

COUNTRY POLICY REVIEW AND ANALYSIS

Spain

European Agency for Special Needs and Inclusive Education



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Please note that legislation may have changed since the analysis grid was completed. Anyone using the grid should [contact the Representative Board Member](#) for more details.

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Section 1: Country priorities for education

The text below presents the main country priorities in the field of education, with special attention to the development of inclusive education.

Country priorities

Since the Spanish Constitution of 1978, everyone has the right to education. This education has the objective of full development of human personality in respect of the democratic principles of co-existence and fundamental rights and liberties.

This has led to a legislation that establishes the education system in Spain as inclusive, integrative and demanding. It guarantees equal opportunities and makes it possible for every learner to develop their potential to the maximum. (Act on the Improvement of the Quality of Education – LOMCE, Preamble)

The three basic principles which govern the Spanish education legislation are:

- The requirement to provide quality education to all citizens, in all the levels of the education system. Effective equal opportunities must be guaranteed by means of the necessary support.
- The need for all stakeholders (learners, parents, teachers, schools, Education Administrations, etc.) to collaborate in education.
- The commitment to the educational objectives set out the EU for the coming years.

The Spanish Ministry of Education, Culture and Sport is currently working on the following issues to increase the level of inclusion in the education system:

- A report on the situation of learners with special educational needs (SEN) in Spain is being prepared by the Eurydice work group, in collaboration with Camilo José Cela University. This report will be a key tool for the development and implementation of the new National Plan for Inclusive Education, which will be finished by the end of 2017 and will be implemented from 2018 to 2020.
- There is a new National Plan for Teacher Training in Special Educational Needs. It will be implemented in the coming years.
- A National Plan on Neuroscience Applied to Education is being developed, with the objective of applying the latest discoveries to the education sphere. The first phase, Neurobiology of learning difficulties, high intellectual capacities and neurotechnology, will be presented in April 2017.
- There is a new National Plan for School Co-existence, which has already been presented to the Autonomous Communities. It includes specific objectives related to the most vulnerable.
- The Ministry will promote the Forum for the Educational Inclusion of Learners with Disabilities. This Forum already exists, but has not been operating for some time.
- The Ministry will collaborate in a project designed and developed by Plena



Country priorities

Inclusión, one of the biggest organisations representing people with disabilities, to implement the transition of their special education schools to inclusive schools.
The objective of this collaboration is to help them in the process and learn from it.



Section 2: Analysis grid

Measure 1: To improve inclusive education and to ensure that good quality education is accessible for all

Agency recommendation	Findings
<p>1.1 There is a clearly stated policy for the promotion of quality in inclusive education.</p> <p><i>(Policy aims to widen access to education and to promote full participation and opportunities for all learners vulnerable to exclusion to realise their potential. Policy outlines how education policy-makers need to take responsibility for all learners.)</i></p>	<p>1.1.1 The Spanish education system, set up in accordance with the values of the Constitution and based on respect for the rights and liberties recognised therein, is inspired by the following principles:</p> <ul style="list-style-type: none"> • Equity that guarantees equal opportunities for full personal development through education, inclusion, rights and equality of opportunities that helps to overcome any kind of discrimination and universal access to education that acts as a compensating factor for personal, cultural, economic and social inequalities, with special emphasis on those derived from disabilities (LOMCE). • The transfer and application of values that favour personal liberty, responsibility, democratic citizenship, solidarity, tolerance, equality, respect and justice and that also help to overcome any type of discrimination (Organic Law 2/2006 of Education (LOE) of 3 May. Article 1. Principles). <p>1.1.2 It establishes the three fundamental principles which govern the Law. The first one is the need to provide a quality education for all, so every citizen develops to the maximum all their capacities, and to guarantee equal opportunities for all, providing the necessary support to learners and schools. In short, it involves improving the educational level of every learner, balancing education quality with equity. (Preamble, Organic Law 2/2006 of Education, LOE)</p> <p>1.1.3 Everybody is entitled to education. [...] Public powers will guarantee the right to education for everyone, by means of a general educational programme, with the effective participation of all stakeholders and the creation of schools. (Spanish Constitution, Article 27, section 5)</p> <p>1.1.4 The Organic Law 8/1985, in its Preamble, establishes that both the State and the Autonomous</p>



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	<p>Communities must promote equal opportunities in education.</p> <p>1.1.5 All Spaniards have the right to a basic education, which is compulsory and free, and to access higher levels of education. Foreign residents also have these rights. (Organic Law 8/1985. Article 1)</p> <p>1.1.6 The Organic Law 2/2006, LOE, in its article 1, establishes the principles of this law. The first one is the quality of education for every learner, independent of their conditions and circumstances.</p> <p>1.1.7 Section 77 of LOMCE adds a new article to LOE (122 bis) on actions to ensure the promotion of quality in schools. It states that the State and the Autonomous Communities will promote actions with the objective of fostering quality in schools, by reinforcing their autonomy and empowering leadership.</p> <p>1.1.8 Public powers will pay special attention to the factors that favour quality in education and, especially, the qualification and training of teachers; their teamwork; resource provision; educational research, experimentation and renewal; pedagogical, organisational and managerial autonomy; leadership role; educational and professional counselling; inspection; and evaluation. (LOE, article 2)</p> <p>1.1.9 All Spaniards have the right to a basic education, which is compulsory and free, and to access higher levels of education according to their aptitudes and vocation. There can be no discrimination in the exercise of this right due to financial circumstances, social status or place of residence of the learner. Foreign residents also have these rights. (Organic Law 8/1985. Article 1)</p> <p>1.1.10 Schooling for learners with specific learning difficulties will be based on the principles of normalisation and inclusion and will ensure non-discrimination and effective equal access to and retention in the education system. (Royal Decree – RD 1105/2014, article 9)</p> <p>1.1.11 It establishes the objectives of the Spanish education system. Among them are:</p> <ul style="list-style-type: none">• the holistic development of the learners' personality and capacities;• education to respect the basic rights and freedoms, equality of men and women, equal



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	treatment and non-discrimination against people with disabilities.
<p>1.2 Legislation and policy are consistent with the principles of the UNCRC and the UNCRPD.</p> <p><i>(Legislation and policy and upholds the right of all learners to full participation in school with their own local peer group.)</i></p>	<p>1.2.1 The Spanish education system, set up in accordance with the values of the Constitution and based on respect for the rights and liberties recognised therein, is inspired by the following principles:</p> <ul style="list-style-type: none"> • Quality education for all learners, regardless of their condition and circumstances. (LOE. Preliminary Title, Chapter I. Principles and Aims of Education. Article 1. Principles) <p>1.2.2 Royal Decree 696/1995, of 28 April, in its article 3, arranges the education of pupils with special educational needs and establishes the conditions for educational provision for this population. These pupils are educated in mainstream schools and with mainstream curricula; only when it is objectively established that the needs of these pupils cannot be properly met in a mainstream school, is a proposal made for them to be educated in special schools.</p> <p>1.2.3 Learners with special educational needs can attend both special education and mainstream schools. Schooling should preferably be provided in mainstream schools, adapting such programmes to each learner’s capacities. (p. 9)</p> <p>1.2.4 Article 27 establishes that everyone is entitled to education and recognises freedom of education.</p> <p>The objective of education is the full development of the human personality with respect to the democratic principles of co-existence and fundamental rights and liberties. (Spanish Constitution)</p> <p>1.2.5 Article 39 establishes that children shall enjoy the protection afforded to them in international treaties which look after their rights. (Spanish Constitution)</p> <p>1.2.6 Article 96: Validly concluded international treaties, once officially published in Spain, will constitute part of the internal legal order. Their provisions may only be abolished, modified or suspended in the manner provided for in the treaties themselves or in accordance with general norms of international law. (Spanish Constitution)</p>



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	<p>1.2.7 Signed by the King of Spain, it establishes a promise to fulfil it, follow it and enforce it. In accordance with Article 96 of the Constitution, it means the Convention is now part of the internal legal order. (Instrument of Ratification of the Convention on the Rights of Persons with Disabilities)</p> <p>1.2.8 It establishes that learners must be able to choose the educational option they want, regardless of their place of residence. The Education Administration must facilitate access to studies that are not widely available and to schools in nearby territories to those learners who live in areas where those studies are not offered. (Article 11, Organic Law 2/2006)</p> <p>1.2.9 It establishes that educational integration is a first step to social integration and that specific centres will be the resource when the situation of the learner does not allow for looking after them in a mainstream school. (Royal Decree 334/1985, of 6 March, on the Organisation of Special Education)</p> <p>1.2.10 The normative related to fundamental rights and the freedoms the Constitution recognises will be interpreted according to the Universal Declaration of Human Rights and to the international treaties and agreements on these matters signed by Spain. (Spanish Constitution. Article 10)</p> <p>1.2.11 In primary education, Education Administrations will ensure every child has a free place in their municipality or the established schooling area. (LOE, article 81, section 3)</p> <p>1.2.12 When there are not enough places in a school, the following admission criteria will be applied:</p> <ul style="list-style-type: none">• there are siblings already enrolled in the school;• their home or their parents' workplace is near the school;• how much the family earns;• being a large family;• the learner or a member of the family has a disability. (LOMCE, section 60, which modifies LOE, article 84)



