



## **Ruling on the Beed for Special Education as the Basic Document for Organising Conditions for Special Education**

**ABSTRACT:** Mariusz Wielebski, *Ruling on the Beed for Special Education as the Basic Document for Organising Condi-tions for Special Education*. Interdisciplinary Contexts of Special Pedagogy, No. 20, Poznań 2018. Pp. 171-188. Adam Mickiewicz University Press. ISSN 2300-391X

Parents who have children with intellectual disability have many difficulties in getting help for their children. The first step is collecting documents, the second – delivering them to a psychological and educational consultancy centre, the third – waiting for the decision, the fourth – submitting them to school, and finally, getting help. My role is try and help them and other people. I show, how important is the cooperation between parents, teachers, and specialists. If this stage is well organized, we do not have any problems and everything is easy and takes little time.

**MAIN WORDS:** decision, disability, special educational needs, special education

**KEY WORDS:** ruling, disability, special educational needs, special education

### **Introduction**

In the Polish system of education, special education may currently be introduced not only in special schools (kindergartens, institutions), but also in integrated institutions and as part of inclusive

education<sup>1</sup>. Due to the varying capabilities of these institutions (such as the preparation of the teachers to support pupils with special educational needs), public psychological and educational consulting centres, which issue rulings on special educational needs, are now facing a considerable challenge. The opinion is the basic document which makes it possible to organise the conditions for special education in the school selected for a particular pupil. In this article, I would like to include some reflections on creating such a document and its functioning, presented from the perspective of the confrontation of the assumptions behind the theory of special education, current legal framework and consulting practice. Parents or legal guardians of a child address a psychological and educational consultancy centre to request “the ruling”. Sometimes they do not realise what the opinion is supposed to refer to. It’s hardly surprising, as the support system for children with disabilities and for their families is rather complex in Poland<sup>2</sup>. The parents don’t know that public psychological and educational consultancy centres offer rulings on various issues, whose list is defined in the educational law<sup>3</sup>.

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<sup>1</sup> I. Chrzanowska, *Pedagogika specjalna. Od tradycji do współczesności*, Impuls, Cracow 2015; G. Szumski, *Integracyjne kształcenie niepełnosprawnych*. Wyd. APS i PWN, Warsaw 2013.

<sup>2</sup> G. Mikołajczyk-Lerman, *Między wykluczeniem a integracją – realizacja praw dziecka niepełnosprawnego i jego rodziny. Analiza socjologiczna*, Wydawnictwo UŁ, Łódź 2013; J. Pyżalski, D. Podgórska-Jachnik (ed.), *Badanie potrzeb i satysfakcji z wybranych usług skierowanych do rodzin z dziećmi z orzeczoną niepełnosprawnością w wieku 8–16 lat*; Regionalne Centrum Polityki Społecznej w Łodzi, Łódź 2016; D. Podgórska-Jachnik, *Praca socjalna z osobami z niepełnosprawnością i ich rodzinami*, Centrum Rozwoju Zasobów Ludzkich MPiPS, Warsaw 2014.

<sup>3</sup> Regulation of the Minister of Education of 7 September 2017 on the opinions and rulings issued by evaluation boards operating at the public psychological and educational centres (Journal of Laws 2017, item 1743).

## **Ruling on the need for special education as the basis for revalidation and adaptive measures provided by the school**

Pursuant to the Regulation of the Minister of Education of 7 September 2017 on the opinions and rulings issued by evaluation boards operating at the public psychological and educational centres (Journal of Laws 2017 item 1743), public psychological consultancy centres issue ruling on the need for special education. It should be noted that such rulings may only be issued by public centres<sup>4</sup>. A ruling on the need for special education may be issued on the account of a pupil's disability, social maladjustment or a threat of social maladjustment. The Ministry's regulation includes a closed list of disabilities which may be taken into account while issuing a ruling on the need for special education – it defines precisely who is a disabled child/pupil and it specifies the conditions for the education and guidance of such pupils<sup>5</sup>. In this document we can read:

“§ 13 section 2 In the ruling on the need for special education, the team shall define:

- 1) the diagnosis on the child's or pupil's functioning, considering the potential for development, strengths and talents of the child/pupil as well as barriers and limitations impeding the child's/pupil's functioning, present in the environment where schooling and guidance is offered;
- 2) period in which special education will be needed;
- 3) recommended conditions and forms of support, which make it possible to meet the child's/pupil's individual development and educational needs, including the conditions for de-

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<sup>4</sup> In the event of receiving such a ruling from a non-public centre, the School Superintendent should be notified of the breach of law.

