia, Botswana, Canada, Denmark, Dominica, England, Finland, Ghana, Grenada, Hungary, Japan, Kenya, Lithuania, Netherlands, New Zealand, Norway, Pakistan, Russia, Scotland, South Africa, Spain, St Kitts and Nevis, St Lucia and St Vincent, Sweden, The Grenadines, Turkey, Uganda, and United States) the focus is on the individual child, whether it is entirely from a psycho-medical perspective or one that includes the context of the learning situation. This is not to say that in all these countries funding is made available to support those needs, nor that the needs are met within a mainstream setting.

Funding and Assessment Process in England

In looking across countries and systems, it was clear that - either prior to or subsequent to the assessment of the individual - funding is delivered according to the model proposed by Fletcher Campbell et al, drawing upon Meijer et al (1995). They suggested three funding approaches:

1. Input funding: Based on expressed or measured needs entering a system (Eg Number of pupils with SEN)
2. Throughput funding: Based on the functions or tasks that have to be undertaken or developed. (Eg The need for a physiotherapy service)
3. Output funding: Based on a measured outcomes of a system (Eg Achievement scores)

They suggest that the funds are allocated either:

- to the clients of the educational system – the pupils and/or parents;
- to schools – special or mainstream (regular);
- to groups of schools or other regional institutions/units such as resources centres; and
- to municipalities, districts or provinces. (Fletcher Campbell et al, 2003, p221)

Within England we can see all three funding approaches and methods of allocating funds operating at different levels and in different parts of the system.

The current assessment process of children with special educational needs within England has its origins in the Warnock Report (DES, 1978) and the subsequent Education Act (1981). Currently, there is a three tier process. Firstly, there is School Action, co-ordinated by the teacher, requiring an individualised programme and an individual education plan, but no

additional funding. Secondly there is School Action Plus which additionally entails wider school discussion and contacting outside agencies, still with no additional funding. The third tier involves the Local Education Authority agreeing to carry out a statutory assessment of a child by selected practitioners, potentially leading to a statement of educational needs. This statement subsequently places a duty of delivery on the Local Education Authority to meet the needs outlined in the statement.

It is this third tier of assessment that has particularly come in for criticism both in terms of the manner in which the process was created (Thomas and Vaughan 2004) and for its consequences. Even Mary Warnock now acknowledges the statement process to be a mistake (Warnock 2005). It is seen to be costly, cumbersome, adversarial and lengthy. It diverts resources away from support to assessment, results in resources being allocated away from the majority of students with additional needs, limits school flexibility, is biased toward segregated provision and is often managed to suit the needs of the provider rather than the student (Fisher, 2000). At its heart lies the assessments and judgements of medical and therapeutic professionals, many of whom work for the Local Authority who will fund the outcome. There is also a widely acknowledged postcode lottery, so that similar assessments will produce different levels of support depending on where an individual is within the country (House of Commons Education and Skills Committee 2006), with the process itself creating a sense of marginalisation and self-blame for many parents (Murray, 2000, Gascoigne, 1995) It has also been shown to have a range of biases against different ethnic and label groups, (Gerschel, 2003), as well as different socio-economic groups, with a direct link to the ability of parents to be active advocates on behalf of their children (Gross, 1996).

As a result of this dissatisfaction, there are regular calls for a different approach to SEN funding. The Audit Commission in 2002, for example, reported that many of the problems in the field of special educational needs come about because of aspects of the statutory framework. A recent policy document from The Commission on Special Education (2005), established by the opposition Conservative Party, has suggested setting up an independent group of professionals to assess individuals and to allocate them to one of a number of levels of support. Each level of funding would receive a specific amount from a National Funding Agency. Like others, such as Thomas (2005) and Pijl and Dyson (1998), they see a need for funding to be linked directly to a child, so that it travels to a school that they (and their parents) choose. A number of local education authorities in the UK have already taken matters into their own hands too, and are issuing fewer new statements with the stated intention of devolving more money directly to the schools. West Sussex, for example, added an additional £1.5 million to the budget in 2005-2006 for all schools to spend on Additional Educational Needs. The authority divided up this funding on the basis of indices of multiple deprivation and levels of achievement of a school in standardised national tests. They no longer provide additional funding for students with what might be termed moderate learning difficulties. Only those identified by the authority to have complex high level needs now bring any extra money to their school. The Authority acknowledge that there will be unplanned-for changes to the school situation, and so advise Head Teachers to hold contingency funds for changes in needs (West Sussex County Council, 2005, 2006).

The slight decrease in the issuing of new statements over the last couple of years does not seem to have lead to a decrease in provision in most education authorities, however.

According to a recent Department for Education and Skills report (Pinney, 2004) those authorities reducing statements either strengthened arrangements for holding schools to account or expected to do so imminently through increased monitoring, additional data collection and formalized protocols, and increased involvement with schools. This report identified the following advantages and drawbacks in decreased statementing.