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	<p>1.2.13 Learners with permanent special needs associated with disability will enrol in the primary school in their municipality or schooling area, as long as the school has the adequate human and material resources needed and the parents decide so. (Royal Decree 696/1995, article 14)</p> <p>1.2.14 The Royal Legislative Decree 1/2013 has as its objective to guarantee the right to equal opportunities and treatment, as well as the real and effective exercise of rights by people with disabilities on equal terms with the rest of citizens, through the promotion of personal autonomy, universal accessibility, access to employment, inclusion in the community and independent life, and eradication of any type of discrimination. (Article 1)</p> <p>1.2.15 Among the principles underpinning this law (Royal Legislative Decree 1/2013) are:</p> <ul style="list-style-type: none">• respect for inherent dignity, individual autonomy, including freedom to make one’s own choices, and independence of people;• non-discrimination;• the respect for the difference and the acceptance of people with disabilities as part of the human diversity and condition;• equal opportunities;• universal accessibility;• universal design or design for all;• the respect of the development of the personality of people with disabilities, and, especially, of children with disabilities, and their right to preserve their identity;• the transversality of politics in the field of disability. <p>1.2.16 People with disabilities have the right to quality and free inclusive education, on an equal basis with others.</p>



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	<p>It is the Education Administrations' duty to ensure an inclusive education system at all levels, as well as in lifelong learning, and guarantee a place in basic education for learners with disabilities, paying attention to the diversity of educational needs of learners with disabilities, by the regulation of supports and reasonable accommodations for those who need them. (Royal Legislative Decree 1/2013, article 18)</p> <p>1.2.17 Every school (early childhood, primary and secondary) must fulfil the following requirements related to facilities:</p> <ul style="list-style-type: none"> • They must fulfil the conditions on accessibility and elimination of barriers established by law. • They must have toilets and hygiene and sanitary resources adapted to the needs of people with disabilities. • They must have spaces to provide the necessary support to learners with specific support needs.
<p>1.3 The concept of inclusion is clarified in education policy as an agenda that increases quality and equity for all learners.</p> <p><i>(Policy aims to address underachievement of all vulnerable groups including children with disabilities.)</i></p>	<p>1.3.1 The schooling of pupils with special educational needs in non-compulsory education stages, if the requirements are met, will be one form of inclusion with the necessary curricular adaptations or the total or partial exemption of subjects. (pp. 9–10)</p> <p>1.3.2 The Organic Law on Education (LOE, 2006) states in its article 80:</p> <p>It establishes the duty of Education Administrations to develop compensation actions for people, groups and territorial areas which are in a disadvantaged situation and to provide the economic resources and the support needed to fulfil the principle of equality in the exercise of the right to education. The compensatory education policies will reinforce the education system so inequalities derived from social, economic, cultural, geographical, ethnic, etc., factors are avoided. The priority objectives of these actions will be established by the State and the Autonomous Communities in their competence areas.</p>



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	<p>1.3.3 The quality principles within the education system are:</p> <ul style="list-style-type: none">• Quality education for all learners, regardless of their condition and circumstances.• Equity that guarantees equal opportunities for full personal development through education, inclusion, rights and equality of opportunities that helps to overcome any kind of discrimination and universal access to education that acts as a compensating factor for personal, cultural, economic and social inequalities, with special emphasis on those derived from disabilities.• The transfer and application of values that foster personal freedom, responsibility, democratic citizenship, solidarity, tolerance, equality, respect and justice and that also help to overcome any type of discrimination. (p. 24) <p>1.3.4 Organic Law 8/2013 adds a new article to LOE which establishes that the functioning of the Spanish education system is governed by the principles of quality, co-operation, equity, teaching freedom, merit, equal opportunities, non-discrimination, efficiency in the assignment of public resources, transparency and accountability. (Organic Law 8/2013, section 2)</p> <p>1.3.5 Article 6 of Organic Law 8/1985 establishes the learners' rights and duties. It establishes that every learner has the same rights and duties, without further distinction than those derived from their age and school level. (Modified by Final disposition 1, 3 of Organic Law 2/2006, LOE)</p> <p>1.3.6 Organic Law 2/2006, LOE. The preamble establishes the three fundamental principles which govern the Law. The first one is the need to provide a quality education for all, so every citizen develops to the maximum all the capacities, and to guarantee equal opportunities for all providing the necessary support to learners and schools</p> <p>1.3.7 LOE, in its Preamble, establishes the need for every child to succeed at school.</p> <p>1.3.8 Learners with school performance problems must have the support of specific programmes</p>



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	<p>which improve their chances of continuing in the education system. (LOMCE, Preamble)</p> <p>1.3.9 Education Administrations will foster educational quality, equality and inclusion of people with disabilities, equal opportunities and non-discrimination due to disability, flexibility measures and methodological alternatives, curricular adaptations, universal accessibility, design for all, attention to diversity, and all those measures that are necessary so learners with disabilities can access a quality education with equal opportunities. (RD 126/2014, article 10)</p>
<p>1.4 Legislation and policy for inclusive education is cross-sectoral.</p> <p><i>(Policy outlines procedures to ensure the efficient co-ordination of services, as well as clearly defining roles and responsibilities.)</i></p>	<p>1.4.1 The Ministry of Work and Social Affairs carries out the provisions of this Law with the budget assigned to compliance with its competencies in disability issues. To this end, co-operation mechanisms with the different competent ministries and public administrations will be established. (Law 27/2007, final disposition 3)</p> <p>1.4.2 Article 3 modifies the composition of the Forum. It will be composed of:</p> <ul style="list-style-type: none"> • President: Minister of Education • Vice-presidents: State Secretary of Education and Vocational Training, Secretary General of Universities, a person designated by CERMI (Spanish Committee of Representatives of People with Disabilities). • Chairs: all the chairs which are part of the Commissions of Education and Universities. • Secretary: an official with the level of deputy director, assigned to the State Secretary of Education, Vocational Training and Universities <p>(Order ECD/2489/2012, of 14 November (modifies the previous order))</p> <p>1.4.3 It talks about the composition of the State School Council: teachers, parents, learners, administration and services staff, representatives of private schools, trade unions and employers' organisations, representatives of the Ministry of Education, representatives of universities,</p>



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	<p>representatives of municipalities, etc. (Article 31, Organic Law 8/1985)</p> <p>1.4.4 It establishes on which issues the State School Council must be consulted, such as about dispositions which refer to the development of equality in education rights and opportunities. (Article 32, Law 8/1985)</p> <p>1.4.5 Shared effort between learners, families, teachers, schools, Administrations, institutions and all of society. Participation of the education community in the organisation, governance and functioning of schools. (Article 1, Organic Law 2, 2006)</p>
<p>1.5 There is a long-term multi-level policy framework for implementing quality inclusive education at national, regional and / or organisational levels.</p>	<p>1.5.1 The quality principles within the education system are:</p> <ul style="list-style-type: none"> • Co-operation between the State and Autonomous Communities in the definition, application and evaluation of education policies • Co-operation and collaboration of the Education Administrations with local government in the planning and implementation of education policy (p. 25). <p>1.5.2 It is the duty of both the State and the Autonomous Communities to ensure that educational needs are covered, through the general education programme, providing an adequate offer of school places, [...] and promoting equal opportunities. (Organic Law 8/1985, which regulates the right to education. Preamble)</p> <p>1.5.3 The State and the Autonomous Communities will determine the priority needs in education for a specific period. (Organic Law 8/1985, article 27, section 2)</p> <p>1.5.4 Organic Law 8/1985, in its articles 31 (modified by Organic Law 10/1999 and LOE) and 32, establishes the members of the State School Council (teachers, parents, learners, administration and services staff, owners of private schools, trade union and employers organisations, State Education Administration, universities, municipalities, experts, regional school councils) and the fact that it must be consulted on the following issues: general programming of education, basic legislation to be</p>



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	<p>enacted by the Government, dispositions related to equality of rights and opportunities in education, the general organisation of the education system, the minimal requirements of schools so they can provide a quality education.</p> <p>1.5.5 Organic Law 8/1985, in its articles 41 and 42, regulates the composition and responsibilities of the School Council. Its members are: the head teacher, a representative of the city council, teachers, parents, learners, the secretary of the school.</p> <p>Among its responsibilities are to:</p> <ul style="list-style-type: none">• decide on the admission of learners;• approve and evaluate the school's general programming;• prepare the guidelines for the programming and development of complementary school activities;• establish collaborative relationships with other schools;• supervise the general activity of the school in administration and teaching aspects (LOE, in its article 126, adds a representative of the administration and services staff.) <p>1.5.6 One of the principles which inspire Spanish education is the autonomy to establish and adapt the organisational and curricular actions within the framework of the competencies and responsibilities of the State, the Autonomous Communities, the municipalities and the schools. (LOE, article 1)</p> <p>1.5.7 The State will promote regional co-operation programmes (LOE, article 9)</p> <p>1.5.8 The Ministry of Education will foster work guidance and labour integration of young people with SEN, in collaboration with other Administrations and public and private institutions, especially the labour Administration and the social agents. (RD 696/1995, article 4)</p> <p>1.5.9 The Forum for the Educational Inclusion of Learners with Disabilities is created as a space of</p>