<sup>5</sup> Regulation of the Minister of Education of 9 August 2017 on the conditions for organising the education, guidance and care for disabled children and youth, as well as socially maladjusted pupils and those threatened with social maladjustment (Journal of Laws of 24 August 2017, item 1578).

- veloping his/her potential, skills and strengths, to reinforce the child's or pupil's activity and participation in the life of the kindergarten, school or institution and whether a need arises for individual support of the child or pupil, as provided by additionally employed staff, as mentioned in the provisions on the conditions for organising education, guidance and care for disabled children and youth, as well as socially maladjusted pupils/children and those threatened with social maladjustment - and the scope of such support;
- 4) recommended development and therapeutic goals to pursue during the kindergarten or educational classes, revalidation session, social therapy and social rehabilitation sessions and as part of psychological and educational aid provided to the child or pupil and, depending on the needs, also to their parents, whereas such aid is provided by the kindergarten, school, centre or institution and the psychological centre, along with the indication of recommended forms of support offered by the psychological and educational consultancy centre, and in the case of disabled children and youth - also recommended type of revalidation classes;
  - 5) all of the possible forms of special education, starting from the one that is best for the child/pupil, considering the type of team and form of special education, selected from among the following:
    - a) mainstream kindergarten (unit), integrated, special, other form of kindergarten education - in the case of disabled children,
    - b) mainstream school (unit), integrated or special - in the case of disabled pupils, socially maladjusted pupils or those threatened with social maladjustment,
    - c) special school at the care facility for the youth - in the case of minors who were ordered by the court to be placed in such a facility,
    - d) special school in a social therapy centre for the youth - in the case of pupils threatened with social maladjustment,

- e) special kindergarten or special school at a special educational and care facility – in the case of children or pupils who cannot attend a kindergarten or school in the place where they live on the account of their disability,
  - f) special care facility – in the case of the following pupils:
    - disabled pupils who cannot attend a school where they live on the account of their disability, a special care and education facility or cannot stay at a boarding school,
    - threatened with social maladjustment,
  - g) revalidation and care facility – in the case of children or pupils with multiple disabilities, whereas one of them refers to intellectual disability;
- 6) the need for some of the kindergarten or educational classes to be conducted individually with the child or pupil or in a group of no more than 5 children or pupils – in the case of a child or pupil who experiences difficulties when functioning in a group of kindergarten children/school pupils;
- 7) recommended actions aimed at improving the functioning of the child or pupil, and reinforcing their participation in kindergarten, school, facility or institution activities, along with actions supporting the child's or pupil's parents;
- 8) depending on the needs of the disabled child/pupil, specialist equipment necessary for the educational process and necessary teaching aids, including those using ICT;
- 9) recommended methods of evaluating the results of the actions taken by the kindergarten, school, facility or institution in order to comply with the recommendations listed in sections 3-8"<sup>6</sup>.

Information included in individual modules thereof is extremely important in writing a good Individual Education and Therapeutic Programme (IETP), and therefore also crucial for the school where the pupil will be educated. Since the ruling specifies the period for which it is valid (it's usually a single education stage), an Individual

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<sup>6</sup> Regulation of the Minister of Education of 7 September 2017 on the opinions and rulings..., op. cit.

Education and Therapeutic Programme is usually written for the same period as the one stipulated in the ruling. It is worth remembering that under certain circumstances, an individual education stage may last longer than the prescribed number of years. Pupils with mild intellectual disability may have extra 3 years added to their education, i.e. until they are 21, while those with moderate and severe intellectual disability may have as many as 5 years more, i.e. until they are 24. Education stages may therefore be respectively extended, depending on the pupil's intellectual development and progress in education<sup>7</sup>.