Table 1: Identified benefits and drawbacks of reducing reliance on statements as identified in the DFES report (Pinney, 2004)

Identified benefits of reducing reliance on statements	Identified drawbacks of reducing reliance on statements
<ul style="list-style-type: none"> • a fairer distribution of SEN resources • more support for more children • greater stability and flexibility in school funding • increased transparency • less paperwork and SEN-related bureaucracy • increased involvement in schools outside services • a more positive role for Special Educational Needs Co-ordinators • less adversarial relations between LEAs, parents and schools 	<ul style="list-style-type: none"> • a high level of anxiety that reducing statements was a cost-cutting exercise, • continued variation in the capacity and commitment of local authorities • Loss of assurance brought by statement • concerns that some children, particularly those with less obvious needs would miss out without a statement; • shortfalls in the availability of health and social services, • loss of ‘benefits’ linked to statements

The reduction in statements is not something which many parents or parent representative bodies would support though.

‘In the experience of these parents, the more detailed and specific the Statement, the greater its potential power in affecting the educational decision making in relation to their child.’ (Jones and Swain, 2001, p.63)

Many parents are satisfied with the system in the form in which they experience it (O’Connor, 2005) and along with educational lawyers feel that this child-focused, deficit-model is the only means of defending their rights and the rights of their children (IPSEA 2002). In response to Audit Commission's claims that the statutory framework is to blame for a lot of problems in the system, the Independent Panel for Special Educational Advice (IPSEA) said:

‘Most problems (including those detailed in the report itself) are caused by LEAs' determination (and current licence) to disregard the statutory framework.’ (IPSEA 2002)

At the heart of the English experience there seems to be a clear tension between a desire to enable local, flexible provision with reduced bureaucracy and the need to protect the individual learner. What comes to be seen as the agreed truth about an individual is not only dependent upon a professional assessment but also upon economic priorities that have little to do with the individual concerned. Yet it is towards this agreed truth that practitioners in the class, and parents outside the class, must turn when trying to support or gain additional support for the individual, and it is through the lens of this agreed truth that child is judged and their identity is defined.

A Model that places the Individual in Context

Drawing upon the issues outlined above, in order to minimise the negative impacts of the assessment process within education and to maximise the positive, there is a need for a system which:

- Avoids generalising the individual and creating opportunities for negative identity construction
- Encourages an understanding of the individual and the challenges they face
- Encourages the search for possible ways forward which are specific to the needs of the individual
- Clearly identifies how best to support the individual regardless of support issues
- Avoids biases towards certain social groupings
- Distributes resources equitably around the country
- Distributes resources equitably between all pupils regardless of support issues
- Operates within financial constraints
- Maximises the benefits of available support provision
- Allows for minimal bureaucracy
- Allows for flexible and locally responsive decision making
- Involves all those affected by the process
- Builds upon those roles and relationships that operate well
- Reduces the need for confrontation
- Provides parental certainty and confidence
- Supports parental choice

Typically these parameters are approached through a social/democratic approach to social justice, with its focus on delivery via the individual. By approaching them via the liberal/democratic approach, however, a different model arises. The challenge shifts from one of supporting the individual to one of removing social barriers arising from unequal power relations, which prevent equity, access and participation. By starting from the liberal/democratic perspective we do not begin with the individual, we begin with the wider community in which the individual operates and faces those barriers. In the instance of a student operating within a school, we can frame this wider community as the school itself. The school is commonly the point of reference taken in recent funding changes in England, but in so doing we are providing funds at a distance from the context in which individual students are being taught, and cannot guarantee that they will be used for that student. The school is one step up in the educational hierarchy from the point of day to day teaching and learning. Individual students are not assessed within this wider context, either. Their assessment takes place in the classroom or is mapped back to their performance within the class. It therefore seems sensible to suggest that the wider community of most relevance to students is the class in which they study.

By starting with the whole class as the assessment and funding base we fundamentally change our focus. As Egelund (2000) suggests the basis of evaluation becomes the need of that individual class. This approach encourages the use of funding to try and serve the needs of the teachers in making the curriculum accessible. It requires too, that the school and in particular teachers take a lead in the assessment process. This positioning of the teacher within the assessment process has already been adopted, for example in Australia (Forlin

2001). In so doing, it creates a possible space for a shift in the mode of inquiry, encouraging an educational perspective to come to the fore. By requiring, in addition, that the teacher describes the whole rather than a few individuals, there is also a repositioning of the contextualised self. It is possible that the individual student is less likely to be isolated and objectivised by the dividing practices.

On a practical level, within England, such an approach would not cause much additional workload for teachers, either. Already there is a heavy emphasis on the assessment of all pupils entering the class. At school entry level, in particular, all pupils are mapped onto the National Curriculum Foundation Stage Stepping Stones. Regular monitoring and recording of performance against a number of national standards continues across the years and is a well established part of a teacher's working life. To link the assessment tasks of teaching staff to funding would not require a dramatic shift in teachers' perceptions of their roles.