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	<p>meeting, debate, proposal, stimulus and monitoring of the politics for the inclusion of learners with disabilities in the whole education system. (Order EDU/2949/2010, article 1; modified by sole article, section 1 of Order ECD/2489/2012)</p> <p>1.5.10 Among the functions of the Forum are:</p> <ul style="list-style-type: none">• to facilitate communication and opinion exchange between the public and civic bodies with an interest in inclusive education of learners with disabilities;• to share information about the programmes and activities carried out by the different public administrations on this issue;• to debate and make proposals and recommendations to the Ministry of Education to promote the educational and social inclusion of learners with disabilities;• to channel the proposals of the associations which represent people with disabilities;• to foster studies and initiatives about projects related to the educational and social normalisation of learners with disabilities;• to foster the implementation of national and regional plans to improve educational assistance for these learners;• to maintain contacts with other similar bodies at international level in order to learn about existing good practices and contribute to their dissemination and implementation in Spain;• to monitor the educational normalisation policies for learners with disabilities and contribute to the improvements of the support mechanisms necessary to do so (Order ECD/2949/2010, article 2; modified by sole article, section 2, ECD/2489/2012). <p>1.5.11 Municipalities will participate in ensuring mandatory school attendance and will co-operate with the Education Administrations to obtain the necessary sites to build new schools, and will contribute to the upkeep, maintenance and security of public early childhood, primary and special</p>



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	education schools. (Law 7/1985, article 25) (RD 694/2007, article 12)
<p>1.6 Policy outlines how education policy-makers need to take responsibility for all learners.</p>	<p>1.6.1 Article 6 of Organic Law 8/1985 (Modified by Final disposition 1, 3 of Organic Law 2/2006, LOE): Among the rights, it establishes:</p> <ul style="list-style-type: none"> • to receive a holistic training which helps the full development of their personality; • to respect their personal identity, integrity and dignity; • to receive educational and professional guidance; • to be protected against any physical or moral aggression; • to participate in the centre’s working and life; • to receive the necessary help and support to compensate the personal, family, economic, social and cultural shortcomings and disadvantages, especially in the case of special educational needs, which prevent or hinder access to and retention in the educational system. <p>1.6.2 Public authorities will ensure the effective exercise of the right to education by means of a general programming which meets the educational needs, with the effective collaboration of all stakeholders. (Article 27, Organic Law 8/1985)</p> <p>1.6.3 It establishes the duty of Education Administrations to develop compensation actions for people, groups and territorial areas which are in a disadvantaged situation and to provide the economic resources and the support needed to fulfil the principle of equality in the exercise of the right to education. The compensatory education policies will reinforce the education system so inequalities derived from social, economic, cultural, geographical, ethnic, etc., factors are avoided. The priority objectives of these actions will be established by the State and the Autonomous Communities in their competence areas. (Title 2, Article 80, Organic Law 2/2006)</p> <p>1.6.4 Education authorities promote that public schools can offer complementary activities and</p>



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	<p>services so they can expand their educational offer to meet social demands and have adequate means, especially those with a high number of learners with specific educational needs. (Title 4, article 112, Organic Law 2/2006)</p> <p>1.6.5 Section 66. It modifies some aspects of article 87 of LOE. In order to facilitate and guarantee the right to education of learners with specific educational needs, the administrations must reserve places for them in public and publicly-funded schools. (Organic Law 8/2013)</p> <p>1.6.6 It is the duty of the public administrations to promote flexible learning opportunities which allow the acquisition of basic competences and their corresponding qualifications to young people and adults who left the education system without a qualification. (LOE, article 5)</p> <p>1.6.7 It is the responsibility of the Education Administrations to provide specific solutions to meet the needs of learners with particular learning difficulties, gifted learners, learners with disabilities or those who have problems participating in regular school activity. (LOE, article 26)</p> <p>1.6.8 Foreigners younger than 16 have the right and duty to receive education, which includes access to a basic, free and compulsory education. Foreigners younger than 18 also have the right to post-compulsory education.</p> <p>Public powers will ensure that foreigners may receive an education to improve their social integration. (Organic Law 4/2000, article 9)</p>
<p>1.7 Policy has the goal of supporting all teachers to have positive attitudes towards all learners.</p>	<p>–</p>
<p>1.8 Policy requires learning material to be accessible.</p>	<p>1.8.1 These schools should adapt the physical and material conditions to the needs of the pupils enrolled there, have the necessary resources available (special teachers, qualified professionals, etc.) and must likewise take pedagogical, organisational and operational measures for accommodating</p>



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	<p>pupils with special educational needs within their programmes. (p. 9)</p> <p>1.8.2 It focuses on accessibility. Education Administrations will promote programmes to adapt the physical and technological conditions of the school (including transportation) and will provide them with material and access resources appropriate for the needs of their learners, especially learners with disabilities, so inclusive and universally accessible attention is available for everyone. (Title 4, Article 110, Organic Law 2/2006)</p> <p>1.8.3 Education Administrations will establish universal accessibility and design standards and the human and material support resources which favour access to the curriculum to learners with SEN and will adapt the instruments, and whenever necessary, times and support which ensure their adequate evaluation. (RD 1105/2014, articles 9 and 29)</p> <p>1.8.4 LOMCE, in section 69, adds a new article, Article 111 bis, to LOE. Virtual learning environments used by schools must, respecting the interoperability standards, allow every learner access, from anywhere and at any time, to the learning environments, taking into account the principles of universal accessibility and design for all.</p> <p>1.8.5 Royal Decree 1147/2011, of 29 July (general organisation of vocational education and training – VET – in the education system). Studies will provide adequate attention, with universal accessibility and the necessary support resources, to learners with disabilities. They will also be adapted to these learners so their access, retention and progression are guaranteed. (Articles 3 and 5)</p> <p>1.8.6 Primary and secondary schools must also have access to information and communication technology, guaranteeing access to the digital environment for learners with different capacities. (RD 132/2010, article 1)</p>
<p>1.9 Policy describes an effective framework of support for schools to implement inclusive education.</p>	<p>1.9.1 ... In addition to the guidance teams working for the educational establishments of a district or area (zone or sector teams), specialised specific teams and early intervention teams have been set up in some Autonomous Communities. Regardless of the education authority to which they report,</p>



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<p><i>(Support structures focus on different forms of educational resource centres that are locally organised to offer support to individual or clusters of schools.)</i></p>	<p>guidance teams have among their duties the detection, assessment and diagnosis of special educational needs as well as counselling, collaborating and participating in the educational process of pupils with special educational needs.</p> <p>1.9.2 In most of the Autonomous Communities, guidance teams are still part of an external support network for schools. It is frequent for members of the teams to be part of the school staff (through the teachers' council, the guidance department – when it exists –, the pedagogical co-ordination commission, etc.).</p> <p>In almost all Autonomous Communities, guidance departments have been set up in secondary education establishments and, in some communities, in infant and primary education schools. The result has been a closer bond between specialised support services and schools, which has improved the response to special educational needs. (p. 11)</p> <p>1.9.3 In accordance with the evaluation and report issued by the educational and psycho-pedagogical guidance teams, learners with SEN (due to disability) will enrol in special education schools when they need significant adaptations in the areas of the official curriculum for their age, and when it is considered that, due to that their level of adaptation, their social integration in a mainstream school would be minimal. (RD 696/1995, article 19)</p>
<p>1.10 Policies outline a continuum of support for children and young people in schools, to meet the full diversity of learners' needs.</p>	<p>1.10.1 Provisions for learners with special educational needs are governed by principles of normalisation and inclusion and ensure non-discrimination and real equality in access to the education system and continued attendance, allowing flexibility in the different stages of their education when necessary. The schooling of these learners in special education schools or units, which may be extended to the age of 21, will only take place when their needs cannot be met by the special needs provisions available in mainstream schools. (p. 2)</p> <p>1.10.2 All the Autonomous Communities consider the possibility of appointing preferred centres for the enrolment of pupils with specific special educational needs, who may require a particular type of environment or a professional specialisation difficult to find in many places. In this way, suitable</p>



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	<p>educational assistance may be guaranteed for such pupils. (p. 9)</p> <p>1.10.3 For pupils with serious developmental disorders who cannot attend school, pupils who are hospitalised, or pupils who must be absent from school for prolonged or repeated periods of time for medical reasons, the Autonomous Communities have formulated and implemented various organisational alternatives, which include:</p> <ul style="list-style-type: none">• mobile special education teachers who go to pupils' homes, so that they may receive their educational schooling;• mobile attention on the part of special education centres for under school-age pupils with special educational needs or those who are enrolled in mainstream schools;• the setting up of mobile school support units and school support units in hospitals. (p. 11) <p>1.10.4 The LOMCE (2013) regulates and governs special education within general education and asserts the incorporation of special education into the mainstream system. (p. 6)</p> <p>1.10.5 Education Administrations may consider grouping learners with permanent special needs associated with disability in the same school, when meeting their needs requires special equipment or a professional specialisation difficult to find in many schools. (RD 696/1995, articles 13, 14 and 15)</p> <p>1.10.6 RD 443/2011, on safety conditions in school and minors' transportation, establishes that:</p> <ul style="list-style-type: none">• Enough places for people with reduced mobility must be reserved near service doors.• The vehicle floor must not be slippery. Transport for learners with serious mobility problems must have the technical aids which make it easy to get on and off.• There must be an accompanying adult who takes care of learners during the journey. If there are learners with special educational needs, this person must have the adequate qualifications to help those learners. (Articles 4 and 8)