The first substantive part of the ruling on the need for special education is the diagnosis. *"The Evaluation Board presents the diagnosis on the child's/pupil's functioning, considering their development potential, strength and talents"*<sup>8</sup>. Pursuant to the results of psychological and education tests and medical records (available photocopies of medical certificates, discharge summaries from hospital, description of other specialist examinations provided by the requester, i.e. the child's parent or legal guardian) and functional diagnosis completed by the teachers, the ultimate diagnosis is formed – the first part of the ruling. It is important in that it is the basis for recommendations and their justification – next parts of the document. Any contradictions between the content of the gathered documents and the ruling issued by the centre may be the basis for the parents to appeal against the content of the ruling<sup>9</sup>.

In the everyday work of psychological and education consultancy centres we are faced with various attitudes of the parents/legal guardians – the requesters, with whom the whole diagnostic and ruling procedure begins. It is worth mentioning that a lack of the

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<sup>7</sup> M. Grzesiak (this year), *Kogo dotyczy wydłużanie cyklu edukacyjnego*, Poradnia Psychologiczno-Pedagogiczna w Lubaniu, [http://www.pppluban.org/www/porada\\_dnia/ppp\\_porada\\_dnia\\_wydłużenie\\_etapu\\_edukacyjnego.pdf](http://www.pppluban.org/www/porada_dnia/ppp_porada_dnia_wydłużenie_etapu_edukacyjnego.pdf) [accessed on: 15.03.2017].

<sup>8</sup> Regulation of the Minister of Education of 7 September 2017 on the opinions and rulings..., op. cit.

<sup>9</sup> A. Dudzińska, A. Niedźwiedzka, *Najczęstsze pytania...*, op. cit., pp. 11–13.

formal consent of the parents to the child's examination (it is an important formal requirement) may be decisive in determining a legal defect of the document itself and thus it may result in it being considered invalid. Some parents only file a request. It is only after they arrive at the centre that it becomes evident that the child needs to be examined first. This is when another problem may arise, related to the waiting time for the ruling, which may be up to a few months. This is so when it is necessary to perform additional specialist medical examinations. In this case, the centre may offer to issue a temporary opinion about the child, or on the basis of the available documents issue a ruling for one school year only, and include the information in the recommendations concerning the need for further diagnosis performed by a specific specialist. However, sometimes the problem is obtaining any documents from the parents, apart from the request for the ruling. This is when the head of the evaluation team may address a respective school/institution and ask for a written opinion whose elements are defined in the regulation on the rulings. The school has seven days to prepare the abovementioned opinion<sup>10</sup>.

Sometimes you encounter parents whose main objective is only to obtain the ruling, because it will become the basis to claim additional funds in the form of a benefit or other forms of social support. Unfortunately, as mentioned in the introduction, it sometimes happens that the parents cannot tell the difference between a ruling on the need for special education (or other rulings issued by the centres) from a ruling on disability and they are not aware of the related specific (different) rights<sup>11</sup>. It often happens that these people are quite demanding – they agree to the child's diagnosis or bring diagnostic documents from non-public centres and often even from pri-

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<sup>10</sup> § 7 para. 3 Regulation of the Minister of Education of 7 September 2017 on the opinions and rulings..., op. cit.

<sup>11</sup> Unfortunately, in practice it turns out that it's not only the parents, but also schools – especially mainstream ones, with limited experience in working with disabled pupils – that have problems with differentiating between these rulings and the relevant rights.

vate practice. It is only the possibility to obtain the ruling on the lack of need for special education that makes it possible to perform a proper diagnosis of their child. Such parents are aware that if their child is not diagnosed and therefore receives a ruling on the lack of need for special education, they will not be able to claim any support (financial, e. g. extra revalidation classes). In extreme cases, the school may refer inform the family court of the shortcomings in exercising parental authority. Fortunately, it follows from the experience of the centres that there are fewer and fewer such cases with each year.