Despite the preparedness of teachers to fulfill the assessment role, having a means to critique and challenge the assessment they make would be essential, for a number of reasons. The emphasis would move away from the current therapists and medical practitioners. The records which the teachers provide would come to represent the accepted truth and therefore have considerable authority within power relationships. To rely solely upon their perspective would create room for inevitable bias or perceptions of bias. It would be essential to maintain a means of drawing upon other understandings of the context and the individuals within it. However, to expect the teacher to maintain a record system and co-ordinate gathering this range of perspectives would create unacceptable pressures. These pressures would be

exacerbated by the need for close scrutiny to assure there is responsible funding and equitable distribution.

Maintaining a degree of consistency across classes and settings as well as introducing a critical voice, could be achieved through the involvement of a formalised outside perspective. This role could resemble that of the Support Co-ordinator operating within the Netherlands, which involves assessing and monitoring pupils, coordinating records, IEPs and meetings, as well as supporting teachers and managing additional materials (Pijl & Van Den Bos 2001). To identify the difference in this role however, the new post can be referred to as a School Assessment Officer (SAO). They would work with the class teacher to assess the resources needed to support the range of children within the class. Their role would not involve the formal teaching of students but would involve assessing and monitoring pupils (which may involve some teaching and learning activities), coordinating records, as well as assisting with Individual Education Plans and meetings. The role of these individuals would be across a cluster of schools, funded by these schools, so as to maximise the possibility of equity, and reduce the possible impact of confrontational or overly-supportive relationships. Through the SAO role the wide range of perspectives could be drawn together, with the intention of generating a multi-perspective truth of individual classes and the children within them, contextualised within an educational frame.

The School Assessment Officer would dovetail with the current Special Educational Needs Co-ordinator (SENCO) role within England, allowing these individuals more time to engage with the day to day support of students. The focus of the SAO would be all the children

within the class, however, not just those currently labeled as having special educational needs. There would be an assessment of each class based on levels of the support needs of the whole class. This shift in perspective would still draw upon preconstituted objects. Within England it could build on the School Action model, as well as Gifted and Talented programmes. Current arrangements in relation to Additional educational needs could also be drawn upon, as could those for English as an Additional Language. Individual Education Plans could continue to be created too, for those pupils with specific learning goals that were in addition to the general curriculum. It would be hoped, however, that through identifying the full range of individual learning characteristics within a class the possibilities for overlaps in support would be more evident and would engage more pupils. In addition, the School Assessment Officer would often bring with them an awareness of individual pupils and groupings in other learning contexts. This would be an opportunity to challenge assumptions and accepted truths about individuals and groups of pupils.

In order to maximise the possibility of distributing resources equitably around the country, within Local authorities, and across social groupings, funding for each class would be based upon a National banding system. A tiered financing structure would enable a set amount of funding to be provided for each level of identified support. This banding system could not merely be a process of adding together the number of labels in a class and allocating a value to the label make-up of each context. A key opportunity in a class based funding system is to move away from the emphasis on labels and their effects upon expectations and behaviour. Funding would be provided directly from a National Funding Agency to the schools, with a clearly defined sum to spend on staffing levels, facilities, equipment and training to provide

additional support for each specific class. Part of this funding would be used to finance the School Assessment Officer. Schools could move moneys internally in response to changing class structures. Major changes in support requirement after annual awards had been made would have to be dealt with through internal contingency funds, but would be reimbursed in the next funding round. The evidence provided by the school would be in summary form and would not be challenged by the National Funding Agency. A small percentage of these would be examined in detail, either as part of a random auditing process or specifically if the Agency had justifiable concerns about financial probity.

Even though the class assessments would be funded by a National Funding Agency, they would be monitored by the National Inspectorate (OFSTED) and the Local Education Authority (LEA), as would the suitability of any internal financial transfer which took place. This would build on preconstituted objects and maintain the role of key social subjects, minimising the need for major structural and individual change within pre-established institutions. The LEA would assess the degree of equity within the school and across the local area, while the Inspectorate would consider the equity within the school and nationally. Any school seen to be over-claiming would receive one warning and on the next occasion would have money deducted from their next budget. Such warnings and deductions would have to be made public to the parents and governors of the school. Parents would also be informed of the levels of support being funded in their child's class, and of any changes to funding within a school year. They would also have the right to appeal against the levels of support being sought or provided by a school for the class. This would trigger an LEA assessment.