Agency recommendation	Findings
<p>1.11 Policy outlines strategies for awareness-raising with all stakeholders in inclusive education.</p>	<p>1.11.1 Education Administrations will foster ... the prevention of gender-based violence or violence against people with disabilities and the values inherent in the principle of equal treatment and non-discrimination based on any personal or social status or circumstance.</p> <p>They will foster learning ... the values underlying freedom, justice, equality, political pluralism, peace, democracy, respect for human rights, respect for men and women alike, for people with disabilities, etc.</p> <p>Compulsory secondary education (CSE) and general upper-secondary education (<i>Bachillerato</i>) curricula will include curricular elements related to ... abuse of people with disabilities. (RD 1105/2014, article 6)</p> <p>1.11.2 The Ministry of Education, Culture and Sport and the Ministry of Health, Social Services and Equality, in collaboration with the Education Administrations and interested organisations and bodies, will promote information activities, awareness-raising campaigns, training actions and any other activities that may be necessary to promote equal opportunities and non-discrimination, especially against women and people with disabilities, as well as the prevention of gender-based violence. (RD1105/2014, additional disposition 9)</p> <p>1.11.3 Awareness-raising, information and training programmes will be organised for school leaders, teachers and education professionals, geared towards their specialisation in the special educational needs of learners with disabilities. (Royal Legislative Decree, article 20)</p> <p>1.11.4 Public powers will develop and foster information activities, awareness-raising campaigns, training actions and any other necessary actions to promote equal opportunities and non-discrimination, in collaboration with the organisations which represent people with disabilities and their families. These campaigns will be accessible to people with disabilities. (Royal Legislative Decree 1/2013, article 59)</p> <p>1.11.5 Two of the operational goals of axis number 3 of the Action Plan of the Spanish Strategy for</p>



Agency recommendation	Findings
	<p>Disability 2014–2020 are:</p> <ul style="list-style-type: none"> • to foster the knowledge of disability in curricula; • to foster the knowledge and awareness of the education community about the needs of people with disabilities.
<p>1.12 Policy outlines the development of the role of special schools as a resource to increase the capability of mainstream schools and improve support for all learners.</p> <p><i>(The specialist knowledge and skills of special school / resource centre are maintained and further developed so as to enhance support for learners, such as those with low-incidence disabilities.)</i></p>	<p>1.12.1 Special education schools will transform gradually into resource centres open to the professionals of the schools in their area.</p> <p>Educational authorities will foster combined schooling experiences in mainstream and special education schools, when these experiences are considered appropriate to meet the needs of the participant learners. (RD 696/1995, article 24)</p>

Measure 1 evaluative comments

All learners have the right to attend mainstream education depending on the evaluation of their needs. We still need to improve to provide quality education for all learners; e.g. teacher training at university has to improve to include more aspects on inclusion. We also must ensure that learners have the same opportunities in all regions.



Measure 2: To support improved co-operation, including greater involvement of parents and local community

Agency recommendation	Findings
<p>2.1 The full involvement of families in all educational processes is outlined in legislation and policy.</p>	<p>2.1.1 The quality principles within the education system are:</p> <ul style="list-style-type: none">• the joint efforts of learners, families, teachers, schools, administrations, institutions and society as a whole;• the recognition of the role played by parents or legal guardians as the people primarily responsible for their children’s education (p. 24). <p>2.1.2 It establishes the rights of parents related to their children’s education. Among them are the right:</p> <ul style="list-style-type: none">• for learners to have a maximum quality education according to the Constitution, the corresponding State of Autonomy and the educational laws;• to choose the educational centre;• to be informed about their children’s learning and socio-educational progress;• to participate in the teaching and learning process of their children;• to participate in the organisation, working, governance and evaluation of the school;• to be heard on decisions about their children’s academic and professional guidance. <p>It also establishes their duties. They include:</p> <ul style="list-style-type: none">• to adopt the necessary measures, or ask for help in case of difficulty, so their children study compulsory education and go regularly to class;• to participate actively in the activities proposed by the school so their children’s performance is improved;



Agency recommendation	Findings
	<ul style="list-style-type: none">• to know, participate and support the evolution of their educational progress in collaboration with teachers and schools. Article 4 (Modified by Final disposition 1, 1 of Organic Law 2/2006, LOE) <p>2.1.3 Schools will promote education commitments between families and the school which establish the activities parents, teacher and learners agree to develop to improve school performance. (Title 4, Article 121, Organic Law 2/2006)</p> <p>2.1.4 Administrations must guarantee the participation of parents or guardians in the decisions concerning schooling and educational processes of these learners [with specific needs for educational support]. They must also ensure parents or guardians receive the necessary counselling and information that helps them in the child’s education. (Title 2, Article 71, Organic Law 2/2006)</p> <p>2.1.5 Schools will establish mechanisms so parents can closely collaborate with the school. (Royal Decree 1630/2006, of 29 December, which establishes the minimum teaching for the second cycle of infant education)</p> <p>2.1.6 The collaboration of parents will be sought, both in the need identification process and the prevention or compensation measures, fostering the educational and rehabilitation value of the daily routines which take place at home. (RD 696/1995, article 9)</p> <p>2.1.7 Schooling Commissions will decide, after hearing the affected sectors, especially parents or guardians, the type of schooling for learners with permanent special educational needs associated with a disability. This decision will aim for the effective integration of these learners. (RD 696/1995, article 14)</p> <p>2.1.8 During early childhood education, schools will closely collaborate with parents or guardians and will establish mechanisms to foster their participation in the educational process. (RD 1630/2006, article 9)</p> <p>2.1.9 Parents or guardians must participate and support the evolution of their children’s educational</p>



Agency recommendation	Findings
	<p>process, as well as know the decisions on evaluation and promotion, and collaborate in the support or reinforcement measures adopted by the school. They will have access to the official evaluation documents and exams. (RD 1105/2014, article 8)</p> <p>2.1.10 The main guidelines of the yearly school evaluation report, which reflects the improvements in comparison with the previous year, as well as the school's educational project, will be available for those parents who ask for it, so they have more complete information about the school. This allows them to get involved in its educational approach with a greater level of knowledge and involvement. (Order of 21 February 1996, third article)</p>
<p>2.2 Policy for inclusive education places learners and their families at the centre of all actions.</p>	<p>2.2.1 This flexibility means that schools have a certain level of autonomy which allows them to adapt their educational action to their circumstances and the characteristics of their learners, so all their learners are successful [...] It is the teachers' duty to allow learners to develop their capacities to the maximum level, adapt the curriculum to the characteristics of their learners, and get parents to engage with their children's education. (Preamble, Organic Law 2/2006)</p> <p>2.2.2 It establishes the functions of the teaching staff. Among them, we can highlight:</p> <ul style="list-style-type: none"> • learners' tutoring, learning guidance and support in their education process, together with the families; • learners' educational, academic and professional guidance in collaboration with the specialised services or departments; • periodical information to the families about the learning process of their children, as well as guidance for their co-operation (Title 2, Article 91, Organic Law 2/2006). <p>2.2.3 Early detection and evaluation of the special educational needs of children with disabilities will be ensured and carried out by the educational and psycho-pedagogical guidance teams. Educational support to these children will begin, whatever their age, as soon as disability is detected and will aim to, as early as possible, correct the effects of the detected disability, prevent and avoid its appearance</p>



Agency recommendation	Findings
	<p>and, in general, support and stimulate their development and learning process in a context of maximum integration. The necessary co-ordination measures with other State administration bodies and with the regional and local Administrations will be fostered in order to fulfil those objectives. (RD 696/1995, article 12)</p> <p>2.2.4 The teaching team will propose to parents or guardians learners' incorporation into the programmes mentioned in 6.5.5. These learners must have repeated a year in any stage and not fulfil the conditions to progress to the second year of CSE after having studied the first year, or to progress to the third year after having studied the second year. Their incorporation into these programmes will require an academic and psycho-pedagogical evaluation and will happen after hearing both parents or guardians and learners. (RD 1105/2014, article 19)</p>
<p>2.3 Sharing information among professionals and families is a policy priority.</p>	<p>2.3.1 In line with the objectives established in this Law, the educational activities and the organisation and functioning of public schools will be inspired by the principle of participation of the members of the school community. (Article 19, Organic Law 8/1985)</p> <p>2.3.2 It establishes that the Education Administration will promote the participation of teachers, learners, parents and administration and services staff in the schools; they will also promote collaboration between families and schools (Title 4, Article 112, Organic Law 2/2006).</p> <p>2.3.2 Organic Law 8/1985, in its article 4 (modified by Final disposition 1, 1 of Organic Law 2/2006, LOE) establishes that one of the rights parents have is to be informed about and participate in the teaching-learning process of their children; it also establishes that one of their obligations is to actively participate in the activities of the school.</p> <p>2.3.3 Parents and, where necessary, families or guardians, will receive continuous information on the decisions related to their children's schooling, both before enrolment and during the educational process and, particularly, when they entail extraordinary schooling conditions, personal means or curricular decisions (RD 696/1955, article 9).</p>