After the end of the diagnostic tests coordinated by the centre, the results are described in the first part of the ruling. How do you use them when writing the Individual Educational and Therapeutic Programme? This document provides knowledge: 1) about the core curriculum appropriate for the pupil, 2) about the child's somatic illnesses, 3) about the number and type of specialists the pupil should have classes with, 4) about how the child/pupil functions in a group, how advances his/her mental and physical capacity is, how he/she compares against the norms for his/her metrical age, what potential he/she has (the child's capabilities and strengths).

The second part of the ruling concerning the need for special education includes the recommendations. Pursuant to the template included in the Regulation, the recommendations precisely define how support should be provided to a specific pupil<sup>12</sup>. A mandatory element in this part of the document is revalidation classes, i.e. *complex therapeutic, psychological, educational, social and vocational activities aimed at developing or restoring the skills, ability and capacity necessary for a permanently injured person to function properly*<sup>13</sup> or in other words: *restoring – as far as possible – the efficiency of the organism and self-esteem – in social, professional and family context*<sup>14</sup>. The term

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<sup>12</sup> Regulation of the Minister of Education of 7 September 2017 on the opinions and rulings..., op. cit.

<sup>13</sup> A. Maciarz, *Wybrane zagadnienia rewalidacji dzieci*, Wyd. WSP, Zielona Góra, p. 18, 1984.

<sup>14</sup> Encyklopedia Powszechna PWN (1085), Warszawa, 3rd edition, vol. 3, p. 861.



*revalidation* is related to the term *rehabilitation*, whereas the former usually refers to the upbringing and education of children and adolescents<sup>15</sup>; therefore, in special education it is treated as a basic impact on students with disabilities. Depending on the type of disability, the level of adaptation and the resulting scope of remedial activities are determined on the basis of a specialist diagnosis<sup>16</sup>. For the visually impaired students in particular, as an element of revalidation, it is recommended to learn spatial orientation and mobility, Braille's alphabet or other alternative communication methods; for pupils with impaired hearing or aphasia – sign language or other supportive or alternative communication methods; for students with autism, including Asperger syndrome, to learn social skills, including communication skills<sup>17</sup>. Therefore, it is necessary to consider the determination of revalidation objectives as a key and at the same time one of the most individualized elements of the counselled diagnosis, also taking into account the wider environmental context of the child's situation. I emphasize this because although the concept of revalidation is ubiquitous in the Polish educational system since the moment it began to implement the assumptions of inclusive education, it still remains largely misunderstood. B. Grochmal-Bach describes the problem of setting the objectives of revalidation accurately as she writes: *When conducting the process of revalidation, one should define what is common for all people with and without disabilities, as well as what is individual and requires a specific approach. The determining factor is the extent and severity of the imbalance between the individual and the environment, not the type of impairment*<sup>18</sup>.

Students with a special educational need ruling shall complete additional and obligatory two hours of revalidation. The number of hours and method of implementation is specified in the Regulation

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<sup>15</sup> B. Grochmal-Bach, *Wychowanie i terapia w rewalidacji dzieci i młodzieży*, Oficyna Wyd. Impuls, Kraków 2001, pp. 10–11.

<sup>16</sup> *Ibidem*, p. 67.

<sup>17</sup> Regulation of the Minister of National Education of 24 July 2015 on the conditions of organising education..., op. cit.

<sup>18</sup> B. Grochmal-Bach, *Wychowanie i terapia w rewalidacji...*, op. cit., p. 9.

of the Minister of National Education of 7 February 2012 on the framework curricula in public schools<sup>19</sup>.

Another obligatory provision in the recommendations is to define the scope of psychological and pedagogical assistance for a given child. The task of the evaluating board in the psychological and educational consultancy centre is to indicate all the necessary specialist classes aimed at helping the child. It is worth noting that these activities are not defined for a specific school, but for a specific child. The Regulation of the Minister of National Education of 9 August 2017 on the principles of providing and organising psychological and pedagogical assistance in public kindergartens, schools and institutions contains a list of forms of psychological and pedagogical assistance; it specifies the procedures of creating therapeutic classes, the types of classes in which a student may participate and the maximum number of participants<sup>20</sup>.