Inevitably, a key part of the class assessment would be those currently dealt with on an individual funding basis. Certain parents would be concerned that expensive individual support measures might not be delivered when funding is not ear-marked for their child. To counter this concern, all parents and children would be informed of the description being used for the individual child, and the specific support measures being applied. Parents or external professionals would still have the right to appeal against this description. This would trigger an independent evaluation of the individual child in the class context. As in the United States, parents could not be refused a request for an independent evaluation (IDEA 2004). It is important to minimise confrontation that might arise from such a request, however. The subsequent evaluation would be co-ordinated by LEAs, and would focus on the child's needs and how these should be met in the specific class context. It would require clear, specific, measurable practices to be explained. The LEA would have to assess whether these practices were being delivered. If a school failed to deliver on these practices its failure would be made public to parents and governors of the school, and would have to be explained in all school publicity. The funding for additional assessment and delivery of these additional services would be met from the school's contingency fund, but could be reimbursed by the National Funding Agency at the next funding round. Such an approach relies upon and encourages the opening up of communications within schools, and between them and the parents who choose (in practice or theory) to send their children to that setting. It balances the risk that the schools' dominance over others has the sort of negative impact that so often characterises the current relationship between Local Authorities, parents and schools.

Discussion

The class assessment model proposed above is a sketched outline, but it presents a number of intriguing possible advantages over the current individual-focused system. At its core, this proposal hands control to the schools. It increases the opportunity for schools to make their own decisions about resources and staffing. It enables them to more easily access external professionals, such as Occupational Therapists, who are currently in short supply, as they can go outside the local systems. But it provides a range of quality assurance mechanisms to ensure that schools provide pupils, staff and parents with the support they need. It offers an opportunity to reduce the bureaucracy surrounding the current statementing and appeals process and would take some of the current assessment burden off health professionals (such as Speech and Language Therapists), SENCOs and other Staff in schools, giving them more time to work directly with pupils. It also provides a means of reducing inequalities across the country, particularly the Postcode Lottery effect. The Government would be able to have a direct impact on issues of equity through their control of expenditure, which they would be able to predict, and for which they could be held directly accountable by the electorate. This more open accountability would also be evident in schools, where decisions on issues of support and funding of support would be brought to the fore. By removing LEAs from the funding role they currently have, they would also be removed from the position of confrontation with parents. They would no longer control both the assessment process and the funding, but become co-ordinators, inspectors and advisors. This may bring them into confrontation with schools, but if their advisory role was clearly framed then this could have benefits for schools.

The move to a class assessment model also encourages a shift in mindset. Firstly, assessment would be driven by educationalists as opposed to health professionals, and this would encourage a shift in focus away from a medical view of the child towards an educational view. Secondly, the additional needs of children, whatever form they take, can clearly be seen as a net provider to classes. Diversity and difference would be rewarded. It would neither be in anyone's interests to ignore issues of support in relation to an individual nor to under describe the needs of a class. If anything, the concern of government would be schools over-stating the class support requirement.

Because of this broader assessment base parents would be more likely to support the claims of other parents, and the able advocates would benefit not just their own child. This would help reduce the bias in the system towards certain social, cultural and ethnic groupings. It would also mean that far fewer children missed out on the support they need, both because they are being assessed as part of a funding package, and because the process of identifying support requirements would hopefully encourage a wider spread of diverse teaching practices that would be of benefit to many. This in turn, would challenge assumptions about what is beneficial to individual children.

Table 2: How a Class Funding Approach could encourage a more positive assessment process

Identified Need	Possibilities within Class Funding Approach ?
Avoids generalising the individual and creating opportunities for negative identity construction	<ul style="list-style-type: none"> • Multiple assessment perspectives • Focus on the class - Individuals in context • Labels are less significant in gaining access to funding <p>Risk - Labels are still used, but less formally</p>
Encourages an understanding of the individual and the challenges they face	<ul style="list-style-type: none"> • Individuals are seen in context • The assessment of each individual feeds into financial support <p>Risk - Poor assessment means the individual is incorrectly identified</p>
Encourages the search for possible ways forward which are specific to needs of the individual	<ul style="list-style-type: none"> • External professionals have more time to work with individuals • Encourages collaboration in assessment <p>Risk - Whole class strategies are adopted to readily</p>
Clearly identifies how best to support the individual regardless of support issues	<ul style="list-style-type: none"> • Encourages cross-class Learning & support opportunities • Encourages a shift in mode of enquiry to educational perspective <p>Risk - Poor assessment means the individual is incorrectly identified</p>
Avoids biases towards certain social groupings	<ul style="list-style-type: none"> • Unified national funding • Vocal parents are of benefit to more than one child <p>Risk - Individual biases of SAO and Teachers</p>
Distributes resources equitably around the country	<ul style="list-style-type: none"> • Unified national funding <p>Risk - Underfunding</p>
Distributes resources equitably between all pupils regardless of support issues	<ul style="list-style-type: none"> • Unified national funding <p>Risk - Still remains dependent on teacher attitudes/monitoring</p>
Operates within financial constraints	<ul style="list-style-type: none"> • Government control national funding <p>Risk - Government control national funding</p>
Maximises the benefits of available support provision	<ul style="list-style-type: none"> • Reduced statementing bureaucracy • Increased external professional contact time • Support funded across the class for the benefit of all
Allows for minimal bureaucracy	<ul style="list-style-type: none"> • Builds on current structures • Creates post to subsume bureaucratic burden <p>Risk - Assessment reporting designed in overly burdensome manner</p>
Allows for flexible and locally responsive decision making	<ul style="list-style-type: none"> • SAOs are locally based • Schools identify their own needs with local support
Involves all those affected by the process	<ul style="list-style-type: none"> • Parents, pupils & practitioners involved in ongoing assessment <p>Risk – Poor local communications</p>
Builds upon those roles and relationships that operate well	<ul style="list-style-type: none"> • Current professional relationships can be maintained • Teachers already assessing widely
Reduces the need for confrontation	<ul style="list-style-type: none"> • No single group controls both service and funding • It is in the interest of all to maximise identified support needs <p>Risk - Government control and level of the funds will be criticised</p> <p>Risk - Parents still feel their child is being denied access to resources available in other classes or schools</p>
Provides parental certainty and confidence	<ul style="list-style-type: none"> • Contains an automatic appeals process • Encourages openness of process • Provides more reason for parents to support each other
Supports parental choice	<ul style="list-style-type: none"> • Resources should be for all • Contains an automatic appeals process • Encourages openness of process