Agency recommendation	Findings
	2.3.4 Article 91: Periodical information to families about the learning process of their children, as well as guidance for their co-operation (Organic Law 2/2006, LOE).
2.4 Policy has the goal of supporting parental interaction and communication with professionals.	<p>2.4.1 Parents have the right to join associations which may use the school facilities for their activities. Among the goals of these associations are to:</p> <ul style="list-style-type: none"> • help parents or guardians in everything that has to do with their children’s education; • collaborate in the school activities; • promote the participation of parents in school governance (Article 5, Organic Law 8/1985). <p>2.4.2 The Education Administrations will foster co-operation between the school and the families of deaf, hearing-impaired and deaf-blind learners (Law 27/2007, article 8).</p> <p>2.4.3 The Education Administrations will take the appropriate measures so parents of talented or gifted learners receive adequate continuous and individualised advice, as well as the necessary information on the educational assistance their children receive and any other information that helps them in their children’s education. Parents and learners will also be informed about the ordinary or extraordinary measures which are taken. The parents’ consent will be necessary to adopt such measures. (RD 943/2003, article 4)</p> <p>2.4.4 In programmes for transition to adult life, family involvement requires adequate channels for participation, so as to gather information in meetings and interviews and keep adequate collaboration relationships, with the objective of optimising the resources of the different sectors of the education community and provide, above all, the best education possible. (Resolution of 20 May 1999, Annex I)</p>
2.5 Schools are expected and supported to involve a wider range of partners and foster formal and informal networks that	2.5.1 The Education Administrations may collaborate with other Authorities, public or private non-profit-making institutions or associations, to provide schooling and a better incorporation into the school for learners with specific needs for educational support. (LOE, article 72)



Agency recommendation	Findings
support their practice.	<p>2.5.2 The Education Administrations will foster the provision of complementary activities and services so they can expand their educational offer to meet the new social demands, as well as have the adequate means, especially those schools with a higher number of learners with specific educational support needs. (LOE, article 112)</p> <p>2.5.3 The Education Administrations will co-operate with associations representing deaf, hearing-impaired and deaf-blind people, and their families, in the delivery of training to learn Spanish sign language. (Law 27/2007, article 8)</p> <p>2.5.4 Education Administrations will establish measures which guarantee the necessary co-ordination with other services dependent on education and work administrations, municipalities, social actors, and any other body which provides professional guidance services. (Organic Law 4/2011, article 55)</p> <p>2.5.5 It modifies article 119 of LOE. It is about participation in the governance and functioning of the school. Authorities will guarantee the participation of the educational community in the control and management of the schools. The teaching staff will also participate in pedagogical decisions. The participation of learners will be through their group and level representatives, as well their representatives in the school council. Parents will participate through their associations. (Organic Law 8/2013, section 72)</p> <p>2.5.6 Chapter 2, Article 19: In line with the objectives established in this Law, the educational activities and the organisation and functioning of public schools will be inspired by the principle of participation of the members of the school community. (Organic Law 2/2006, LOE)</p>



Measure 2 evaluative comments

Even though the State law mentions the involvement of parents and other stakeholders in the education system, this collaboration rests mainly with the school, which is the one that organises and establishes how involved they are in the daily life of the school. We are aware there must be improvements on this so there are not differences among schools.

There must also be improvements in involving parents and other stakeholders in the evaluation of the functioning of the system.

Measure 3: To develop monitoring strategies, establishing a comprehensive accountability and evaluation framework for inclusive education

Agency recommendation	Findings
<p>3.1 Policy describes clear mechanisms to evaluate effectiveness and quality in inclusive education.</p>	<p>3.1.1 Evaluation of the education system is carried out by the National Institute for Educational Evaluation (INEE) – formerly known as the National Institute for Evaluation and Quality of the Education System – and by the equivalent bodies designated by the Education Administrations, which assess the education system in their area of competence. [...] The assessment units of the various Autonomous Communities collaborate with the INEE in the different assessment activities of the education system, and are responsible for carrying out an assessment of the education system within their territory. (p. 23)</p> <p>3.1.2 Assessment of educational establishments is of a dual nature: internal assessment carried out by the education community itself, and external assessment which is carried out by assessment specialists, normally the Education Technical Inspection. (p. 23)</p> <p>3.1.3 The Education Act also regulates the evaluation of the education system and establishes procedures for the evaluation of its different areas and elements, obliging the relevant authorities and different agents to account for the current situation and its evolution. (p. 24)</p> <p>3.1.4 One of the competencies of the teaching staff is to analyse and assess the general functioning of the school, the evolution in learners’ success, and the results of internal and external evaluations in which the school participates. (LOE, article 129)</p>



Agency recommendation	Findings
	<p>3.1.5 The Ministry of Education, through the INEE, will foster the periodical evaluation of the measures outlined in RD 696/1995. (RD 696/1995, article 5)</p> <p>3.1.6 In any case, the Autonomous Communities are responsible for drawing up and implementing assessment plans in territories under their management. All these plans are found to have the same objective and basic characteristics (p. 23)</p> <p>3.1.7 Given the decentralised nature of the Spanish education system, the educational evaluation of non-university levels is organised into three levels:</p> <ul style="list-style-type: none"> • General evaluation of the education system is the responsibility of the State, which works in collaboration with the Autonomous Communities. • The Autonomous Communities are in charge of evaluating the education system and educational institutions within their respective territory. • Educational institutions develop internal evaluation mechanisms with the support of the education authorities. (p. 24)
<p>3.2 Monitoring procedures ensure that inequalities in access to educational resources at regional or organisational levels are addressed.</p>	<p>–</p>
<p>3.3 Accountability measures that impact upon educational professionals' work reflect the importance of wider learner achievements.</p>	<p>3.3.1 The duties of this body are to:</p> <ul style="list-style-type: none"> • assess the degree to which the core curricula are mastered at the various levels, cycles and grades of the education system; • carry out research, studies and evaluations regarding the system;



Agency recommendation	Findings
	<ul style="list-style-type: none"> • assess the general reforms of the system, as well as its structure, effectiveness and efficiency; • draw up assessment systems for the different types of education and their corresponding establishments; • provide and exchange information with the education authorities to facilitate decision-making (p. 23). <p>3.3.2 It establishes that evaluation in early childhood education must serve to identify what the child has learnt and the pace and characteristics in the evolution of the child. Teachers will also evaluate their teaching practice. (Royal Decree 1630/2006, of 29 December, articles 7 and 8)</p> <p>3.3.3 There is a need to establish evaluation mechanisms of the different areas and agents of the educational activity – learners, teachers, schools, curriculum, Administrations – and to engage the relevant authorities to account for the existing situation and development experienced in the field of education. (Preamble, Organic Law 2/2006)</p> <p>3.3.4 If the individualised final evaluation in the third year is negative, the teaching team will adopt the most appropriate ordinary or extraordinary measures. These measures will be laid down in collective or individual improvement plans which allow for solving difficulties, in collaboration with families and by means of educational support resources. (RD 126/2014, article 12)</p>
<p>3.4 Policy outlines common standards for service and provision evaluation for use across health, education and social services.</p>	<p>3.4.1 The INEE [...] has to inform the various sectors of society about the functioning and outcomes of the education system (p. 23).</p> <p>3.4.2 Public administrations must ensure the maintenance of adequate support services, through the co-ordination of the habilitation and rehabilitation services in the fields of health, work, education and social services, with the objective of guaranteeing people with disabilities an adequate and diversified nearby service and programmes offer, in the setting of their ordinary life, both in rural and urban areas. (Royal Legislative Decree 1/2013, article 13)</p>



Agency recommendation	Findings
<p>3.5 Policy outlines how to involve families in the process of evaluating quality of services.</p>	<p>3.5.1 Together with the evaluation at the end of primary education, context questionnaires will be applied: one for learners, another for parents, and another for the school management team. (Resolution of 30 March, second)</p> <p>3.5.2 Teachers, parents and, where appropriate, learners will participate in the monitoring and management of public schools. (Spanish Constitution, article 27, section 7)</p>
<p>3.6 Policy describes mechanisms to evaluate demand for services.</p>	<p>–</p>
<p>3.7 Policy supports opportunities for school teams to evaluate their practice through involvement in research and development activities.</p>	<p>3.7.1 One of the functions of the teaching staff is research, experimentation and continuous improvement of the teaching processes. (LOE, article 91)</p> <p>3.7.2 In order to improve the quality of education and teaching, the Education Administrations will draw up plans to evaluate the teaching practice, with the participation of the teaching staff. These plans, which must be public, will include precise evaluation objectives and criteria, and methods of participation by the teachers, the educational community and the authorities. (LOE, article 106)</p> <p>3.7.3 One of the head teacher’s responsibilities is to foster school internal evaluations and collaborate in external evaluations and the evaluation of the teaching staff. (LOMCE, section 81)</p> <p>3.7.4 Education Administrations will foster the pedagogical and organisational autonomy of schools, teamwork among teachers and research activities based on their educational practice. (RD 1630/2006, article 9)</p>



Measure 3 evaluative comments

As the Autonomous Communities directly provide services in the framework of their competences, they are the ones in charge of evaluating the need for services and resources.

Even though there are no gaps in this measure, a lot of improvement can be made in terms of monitoring the system. This monitoring is nowadays mainly based on data collection and not on monitoring how the different measures and plans are carried out in schools, as there is strong opposition from teachers and schools. Also, more opportunities for research and improvement should be given to teachers, as this will also reduce their opposition to monitoring by the administrations.