Sometimes schools complain to the consultancy centre that among the recommended activities there are ones the schools does not offer or does not employ a specialist ready to run the class. As I mentioned, the statement is not written for the school, let alone for a particular school. It is an independent document to which certain educational conditions must be adapted, not the other way round. The applicant – a parent or legal guardian – may apply in writing to the given school headmaster for additional classes to be made available. The headmasters of public schools are obliged to organise classes conducted, for example, by a school pedagogue. Not always – especially in the case of inclusive education, when the school has not yet met the requirements resulting from the student's intellectual disability – is the school management familiar with all the rules of cooperation in this area with the local authorities of powiat or gmina<sup>21</sup>.

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<sup>19</sup> Regulation of the Minister of National Education of 28 March 2017 on framework curricula in public schools (Journal of Laws 2017, 31 March 2017, item 1578).

<sup>20</sup> Regulation of the Minister of National Education of 9 August 2017 on the principles of granting and organising psychological and pedagogical assistance ..., op. cit.

<sup>21</sup> The school should apply for appropriate funds from the educational subsidy to the governing body, as it is the local authorities that are obliged – pursuant to

It is worth noting that while applying to the body running the school or institution for funding for the education of students with disabilities, the key issue will be the content of the judgments on the need for special education at the disposal of the school. Therefore, one should be able to interpret them properly (on the one hand, which remedial and specialist classes should be organised for students, how many and which teachers or assistants should be employed, on the other hand, which diagnostic units are eligible for a targeted subsidy and which conversion rates can be used here<sup>22</sup>).

It also happens, for example, that a pupil with moderate or severe intellectual disabilities attends a public school due to his or her parents' decision, while s/he has a special school placed in the first place in the recommendation from the consultancy centre. In this respect, the choice belongs to the parent or legal guardian, with all its consequences. They are guided, on the one hand, by their own assessment of the quality of education and, on the other hand, by the prospect of integration. It is worth noting that, despite inclusive tendencies, a special school can sometimes be a better choice for such a pupil: it offers services of many specialists, while a public school can only employ them if it has the financial means. The decision of whether to hire them is always made individually by the given governing body. Sometimes the only available form of im-

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Article 90 of the Act of 7 September 2004 on the Education System (Journal of Laws 2004, No. 256, item 2572, as amended) – to secure financial conditions for the implementation of recommendations resulting from the judgments. In order to receive a subsidy, the educational institution (school) must report the number of students supported by the subsidy by 30 September of the year preceding the allocation of funds, although adjustments are possible later, which not all headmasters are aware of (detailed advice: A. Dudzińska, A. Niedźwiedzka (2016), *Frequently Asked Questions about Special Education...*, op. cit.).

<sup>22</sup> See: e.g. discussion and (changing) attitude of the Ministry of Education: Children with comprehensive developmental disorders do not have the right to a decision on the need for special education, „Wszystko Jasne” Association Web Portal, 24 August 2014, [online] <http://www.wszystkojasne.waw.pl/dzieci-calosciowymi-zaburzeniami-rozwoju-nie-maja-prawa-orzeczenia-potrzenie-kształcenia-specjalnego/> [access: 8 May 2017].

plementation of the recommendations proposed by the consultancy centre are two hours of remedial classes, for which there are separate funds for each student who has a special educational needs ruling – no matter what school s/he attends. Regardless of whether the school has the financial resources or not, its task is to organize the best possible help for the child. In this respect, the school may offer some of the activities – e. g. pedagogical and/or speech therapy classes – in a psychological and educational consultancy centre or look for other institutions or centres, e. g. community centres, social welfare centres, sometimes local NGOs<sup>23</sup> implementing their own projects or tasks ordered by the local government, where their students will be able to receive such assistance. Much depends on the entrepreneurship and creativity of the school's headmaster, sometimes the parents themselves.