The Class Funding Approach is also predicated upon liberal/democratic notions of Social Justice. Its focus is upon removing social barriers, that prevent equity, access and participation, and which have arisen from unequal power relations. Whilst drawing upon this key concept within inclusion it also engages with notions of individual rights. It generates a legal subjectivity, by providing people with rights; but by placing these rights within a wider community frame it is less likely to constrain the individual within this subject role. The individual's rights are more likely to be supported by others, as they aim to support their own rights. Their focus can more easily shifted from the individual to the communal, and they can take on a moral subjectivity. They are not just doing well for themselves, but also for others.

As suggested above, the Class Funding Approach also confronts the mode of inquiry by which the subject becomes the object of knowledge. By shifting to an educational, class-contextualised assessment it moves the focus from the individual in isolation, reducing the need to institute dividing practices. However, it does not negate the opportunity for individuals to identify themselves through the assessment process, nor for them to engage with specific labels or groupings. It does mean however that they do not need to do so in order to gain access to learning support. Similarly, though the process will still create authorised truths about class-contextualised individuals - and therefore carry with it the risks identified earlier in relation to labelling generally - this truth is less likely to separate them from their peers. The view of the individual is less likely to be fixed across time and contexts, it is less like to start with a non-contextualised label that brings assumptions about worth and behaviours. By framing the assessment in terms of the whole class, and by

drawing on a range of perspectives, there is more incentive to view the whole child and not just a number of dominant characteristics that define who they are.

Conclusion

In preparing this paper, a search of a range of theoretical and evaluative papers and policy documents was carried out, looking at a sample of 29 countries in either hemisphere, both in the minority world or majority world. The focus on the individual could be seen in all of them. In some countries there was a psycho-medical perspective to the fore and in others there was a degree of inclusion of the context of the learning situation. In none of these countries, however, was an assessment of need made in the context of the class. Creating such a system, is not only a disturbance of the current dominant modes of inquiry, but also of rights approach to inclusion and additional support provision, and the social/democratic model of social justice.

Any new policy creates new problems or dresses up old problems in new ways. A class assessment model would be just as dependent as current models upon issues such as levels of funding, the capability and commitment of individuals to assess and support students, and attitudes to difference, but at its core it encourages a collective drive to find a solution as opposed to relying upon individual's fighting individual battles. It encourages people to be moral subjects as well as legal subjects.

This inclusive principle needs to be borne in mind when designing assessment tools for such an approach. It would be all too easy to turn this model into a conglomeration of individual

assessments, each with a score that can be totted up to produce a banding total. To do so would be to ignore the possibilities that the classroom provides for a range of approaches to learning, assessment, individual support and continuing professional development. A Class Funding Approach needs to identify the individual and to place them in the collective context of the other individuals around them. It needs to take into account the skills and experiences of not just the pupils but the adults working alongside them, and so encourage possible learning opportunities when they are together.

Just as learning is a collaborative, co-constructed experience, so too is effective inclusion. If we wish to encourage inclusive approaches to the assessment and provision for those with additional learning needs, we need to encourage collaboration between all those connected with the individual learner and within the context in which they learn. Seen from this perspective the individual pupil's rights can best be protected by providing justice for all.