Measure 4: To improve the cost-effectiveness of the education system, combining efficiency, effectiveness, equity and inclusion

Agency recommendation	Findings
<p>4.1 National level inclusive education strategies are linked to long-term financial support.</p>	<p>4.1.1 Some 80% of education expenditure in Spain is financed through public funds, while the remaining 20% comes from private funds. In 2014, Spain devoted 4.39% of its gross domestic product to education. Public funds earmarked to finance Spanish education are mainly provided by the Ministry of Education, Culture and Sport, as well as the education authorities of the corresponding Autonomous Communities. Other ministries, as well as other local and regional authorities, also provide funding. (p. 4)</p> <p>4.1.2 Regardless of the authority providing funding, public spending is not earmarked for public education only, but is also allocated to subsidise private establishments and finance learner scholarships and grants. (p. 4)</p> <p>4.1.3 The Education Administrations must ensure the necessary resources so learners who require specific educational assistance (because of SEN, specific learning difficulties, attention deficit hyperactivity disorder, being talented or gifted, late entry into the education system, or personal or school history conditions) can develop their capacities as much as possible and reach the general objectives established for all learners. (Organic Law 2/2006, LOE, Article 71)</p> <p>4.1.4 It is about material and human resources. It establishes that it is the duty of the Education</p>



Agency recommendation	Findings
	<p>Administration to provide schools with the necessary resources. Those schools with a higher proportion of learners with specific educational needs than that established will receive complementary resources. (Title 4, article 112, Organic Law 2/2006)</p> <p>4.1.5 The Authorities must provide the resources and the schools have to organise them so as to make best use of them. (Preamble, Organic Law 2/2006)</p> <p>4.1.6 It establishes that Education Administrations must provide the necessary economic resources in order to, among other things:</p> <ul style="list-style-type: none">• establish reinforcement and support programmes and improve learning programmes;• respond to the diversity of learners with special attention to those with specific educational needs;• establish support measures for teachers;• have specialised services or professionals in educational, psycho-pedagogical and professional guidance (Title 5, Article 157, Organic Law 2/2006). <p>4.1.7 Schools will receive the necessary educational, human and material resources to offer a quality education and guarantee equal opportunities in access to education. Education Administrations may allocate additional resources to schools depending on special projects or the characteristics of the population they take care of. (LOMCE, section 76)</p>
4.2 Funding policies and structures provide flexible resourcing systems that promote inclusion.	<p>4.2.1 Education funding comes from the following sources:</p> <ul style="list-style-type: none">• National budget• Autonomous Communities• Ministry budget (p. 4).



Agency recommendation	Findings
	<p>4.2.2 It is the duty of the Education Administrations to provide public schools with the material and human resources necessary to provide quality education and guarantee equal opportunities in education. (LOE, article 112)</p> <p>4.2.3 It is the responsibility of the Education Administrations to provide the necessary resources to guarantee [...] attention to learner diversity and especially to those who have specific needs for education support; ... teacher support measures; specialised services or staff to provide educational, psycho-pedagogical and professional guidance. (LOE, article 157)</p> <p>4.2.4 The education authorities will provide schools with the didactic equipment and the necessary technical means to ensure the monitoring and participation of learners with SEN in the school activities. Likewise, they will ensure these learners can access the school, move around it and use the different facilities. Similarly, when activities take place outside the school, the necessary help will be provided. (RD 696/1995, article 8)</p> <p>4.2.5 Public bodies will provide funding for the acquisition of technical supports for deaf, hearing-impaired and deaf-blind people. (Law 27/2007, additional disposition 7)</p> <p>4.2.6 Financial aids will be adapted to the circumstances and characteristics of specific educational support needs due to disability or high intellectual capacities. The aids for learners with SEN can have one or more of the following components: schooling (to pay the school costs), travel expenses (they have three modalities: urban, intercity, and weekend travelling for those in boarding schools), school canteen, school accommodation, books and didactic material, pedagogical and language re-education, transport and school canteen subsidies. The aids for gifted and talented learners have the objective of paying for their enrolment and attendance at specific programmes. (RD 1721/2007)</p>



Agency recommendation	Findings
4.3 There are long-term funding commitments to support collaborative initiatives between various school-based, resource centre and research teams.	4.3.1 Special education schools will create the necessary conditions to facilitate the link with mainstream schools, and the inclusion of their learners in the mainstream education system. (Royal Legislative Decree, article 20)
4.4 Policy outlines mechanisms for systematic data collection on expenditure and implementation that informs cost-effectiveness issues.	4.4.1 The INEE draws up a state system of indicators which will allow for evaluation of the system's degree of effectiveness and efficiency (p. 23).

Measure 4 evaluative comments

It is the Autonomous Communities that decide how and on what to spend their budgets for education.

Measure 5: To increase participation in good quality inclusive early childhood education and care and enrolment rates in pre-school education

Agency recommendation	Findings
5.1 Policy clearly respects the rights and the needs of children and their families.	<p>5.1.1 Infant education schools must closely collaborate with parents. (Article 12, LOE)</p> <p>5.1.2 Schooling in early childhood education will take place in mainstream schools which have the appropriate human and material resources to guarantee quality educational assistance. Only in exceptional cases will learners attend a special education school. Learners with SEN will begin and finish this stage at the ages established by law. Exceptionally the Education Administration may authorise them to stay one more year, following the report of the educational and psycho-pedagogical guidance team. (RD 696/1995, article 13)</p> <p>5.1.3 Special education will begin as soon as the impairment or risk of impairment is detected, no</p>



Agency recommendation	Findings
	<p>matter the age. The objective will be to remedy as much as possible the detected impairments, prevent and avoid their appearance and, in general, direct, support and stimulate the learner's development and socialisation process in an environment of complete integration. (Chapter II, article 5, Royal Decree 334/1985)</p>
<p>5.2 Support is available for families to recognise and understand the needs of their child.</p> <p><i>(Support focuses upon and what is in the child's best interests.)</i></p>	<p>–</p>
<p>5.3 Policy outlines how ECI services should be provided for children and families as early as possible and as quickly as possible, following identification of need.</p>	<p>5.3.1 It is the responsibility of the Education Administrations to provide infant school provision for children with special educational needs and to develop appropriate schooling programmes for them in primary and secondary education (LOE, article 74).</p>
<p>5.4 Policy states that in risk situations, the child's rights should come first.</p>	<p>5.4.1 Organic Law 1/1996, in article 2, modified by Organic Law 8/2015 and Law 26/2015, which deals with protection of childhood, establishes that every child has the right to have their best interests valued and considered in every action and decision that concerns them. The child's best interests will take precedence over any other legitimate interest that may appear.</p>
<p>5.5 Policy measures and guidelines clearly define quality standards for early childhood services and provision.</p>	<p>5.5.1 Early childhood education schools must meet, among others, the following requirements in terms of facilities:</p> <ul style="list-style-type: none"> • they must meet the conditions on accessibility and elimination of barriers regulated by the law; • they must have the following facilities: <ul style="list-style-type: none"> - adequate spaces for learner and parents' associations to meet;



Agency recommendation	Findings
	<ul style="list-style-type: none"> - toilets and hygiene and sanitary facilities suitable for the number of learners and the needs of both learners and staff, as well as those adapted to the needs of people with disabilities in the proper proportion; - the necessary spaces to give support to learners with specific needs for educational support (RD 132/2010, article 3).
5.6 Early childhood guidance is developed jointly by departments of health, education and social services.	–
5.7 Policy for early childhood services supports cross sectoral, multi-disciplinary working at regional and local levels.	5.7.1 The Ministry of Education will foster the establishment of agreements with other State Administration bodies, the regional and local Administrations, and non-profit institutions for the schooling and educational care of children with permanent special needs in early childhood education. (RD 696/1995, article 13)
5.8 Policy ensures there are pre-school places offered to children coming from ECI services/provision.	5.8.1 Public administrations will foster a progressive increase in the offer of places in early childhood centres in the first cycle (0–3 years). (LOE, article 15)
5.9 Policy outlines how cost-free services/provision are made available for families.	<p>5.9.1 The second cycle (3–6) will be free. Education Administrations will guarantee there is an adequate offer of places in public schools and publicly-funded private schools. (LOE, article 15)</p> <p>5.9.2 In order to make possible the school integration of children with disabilities from 2–5 years, the necessary support will be provided free of charge. (RD 334/1985, article 4)</p>
5.10 Policy ensures the same quality of service irrespective of differences in geographical location. <i>(Such as isolated or</i>	<p>5.10.1 Actions will be taken for those schools or geographical areas which need educational compensatory intervention. (Organic Law 2/2006, article 81)</p> <p>5.10.2 Article 82 focuses on the rural population and the particularities of rural schools so the</p>



Agency recommendation	Findings
<i>rural areas).</i>	administrations take those into account to provide them with the necessary resources and organisation systems. Children may be grouped into a nearby school to guarantee quality education. In this case, transport, lunch or boarding services will be free. (LOE)