Each recommendation requires justification, in which one should indicate the elements of the diagnosis substantiating the need for special education and recommended as most beneficial for the student forms of psychological and pedagogical assistance, and determine their expected results. In the event a new decision on the need for special education is issued, the circumstances which the Evaluation Board of the Consultancy Centre deemed essential for the re-examination should be indicated and the reasons for the new decision should be explained<sup>24</sup>. In this part, the need for special education should be justified and the motivation of the Board to choose such forms of psychological and pedagogical assistance should be explained. For students with intellectual disabilities, it is necessary to justify the choice of a specific type of school. The core curriculum determines that these choices may vary. As it is the same for students within the intellectual norm and students with mild intellectual disabilities, the latter should be directed to public, inclusive

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<sup>23</sup> I. Chrzanowska, *Strategia kształcenia osób niepełnosprawnych. Diagnoza pozoru* [in:] Z. Gajdzica (ed.), *Człowiek z niepełnosprawnością w rezerwacie przestrzeni publicznej*, Oficyna Wyd. Impuls, Kraków 2013, pp. 194–195.

<sup>24</sup> Regulation of the Minister of National Education of 18 September 2008 on rulings and opinions ..., op. cit.

schools or schools with integration departments. The core curriculum is different for people with moderate and significant intellectual disabilities<sup>25</sup> who should be enrolled in special schools. We should also justify why, for example, pedagogical therapy has been chosen and how it can contribute to the proper development and functioning of our charge. That is why the first part of the ruling – the diagnosis – is so important, as it affects its further parts.

Nowadays, it is increasingly common for parents of children with moderate intellectual disabilities to decide to leave them in public schools. The knowledge of a child's intellectual disability is very unpleasant and difficult to accept for the parent, hence the choice of a special school is often unacceptable to him/her. That is regrettable, because a special school has qualified teachers, not such numerous classes, appropriate textbooks and teaching aids, and often enables its pupils to acquire professional qualifications. Such a school also helps to find a job or places a graduating adult in sheltered workshops or occupational therapy workshops.

Why, then, does the parent choose a public school? From the perspective of many years of professional experience of a consultancy centre employee, it appears that one of the most frequent factors influencing making such a decision is the pressure of the environment. The parent takes into account the opinion of his neighbours, friends and family. S/he often thinks that thanks to this choice his child will not be so "different" – after all, s/he will go to the same school as all the children from the housing estate. The parent also hopes that his child will develop, remaining in the envi-

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<sup>25</sup> It is worth adding here that the core curriculum for students with moderate and significant intellectual disabilities has been included in the education reform (2017) and is now in force (see: Regulation of the Minister of National Education of 14 February 2017 on the core curriculum of pre-school education and the core curriculum of general education for primary school, including students with moderate or significant intellectual disabilities, general education for the first degree of vocational education, general education for a special school preparing for work, and general education for the post-secondary school, Journal of Laws of 24 February 2017, item 356).

ronment of his playground friends from the neighbourhood. Another frequent reason is the need to take the child to a special school far away from home, which demands additional financial resources. Sometimes it is necessary to consider placing the child in the boarding school, which may again increase the resistance of carers. In these circumstances and under such great pressure from the community, the parent decides to leave his/her child in a public school, where his/her child will work on the basis of the Individual Educational and Therapeutic Programme prepared for him/her.

It should also be added that the provisions of the Convention on the Rights of Persons with Disabilities ratified by the President of Poland in 2012 created a kind of hierarchy, as the provision on the right to inclusive education at all levels of education<sup>26</sup> is sometimes interpreted as giving it the absolute highest value in educational choices concerning people with disabilities. However, inclusive education, which was to be the educational system's response to the exclusion process, should be treated more as an opportunity to choose the optimum form of education. This means that it is individualised for different students<sup>27</sup>. Therefore, the decision to choose a school for a student requires reflection – both by the employees of psychological and educational consultancy centre, and by the parents – on the actual needs and motivations related to this choice, preceded by a discussion and agreement of both parties, which will also be reflected in the recommendations in the ruling on the need for special education.

Finally, it should be mentioned that currently the Ministry of National Education informs about the ongoing works on new solutions aimed at improving the quality of support for students in the process of education and upbringing. This concerns increasing the reliability and accuracy of the diagnosis of their educational and

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<sup>26</sup> Convention on the Rights of Persons with Disabilities, New York, 13 December 2006 [online], Article 24 [online] [access: 2 May 2017] <<http://isap.sejm.gov.pl/DetailsServlet?id=WDU20120001169>>.