References

- Abberley, P. (1987) The Concept of Oppression and the Development of A Social Theory of Disability, *Disability, Handicap & Society*, 2 (1), 5-19
- Audit Commission (2002) *Statutory assessment and statements of SEN: in need of review?*
Audit Commission, London
- Audit Commission (2002) *SEN: a mainstream issue*, Audit Commission, London
- Baker, B (2002) The Hunt for Disability: The New Eugenics and the Normalization of School Children, *Teachers College Record*, 104 (4), 663-703
- Barton, L and Oliver, M (1992) Special needs : a personal trouble or public issue? In M. Arnot and L. Barton (eds) *Voicing concerns: Sociological perspectives on Contemporary Education Reforms*. Oxford: Triangle Books
- Clapton, J. (2003)• Tragedy and Catastrophe: Contentious Discourses of Ethics and Disability, *Journal of Intellectual Disability Research*, 47 (7), 540-547
- Department of Education and Science (DES) (1978) *Special Educational Needs: Report of the Committee of Enquiry into the Education of Handicapped Children and Young People*, HMSO, London (commonly known as Warnock Report)
- Department for Education and Skills (DfES) (2001) *Special Educational Needs Code of Practice*, HMSO, London
- Fisher, D. (2000) Fairness and flexibility: LEA strategies to reduce the need for SEN statements, *EMIE Report*, 54. National Foundation for Educational Research. Education Management Information Exchange, Slough,

- Fletcher-Campbell, F., Pijl, S., Meijer, C., Dyson, A. & Parrish T. (2003) Distribution of funds for special needs education international *Journal of Educational Management*, 17 (5), 220-233
- Foreman, P. (2005) Language and Disability, *Journal of Intellectual & Developmental Disability*; 30(1), 57–59
- Forlin, C. (2001) The Role of the Support Teacher in Australia *European Journal Of Special Needs Education*, 16, 2, 121–131
- Foucault, M (1978) *The History of Sexuality, Vol. I*, New York, Pantheon
- Foucault, M. (1994a), Polemics, Politics and Problematizations, in P. Rainbow (Ed) *Ethics, Essential works of Foucault, 1954-1984, Vol 1*, London, Penguin
- Foucault, M. (1994b), The Ethics of the Concern of the Self as a practice of Freedom, in P. Rainbow (Ed) *Ethics, Essential works of Foucault, 1954-1984, Vol 1*, London, Penguin
- Foucault, M. (1994c), The Subject and Power, in J. Faubion (Ed) *Power, Essential works of Foucault, 1954-1984, Vol 3*, London, Penguin
- Fairclough, N. (1992) *Discourse and Social Change*, Cambridge, Polity
- Franklin, B (1994) *From “backwardness” to “at-risk”: Childhood learning difficulties and the contradictions of school reform*, Albany: State University of New York Press
- Garton, S (2000) Writing Eugenics: A history of classifying practices. In M Crott, J. Germov & G. Rodwell (Eds) *“A Race for a Place”: Eugenics, Dawinism, and social thought and practice in Australia* (pp 9-18) Newcastle, AU: The University of Newcastle Press
- Gascoigne, E (1995) *Working with parents as partners in SEN*, Fulton, London.

Gerschel, L (2003) Connecting the disconnected – Exploring issues of gender, ‘race’ and SEN within an inclusive context in Tilstone, C. & Rose, R. (Eds) *Strategies to Promote Inclusive Practice*, London, Routledge-Falmer

Gillman, M., Heyman, B. & Swain, J. (2000) What’s In A Name? The Implications of Diagnosis For People with Learning Difficulties and Their Family Carers, *Disability & Society*, 15 (3), 389–409

Goodley O. (2001) Learning Difficulties, The Social Model of Disability and Impairment: Challenging Epistemologies, *Disability & Society* 16 (2), 207–31

Gottlieb, J., Alter, M., Gottlieb, B. & Wishner, J. (1994) Special education in urban America: It’s not justifiable for many, *Journal of Special Education*, 27, 453–465

Gross, J. (1996) The weight of the evidence: parental advocacy and resource allocation to children with statements of special educational need, *Support for Learning*, 11 (1), 3-8.

Harwood, V (2006) *Diagnosing ‘disorderly’ children*, Routledge, Oxford

House of Commons Education and Skills Committee (2006) *Special Educational Needs Third Report of Session 2005–06* London: The Stationery Office Limited

Independent Panel for Special Education Advice (IPSEA) (2002) *Inept Analysis, Dangerous Conclusion: IPSEA’s response to the Audit Commission’s report ‘Statutory assessment and statements of SEN: in need of review’?* Available online at <http://www.ipsea.org.uk/audcom02.htm> (Accessed on 29/08/06)

Individuals with Disabilities Education Improvement Act of 2004 (IDEA), Washington DC, United States Department of Education

Jones, P and Swain, J. (2001) Parents reviewing Annual Reviews, *British Journal of Special Education*, 28 (2), 60–64