Measure 5 evaluative comments

<p>There are no established early childhood intervention services in Spain. Children stay at home or go to early childhood schools (0–6 years) which belong to the education system, so the legislation mentioned in this measure refers to educational provision.</p> <p>Autonomous Communities are in charge of the provision and organisation of early childhood education services in their territories.</p> <p>One aspect to be improved is the collaboration of education, health and social services at a national level, so all those aspects are covered in the same piece of legislation.</p>

Measure 6: To improve student-focused measures such as mentoring, personalised learning approaches and improved guidance

Agency recommendation	Findings
6.1 High expectations for all learners' achievements underpin policy for inclusive education.	<p>6.1.1 The LOE, in its Preamble, establishes the need for every child to succeed at school.</p> <p>6.1.2 The Organic Act on Education (LOE, 2006) states:</p> <p><i>The Education Administrations will provide the necessary measures to ensure that all learners reach their maximum personal, intellectual, social and emotional potential, as well as the objectives of a general nature established in the present Act.</i></p> <p>It also adds:</p> <p><i>In order to put into practice the principle of equality in the exercise of education rights, the public authorities will carry out compensatory measures with disadvantaged people, groups and regions</i></p>



Agency recommendation	Findings
	<p><i>and provide the necessary economic resources and support. The ultimate goal should be a school for all (p. 20).</i></p> <p>6.1.3 The measures adopted by schools to cater for diversity will focus on ensuring that learners reach the objectives set for CSE and will not, under any circumstances, involve discrimination which prevents them from achieving such objectives and the corresponding qualification. (LOE, article 22)</p> <p>6.1.4 It is also the responsibility of the Education Administrations to encourage learners with special educational needs to continue their schooling in post-compulsory levels, as well as to modify the exam conditions for those learners with disabilities. (LOE, article 74)</p> <p>6.1.4 In the case of learners repeating a year, reinforcement measures will be implemented. These measures will be adapted to the learner needs and will have the objective of overcoming the detected difficulties. (LOMCE, section 19)</p> <p>6.1.5 So as to ensure that every learner reaches the objectives and adequately acquires the basic competences, Education Administrations will establish education support measures, with special attention to learners with SEN. (LOMCE, section 19, which modifies article 28 of LOE)</p> <p>6.1.6 Royal Decree 1630/2006, of 29 December, establishes the minimum teaching for the second cycle of infant education. In article 7, it establishes that evaluation at this stage must serve to identify what the child has learnt and the pace and characteristics in the evolution of the child. Teachers will also evaluate their teaching practice.</p> <p>6.1.7 In primary education, measures will be taken so the conditions for the evaluation meet the needs of learners with SEN. In case a learner has to repeat a year, they can do it only once and a reinforcement plan must be designed. It also establishes that special attention will be paid in this stage to personalised attention to learners, early diagnoses and the establishment of support measures in order to succeed. (LOMCE, section 20)</p> <p>6.1.8 For those learners in CSE who progress to the following year but have not passed all the subjects,</p>



Agency recommendation	Findings
	reinforcement programmes will be designed by the teaching staff. (LOMCE, section 19)
6.2 Policy outlines that learners' voices should be listened to in decision-making that affects them.	–
6.3 Teaching, support and guidance has the goal of empowering all learners.	–
6.4 Appropriate educational support is available as necessary and is fit for purpose in meeting personal learning needs.	<p>6.4.1 The supports that every individualised educational process needs will be intensified and diversified in special education, adapting them to the learners' needs and the characteristics of their disability. These supports include educational evaluation and counselling, pedagogical support, treatments and other personalised assistance. (RD 334/1985, article 11)</p> <p>6.4.2 Among the attention to diversity measures, the following ones will be considered: curricular adaptations, joining subjects into fields, support in the mainstream group, splitting groups, specific subject offer, learning and performance improvement programmes, and other personalised attention programmes for learners with specific needs for educational support. (RD 1105/2014, article 16)</p> <p>6.4.3 Royal Decree 126/2014, of 28 February (establishes the basic curriculum in primary education) One of the principles underpinning primary education is that teaching practice will be adapted to the learning pace of the learners. Education Administrations and schools may offer optional subjects related to the learning of braille, assistive technology for people who are blind, personal autonomy and sign language. (Articles 6 and 8)</p>
6.5 The learning process is based on flexible curricula based on learner centred approaches and the development and implementation of individual learning	<p>6.5.1 These professionals will establish performance plans with regard to each pupil's educational needs. (p. 6)</p> <p>6.5.2 Article 15: Schools can establish their own optional subjects, adapt programmes to their</p>



Agency recommendation	Findings
<p>plans as necessary.</p>	<p>environment, establish teaching methodologies and organise cultural activities, as long as this is not discriminatory for any member of the school community. (Organic Law 8/1985, of 3 July)</p> <p>6.5.3 Organic Law 8/2013, LOMCE, Primary, section 11: Flexibility measures and methodological alternatives will be established in the teaching and evaluation of foreign languages for learners with disabilities, especially those with difficulties in their oral expression. These measures will not be taken into account to reduce the qualification.</p> <p>6.5.4 In CSE and <i>Bachillerato</i>, flexibilisation measures and methodological alternatives will be established in the teaching and evaluation of foreign languages for learners with disabilities, especially for those with difficulties in their oral expression. (LOMCE, sections 17 and 24)</p> <p>6.5.5 CSE: This point introduces the learning and performance improvement programmes (PMAR). The PMAR will use a specific methodology which will be different to the general one by changing the organisation of contents and subjects, using a more practical approach, so learners can study their fourth year in the ordinary way. They are aimed at learners with significant learning difficulties which are not attributable to a lack of effort. (LOMCE, section 18)</p> <p>6.5.6 Royal Decree 943/2003, of 18 July: The flexibilisation measures consist of incorporation into a higher course up to a maximum of three times during their schooling. These limits can be eliminated in exceptional cases. This flexibilisation will include specific support measures and programmes. Parents must agree to this. (Article 7)</p> <p>6.5.7 The Resolution of 20 May 1999 proposes a model of transition to adulthood programmes for learners with SEN in special education schools in post-compulsory education – this includes some levels of secondary education.</p> <p>Teachers in these programmes will prepare individual plans for each learner. They will establish objectives, contents, evaluation criteria, methodological and assessment options so learners reach the objectives established for them. (Annex 1)</p>



Agency recommendation	Findings
	<p>6.5.8 Royal Decree 126/2014, of 28 February, establishes the basic curriculum in primary education. One of the principles underpinning primary education is that teaching practice will be adapted to the learning pace of the learners. Education Administrations and schools may offer optional subjects related to the learning of braille, assistive technology for people who are blind, personal autonomy and sign language. (Articles 6 and 8)</p> <p>6.5.9 CSE will be organised according to the principles of core education and attention to learner diversity. It is the Education Administrations' responsibility to regulate the organisational and curricular measures adopted to cater for diversity, which will allow schools a flexible organisation of teaching.</p> <p>Among the measures mentioned above are adaptation of the curriculum, the integration of subjects into different fields, streaming, dividing groups into two, optional subjects and remedial and personal programmes for learners with specific needs for educational support.</p> <p>Schools will have the autonomy to organise groups and subjects flexibly and adopt measures to cater for diversity appropriate for the characteristics of the learners. (LOE, article 22)</p> <p>6.5.10 The educational and psycho-pedagogical guidance teams will carry out the psycho-pedagogical evaluation required for the suitable schooling of learners with SEN, as well as for the monitoring and support of their educational progress. These teams are classified into early intervention teams, general teams and specific teams. The duty of the early intervention teams and, where appropriate, of the general teams, is early diagnosis of special educational needs and guidance and support to parents for the optimal development of their children. The general teams, as well as carrying out the psycho-pedagogical evaluation, will provide the necessary advice and technical-pedagogical support for the best educational care of learners with SEN enrolled in early childhood, primary and special education schools.</p> <p>The specific teams give specialised support to the general teams, the early intervention teams and guidance departments in secondary education schools which have learners with SEN and, in</p>



Agency recommendation	Findings
	<p>collaboration with them, to schools and learners who need it. (RD 696/1995, article 8)</p> <p>6.5.11 In CSE and <i>Bachillerato</i>, the most appropriate measures will be established so the conditions for carrying out the evaluations are adapted to the needs of the learners with SEN. (LOMCE, sections 19 and 28)</p> <p>6.5.12 In order to help all learners to achieve the objectives and the appropriate degree of competences, the Education Administration will establish educational reinforcement measures, paying special attention to specific needs for educational support. The individualised implementation of such measures will be reviewed periodically and, in all cases, at the end of the academic year. (LOMCE, section 19)</p> <p>6.5.13 Education Administrations must contribute to the development of the curriculum fostering the development of open models of teaching programmes and didactic materials which meet the different needs of learners and teachers. (LOMCE, section 74)</p> <p>6.5.14 In special education, individual development programmes will be prepared, with the participation of parents and teachers. These programmes must include the work plan developed for the learner and the required personalised support. (RD 334/1985, article 12)</p> <p>This programme will be monitored and there can be proposals for its modification. (RD 334/1985, article 13)</p> <p>6.5.15 Adaptations may consist of adjusting the content or development of the ordinary programmes, the methodology, the materials or the tests to the learner's physical, sensory or intellectual characteristics. Adaptations which do not reduce the basic level of knowledge necessary will allow learners to obtain the corresponding qualifications. (RD 334/1985, article 17)</p> <p>6.5.16 Special education schools will facilitate, whenever possible, the transfer of learners with disabilities to mainstream schools. In any case, they will co-ordinate their extra-curricular activities with those of mainstream schools. (RD 334/1985, article 21)</p>