<sup>27</sup> D. Podgórska-Jachnik, *Praca socjalna z osobami z niepełnosprawnością...*, op. cit., pp. 63–66.

developmental needs, taking into account its functional biopsychosocial model, including the context of the child's functioning in the teaching and upbringing environment: *This model of diagnosis is based on the analysis of not only data on individual characteristics of a child, but also on barriers and resources in his or her environment, taking into account information from various sources (e. g. doctor, school, welfare institutions)*<sup>28</sup>. The new model is planned to use the International Classification of Functioning, Disability and Health (ICF), the version for children and youth (ICF-CY – International Classification of Functioning, Disability and Health – Children and young people)<sup>29</sup>. The model of diagnosis for students with Special Educational Needs developed in this way has been reflected in new models of rulings on the need for special education. Its positive feature will certainly be the greater objectivity and reliability of diagnoses made, unification of their language and phraseology, as well as profiling of functional aspects of diagnosis from the point of view of its usefulness in the planned educational support. This means that it will certainly be easier for schools to draw up Individual Education and Therapeutic Programmes (IETPs) and to select the necessary forms of assistance more accurately. The negative aspect is certainly a challenge related to the environment's confrontation with a new diagnostic and therapeutic techniques, the need to overcome mental resistance to novelty and to reconstruct the way of thinking about tasks related to the assessment of the need for special education.

## Summary

To sum up these considerations, I would like to point out the most important problems that have been raised. It is worth remembering that:

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<sup>28</sup> Education reform and a student with special educational needs, „Dobra Szkoła”, Information Portal of the Ministry of National Education, [online] <https://reformaedukacji.men.gov.pl/aktualnosci/reforma-edukacji-a-uczen-ze-specjalnymi-potrzebami-edukacyjnymi.html> [accessed: 29 May 2017].

<sup>29</sup> Ibidem.

1. due to various possibilities of choosing a student's education path in the educational system that implements the principle of inclusion, the Evaluation Board of the Consultancy Centre, issuing a decision on the need for special education, faces a great challenge. The quality of this document is a prerequisite for optimal organisation of the conditions for special education – regardless of the school chosen by the student's parents;
2. given the status and importance of the decision on the need for special education, it is necessary to disseminate knowledge about it, especially among parents, guardians of the child and teachers of inclusive education (i.e. among the teaching staff of public schools);
3. the psychological and educational consultancy centre should make every effort to facilitate parents' optimal choice of school for children with disabilities through reliable diagnosis and appropriate recommendations, and the school should provide good material for the creation of IPET;
4. teachers – especially in public schools, who are not special guidance counsellors – should acquire knowledge and skills necessary to understand the records contained in the decisions, in particular in their diagnostic part. The recommendations provided in the rulings, e. g. the choice of the type of remedial classes, may be used as an indication in the event of any ambiguities. It should be remembered that the school can count on the cooperation and support of consultancy centres or teacher training centres in this respect, and that it is worth taking advantage of this support.
5. The educational systems – both consultancy centres and schools, kindergartens and other institutions – should prepare for a new model of functional diagnosis, based on ICF categories. This may be difficult at first, but it is worth looking at it as an opportunity to improve the quality of rulings in the future and to make it easier for institutions to work on IPETs adapted to the individual developmental and educational needs of a student / child with disabilities.