- Lea, S. (1988) Mental Retardation: social construction or clinical reality? *Disability, Handicap & Society*, 3 (1), 63-69
- Lloyd, C (2000) Excellence for *all* children -false promise! The failure of current policy for inclusive education and implications for schooling in the 21st century, *International Journal of Inclusive Education*, 4 (2), 133-151
- Meijer, C., Peschar, J. & Scheerens, J. (1995), *Prikkels*, Academisch Boeken Centrum, De Lier cited in Fletcher-Campbell, F., Pijl, S., Meijer, C., Dyson, A. & Parrish T. (2003) Distribution of funds for special needs education, *International Journal of Educational Management*, 17 (5), 220-233
- Murray, P (2000) Disabled children, Parents and professionals: partnership on whose terms? *Disability and Society*, 15 (4), 683 – 698.
- O'Connor, U.; McConkey, R. and Hartop, B, (2005) Parental views on the statutory assessment and educational planning for children with special educational needs, *European Journal of Special Educational Needs*, 19 (2), 251-269
- Pijl, S. and Van Den Bos, K. (2001) Redesigning regular education support in The Netherlands *European Journal of Special Needs Education*, 16 (2), 111–119
- Pijl, S.J., Dyson, A. (1998), Funding special education: a three-country study of demand-oriented models, *Comparative Education*, 34 (3), 261-79.
- Pinney, A (2004) *Reducing Reliance on Statements: An Investigation into Local Authority Practice and Outcomes*, Research Report RR508, London, Her Majesty's Stationery Office
- Rawles, J. (1972) *A Theory of Justice*, Oxford, Clarendon
- Riddick, B. (2000) An Examination of The Relationship Between Labelling and Stigmatisation with Special Reference To Dyslexia, *Disability & Society*, 15 (4), 653–667

- Roaf, C. & Bines, H. (1989) Needs, Rights and Opportunities in special education, in C. Roaf and H. Bines (eds) *Needs, Rights and Opportunities: Developing Approaches to Special Education*, London, Falmer
- Rustemier, S. (2002) *Social and Educational Justice: the human rights framework for Inclusion*, CSIE, Bristol
- Scottish Parliament (2004) *Education (Additional Support for Learning) (Scotland) Act 2004*
- Stiker, H. (1999) *A History of Disability*, (William Sayers, Trans) Ann Arbor: University of Michigan Press
- The Commission On Special Needs (2005) *Interim Recommendations For Consultation, Conservative Party*, at <http://www.conservatives.com/pdf/specialneeds-nov2005.pdf> (accessed on 29/08/06)
- Thomas, G. & Glenny, G. (2000) Emotional and Behavioural difficulties: Bogus needs in a false category. *Discourse*, 21 (3), 283 – 298
- Thomas, G. (2005) Of course inclusion without cash will be 'disastrous', *Times Educational Supplement*, 14 October 2005
- Thomas, G. & Vaughan, M. (2004) *Inclusive Education, readings and reflections*, Berkshire, Open University
- Thomson, K. (2002) Differentiating integration: special education in the Russian Federation *European Journal of Special Needs Education*, 17 (1), 33–47
- Vehmas, S., (1999) Discriminative Assumptions of Utilitarian Bioethics Regarding Individuals with Intellectual Disabilities, *Disability & Society*, 14 (1), 37-52
- Warnock, M. (2005) *Special Educational Needs: a New Look, Impact, 11*, Philosophy of Education Society of Great Britain

- Watson, N., Shakespeare, T., Cunningham-Burley, S., Barnes, C., Corker, M., Davis, J. & Priestley, M. (1999) *Final Report Life As A Disabled Child: A Qualitative Study of Young People's Experiences and Perspectives ESRC Research Programme Children 5-16: Growing into the Twenty-First Century* at <http://www.leeds.ac.uk/disability-studies/projects/children/report.rtf> (accessed on 29/06/06)
- West Sussex County Council, (2005) *Letter to Headteachers of Primary and Secondary Schools March 2005*, at http://wsgfl.westsussex.gov.uk/ccm/cms-service/stream/asset/?asset_id=1913133 (accessed on 29/08/06)
- West Sussex County Council, (2006). *Briefing Note for Primary and Secondary Headteachers, Spring 2006* at http://wsgfl.westsussex.gov.uk/ccm/cms-service/stream/asset/?asset_id=1966423&file=/H302.doc (accessed on 29/08/06)
- Wilson, J. (2000) 'Learning Difficulties', 'Disability' and 'Special Needs': Some Problems of Partisan Conceptualization, *Disability & Society*, 15 (5), 817–824
- Young, D & Quibell, R. (2000) Why Rights are Never Enough: rights, intellectual disability and understanding, *Disability & Society*, 15 (5), 747–764

Bibliography for International overview

Adnan, A & Hafiz, I (2001) Disabling Education: the case of disabled learners in Malaysia, *Disability & Society*, 16 (5), 655–669

Aidukienė, T (2001) *Lithuania today: on a road to a democratic society and a school for all? From separate education to integration*, Presentation at the Conference Democratic principles in Education System (European Union Socrates Programme) Riga, 11–12 May, 2001

Armstrong, A., Armstrong, D., Lynch, C. & Severin, S. (2005) Special and inclusive education in the Eastern Caribbean: policy practice and provision, *International Journal of Inclusive Education*, 9 (1), 71 - 87

Arnaiz, P. and Castejón, J. (2001) Towards a change in the role of the support teacher in the Spanish education system, *European Journal of Special Needs Education*, 16 (2), 99–110

Avoke, M. (2001) Some historical perspectives in the development of special education in Ghana *European Journal of Special Needs Education*, 16 (1), 29–40

Bélangier, N. (2001) Solicitude and Special Education Policies, *Cambridge Journal of Education*, 31 (3), 337-348

Csányi, Y. Steps towards inclusion in Hungary *European Journal of Special Needs Education*, 16 (3), 301–308

Department for Education and Skills (DfES) (2001) *Special Educational Needs Code of Practice*, HMSO, London

Department of Education & Training (2005) *Program for Students with Disabilities 2006 Handbook*, State of Victoria

- Egelund, N. (2000) Country Briefing Special education in Denmark, *European Journal of Special Needs Education*, 15 (1), 88–98
- Etscheidt, S. (2003) Ascertaining the Adequacy, Scope and Utility of District Evaluations, *Exceptional Children*, 69, 227-247
- Federal Department of Education (2001) Australia, *National Report on The Development of Education in Australia* Prepared for The International Conference on Education Geneva, September, 2001, The Federal Department of Education, Training and Youth Affairs and The South Australian Department of Education, Training And Employment
- Fisher, D. (2000) Fairness and flexibility: LEA strategies to reduce the need for SEN statements, *EMIE Report*, 54. National Foundation for Educational Research. Education Management Information Exchange, Slough,
National Federation for Educational Research, Berkshire
- Flem, A. and Keller, C. (2000) Inclusion in Norway: a study of ideology in practice *European Journal of Special Needs Education*, 15 (2), 188–205
- Fletcher-Campbell, F., Pijl, S., Meijer, C., Dyson, A. & Parrish T. (2003) Distribution of funds for special needs education international *Journal of Educational Management*, 17 (5), 220-233
- Forlin, C. (2001) The Role of the Support Teacher in Australia *European Journal Of Special Needs Education*, 16 (2), 121–131
- Individuals with Disabilities Education Improvement Act of 2004*, Washington DC, United States Department of Education
- Jordan, A. (2001) Special Education in Ontario, Canada: a case study of market-based reforms, *Cambridge Journal of Education*, 31 (3), 349-371

- Skårbrevik, K. (2005) The quality of special education for students with special needs in ordinary classes, *European Journal of Special Needs Education*, 20 (4), 387-401
- Lomofsky, L. & Lazarus, S. (2001) South Africa: First steps in the development of an inclusive education system, *Cambridge Journal of Education*, 31 (3), 303-317
- Ministry of Education (2001) *The Development Of Education National Report of Botswana*, 21/05/01, International Bureau of Education
- Ministry of Education (Finland) (2004) *Basic Education Act, 628/1998 Amendments up to 1136/2004* at http://www.minedu.fi/minedu/education/translations/basicedu_act.pdf (accessed on 20/01/06)
- Mitchell, D. (2001) Paradigm Shifts in and around Special Education in New Zealand, *Cambridge Journal of Education*, 31 (3), 319-335
- Muuya, J. (2002) The aims of special education schools and units in Kenya: a survey of Headteachers, *European Journal of Special Needs Education*, 17 (3). 229–239
- Nafula, N. (2001) *Achieving Sustainable Universal Primary Education through Debt Relief: The case of Kenya*, Paper prepared for presentation at a Conference on Debt Relief and Poverty Reduction, World Institute for Development Economics Research, Helsinki, Finland, August 17-18, 2001.
- Persson, B. (2003) Exclusive and inclusive discourses in special education research and policy in Sweden, *International Journal of Inclusive Education*, 7 (3), 271–280
- Pijl, S. and Van Den Bos, K. (2001) Redesigning regular education support in The Netherlands *European Journal of Special Needs Education*, 16 (2), 111–119
- Pijl, S.J., Dyson, A. (1998), "Funding special education: a three-country study of demand-oriented models", *Comparative Education*, 34 (3), 261-79.

Polat, F. (2001) Short Reports - Changing attitudes of school psychologists towards pupils with special educational needs in Turkey, *European Journal of Special Needs Education*, 16 (1), 55–64

Price, P. (2003) Education For All (Efa): An Elusive Goal For Children With Disabilities In Developing Countries in The Asian And Pacific Region, *Asia Pacific Disability Rehabilitation Journal*, 14 (1), 3-9

Scottish Parliament (2004) *Education (Additional Support for Learning) (Scotland) Act 2004*

Thomson, K. (2002) Differentiating integration: special education in the Russian Federation *European Journal of Special Needs Education*, 17 (1), 33–47