## Bibliography

- Chrzanowska I., *Strategia kształcenia osób niepełnosprawnych. Diagnoza pozoru*, [in:] Z. Gajdzica (ed.), *Człowiek z niepełnosprawnością w rezerwacie przestrzeni publicznej*, Oficyna Wyd. Impuls, Kraków.
- Chrzanowska I., *Pedagogika specjalna. Od tradycji do współczesności*. Impuls, Kraków 2015.
- Dudzińska A., Niedźwiedzka A. (2016), *Najczęstsze pytania dotyczące kształcenia specjalnego informator dla rodziców*, [online] <http://niegrzecznedzieci.org.pl/wp-content/uploads/2016/01/WszystkoJasne-Raport-Najcze%CC%A8stsze-Pytania-Do-tycza%CC%A8ce-Kszta%C5%82cenia-Specjalnego.pdf>.
- Dzieci z całościowymi zaburzeniami rozwoju nie mają prawa do orzeczenia o potrzebie kształcenia specjalnego*, Portal Internetowy Stowarzyszenia Wszystko Jasne, 24 August 2014, [online] <http://www.wszystkojasne.waw.pl/dzieci-calosciowo-wymi-zaburzeniami-rozwoju-nie-maja-prawa-orzeczenia-potrzebie-ksztalcenia-specjalnego>.
- Encyklopedia Powszechna PWN (1985), Warszawa, 3rd edition, vol. 3.
- Grzesiak M. (this year), *Kogo dotyczy wydłużanie cyklu edukacyjnego*, Portal internetowy Poradni Psychologiczno-Pedagogicznej w Lubaniu, [online] [http://www.pppluban.org/www/porada\\_dnia/ppp\\_porada\\_dnia\\_wydłużenie\\_etapu\\_educacyjnego.pdf](http://www.pppluban.org/www/porada_dnia/ppp_porada_dnia_wydłużenie_etapu_educacyjnego.pdf).
- Convention on the Rights of Persons with Disabilities, New York, 13 December 2006 [online], <http://isap.sejm.gov.pl/DetailsServlet?id=WDU20120001169>.
- Maciarz A., *Wybrane zagadnienia rewalidacji dzieci*, Wyd. Wyższej Szkoły Pedagogicznej, Zielona Góra 1984.
- Grochmal-Bach B., *Wychowanie i terapia w rewalidacji dzieci i młodzieży*, Oficyna Wyd. Impuls, Kraków 2001.
- Mikołajczyk-Lerman G., *Między wykluczeniem a integracją – realizacja praw dziecka niepełno-sprawnego i jego rodziny. Analiza socjologiczna*, Wydawnictwo Uniwersytetu Łódzkiego, Łódź 2013.
- Szumski G., *Integracyjne kształcenie niepełnosprawnych*. Wyd. APS i PWN, Warszawa 2013.
- Podgórska-Jachnik D., *Praca socjalna z osobami z niepełnosprawnością i ich rodzinami*, Centrum Rozwoju Zasobów Ludzkich MPiPS, Warszawa 2014.
- Pyżalski J., Podgórska-Jachnik D. (eds.), *Badanie potrzeb i satysfakcji z wybranych usług skierowanych do rodzin z dziećmi z orzeczoną niepełnosprawnością w wieku 8–16 lat*; Regionalne Centrum Polityki Społecznej w Łodzi, Łódź 2016.
- Reforma edukacji a uczeń ze specjalnymi potrzebami edukacyjnymi, „Dobra Szkoła”, Information Portal of the Ministry of National Education, [online] <https://reformaedukacji.men.gov.pl/aktualnosci/reforma-edukacji-a-uczen-ze-specjalnymi-potrzebami-edukacyjnymi.html>

## List of legal acts

- Regulation of the Minister of National Education of 18 September 2008 on rulings and decisions issued by adjudicating teams operating in public psychological and educational consultancy centre, as amended. (Journal of Laws of 2008, No 173, item 1072).
- Regulation of the Minister of National Education of 7 February 2012 on framework curricula in public schools (Journal of Laws 2012, item 204).
- Regulation of the Minister of National Education of 30 April 2013 on the rules of providing and organising psychological and pedagogical assistance in public kindergartens, schools and educational institutions (Journal of Laws of 2013, item 532).
- Regulation of the Minister of National Education of 24 July 2015 on the conditions of organising education, upbringing and care for children and young people with disabilities, socially maladjusted and threatened with social maladjustment (Journal of Laws of 7 August 2015, item 1113).
- Regulation of the Minister of National Education of 14 February 2017 on the core curriculum of pre-school education and the core curriculum of general education for primary school, including students with moderate or significant intellectual disabilities, general education for the first degree of vocational education, general education for a special school preparing for work, and general education for the post-secondary school, Journal of Laws of 24 February 2017, item 356).