Agency recommendation	Findings
	<p>6.5.17 The adaptation of the duration of the different levels, stages and qualifications for talented and gifted learners will involve their incorporation into a year higher than that corresponding to their age. This measure may be taken up to three times in basic education and just once in post-compulsory education. In exceptional cases, Education Administrations may adopt this measure without these limitations. This flexibility will include specific attention measures and programmes. These adaptations must have the parents' written agreement. (RD 943/2003, article 7)</p> <p>6.5.18 In CSE and <i>Bachillerato</i>, the subjects the Education Administrations and schools can offer include those related to braille, assistive technology for people who are blind, personal autonomy, augmentative and alternative communication systems, including support products for oral communication and sign language. (RD 1105/2014, articles 14 and 26)</p> <p>6.5.19 Teaching practice must be based on the principle of learner diversity. This practice must be adapted to the learner's personal characteristics, needs, interests and cognitive style. Education Administrations will establish the procedures which allow the identification of these needs and will facilitate the co-ordination of the sectors involved in early childhood education. Schools will adopt the necessary measures directed to learners with specific needs for educational support, seeking the best educational response to their personal characteristics and needs. (Royal Decree 1630/2006, of 29 December, articles 7 and 8)</p>

Measure 6 evaluative comments

It is clear that the role of learners in decision-making must be reviewed and improved.

Also, many aspects are regulated by the Autonomous Communities in the exercise of their competences in education.



Measure 7: To improve the school ethos (such as the creation of supportive learning environments, adapting learning environments to specific learning needs)

Agency recommendation	Findings
<p>7.1 Policy supports school leaders to value diversity among staff as well as learners, encourage collegiality and support innovation.</p>	<p>7.1.1 It establishes that, in primary education, special emphasis should be placed on diversity, individualised attention, prevention of learning difficulties and the implementation of support mechanisms as soon as difficulties are detected. (Organic Law 8/1985, of 3 July Article 19, Primary Education, Title 1)</p> <p>7.1.2 Among the duties, it establishes: to participate and collaborate in the improvement of school co-existence and learning environment in the school, respecting the schoolmates' right to education and the teacher. Article 6 (Modified by Final disposition 1, 3 of Organic Law 2/2006, LOE)</p>
<p>7.2 Policy outlines the responsibility of school leaders to effectively communicate their vision for inclusive education to the school teaching team and wider school community.</p>	<p>7.2.1 One of the head teacher's responsibilities is to exercise pedagogic management, promote educational innovation and foster plans to achieve the objectives established in the school educational plan. (LOMCE, section 81)</p>
<p>7.3 Policy aims to ensure the recruitment of teaching staff from diverse backgrounds, including those with disabilities.</p>	<p>7.3.1 It establishes the content of the calls for the provision of places. It establishes that the administrations must reserve a percentage of the places for people with disabilities with a degree of disability of at least 33% (Article 10, Royal Decree 276/2007, of 23 February, which regulates access to the teaching profession in public schools).</p> <p>7.3.2 In public employment vacancies, a quota of no less than 7% will be reserved for people with disabilities. Each public administration will adopt the necessary measures to adapt and adjust the times and media in the selection process. (Royal Legislative Decree 5/2015, article 59)</p>
<p>7.4 Policy supports schools to ensure teaching staff are able to meet diverse</p>	<p>7.4.1 The Education Administrations will establish the conditions to ensure that, in the first years of CSE, suitably qualified teachers will teach more than one subject to the same group of learners. (LOE,</p>



Agency recommendation	Findings
<p>learning needs.</p> <p><i>(Teaching staff have competence and expertise to develop individual plans, implement learner-centred approaches and support learners in personalised learning.)</i></p>	<p>article 26)</p> <p>7.4.2 The Education Administrations will employ teachers with the corresponding specialisations and qualified professionals, as well as provide the necessary resources and materials for learners with specific needs for educational support. (LOE, article 72)</p> <p>7.4.3 The Education Administrations will promote the training of teachers and other professionals in relation to attention for learners with specific needs for educational support. (LOE, article 72)</p> <p>7.4.4 Initial teacher education will be adapted to the qualification requirements of the general education system. The contents will ensure that future teachers acquire the necessary capacities to face the challenges to work in the education system and can adapt to new training requirements.</p> <p>To teach in the education system regulated by the Law, it will be necessary to hold the corresponding academic qualification and to have completed the pedagogic and didactic training stipulated by the Government.</p> <p>It is the duty of the Education Administrations to set up the relevant agreements with universities for the organisation of the pedagogic training mentioned above. (LOE, article 100)</p> <p>7.4.5 In order to fulfil their educational projects, public schools may formulate requirements on the qualifications and professional skills for certain posts in the school. (LOE, article 123)</p> <p>7.4.6 Support will be provided by professionals specialised in the different disciplines, integrated in teams. The composition of these teams will be flexible and they will work in a united and co-ordinated way.</p> <p>Educational evaluation and counselling will be carried out by pedagogues, psychologists, doctors and social workers, who will work in co-ordination with social services.</p> <p>Pedagogical reinforcement work will be carried out by special education teachers, who will be the connecting link between the school and the professionals in charge of evaluation and counselling.</p>



Agency recommendation	Findings
	<p>Personalised treatments and care will be carried out by qualified personnel. (RD 334/1985, article 15)</p> <p>7.4.7 The educational and psycho-pedagogical guidance teams and the guidance departments in secondary education schools which have gifted or talented learners will have professionals with specialised training. (RD 696/1995, article 11)</p>
<p>7.5 The school ethos and culture is guided by school strategic plans that have high expectations for the academic and social achievements of all learners.</p>	<p>7.5.1 Schools, in accordance with the principle of attention to the diversity of the learners' skills, interests and motivations, will include in their curricular projects the pedagogical, organisational and operational measures planned for the attention to learners with SEN. (RD 696/1995, article 6)</p> <p>7.5.2 The educational process of learners with SEN, in any case and circumstance, will develop the skills established in the general objectives of each educational stage. (RD 696/1995, article 6)</p> <p>7.5.3 Schools will develop and complete the curriculum and attention to diversity measures established by the Education Administrations, adapting them to the characteristics of the learners and their educational reality so as to serve all learners. They will also introduce methodologies which take into account the different learning paces of learners, foster the ability for self-learning and promote teamwork. (RD 126/2014, article 15)</p> <p>7.5.4 Schools will prepare their pedagogical proposals for CSE taking into account attention to diversity and each learner's access to mainstream education. They will also design methods which take into account the different learning paces, foster the ability to learn by themselves and team learning. (RD 1105/2014, article 15)</p>
<p>7.6 School strategic plans describe how universal design for learning approaches are used to provide individualised learning tools and opportunities.</p>	<p>7.6.1 The Education Administrations and the school management teams will foster the use of information and communication technology in the classroom, as an adequate and useful learning tool to carry out teaching-learning tasks. (LOMCE, section 69).</p> <p>7.6.2 The teaching team will establish the necessary measures to guarantee that the evaluation of the level of mastery of the basic competences is carried out in accordance with the principles of non-</p>



Agency recommendation	Findings
	discrimination and universal accessibility and design. (Order ECD/65/2015, article 7)
7.7 School strategic plans stipulate that all learners are entitled to be active participants in the life of the school and community.	–
7.8 School strategic plans have clear statements on the value of diversity.	<p>7.8.1 Schools will design their own pedagogic plans for CSE based on attention to diversity and all learners' access to common education. They will also employ methods which take into account the different learning paces and styles of the learners, help learners to develop the capacity to learn by themselves and promote teamwork. (LOE, article 26)</p> <p>7.8.2 School education projects will include values, objectives and action priorities. They must take into account the characteristics of the social and cultural environment of the school, include the ways to meet learner diversity and tutorial procedures, as well as the plan for school co-existence. They must respect the principles of non-discrimination and educational inclusion as fundamental values. (LOE, article 121)</p> <p>7.8.3 In early childhood education, the presence of different personal characteristics, due to gender, social or cultural origin, must be used by teachers to cater for diversity, favouring an environment dominated by respect and acceptance of differences. (RD 1630/2006, Annex)</p>
7.9 School strategic plans describe mechanisms for shared leadership, teamwork and collaborative problem solving.	7.9.1 Teachers must co-ordinate appropriately on the methodological and didactic strategies to be used. Educational teams must reach a common and shared reflection on the efficiency of the different methodological proposals with common and agreed criteria. (Order ECD/65/2015, Annex II)



Measure 7 evaluative comments

It must be underlined that public schools in Spain do not decide which staff they hire. The regional Education Administrations decide how many teachers and specialists a school needs, based on the number of learners and their characteristics. The system to decide which teachers go to which school is based on a list which is organised according to points obtained through:

- years of experience;
- being a professor;
- having doctorate/master's degree;
- having other university degrees;
- having other degrees (languages, art, VET);
- having been a member of a school's management team;
- continuing training;
- other merits.

Even though most aspects in this measure are covered, there is still room for improvement, mainly in everything related to learner involvement.

In addition to this national legislation, each Autonomous Community has its own legislation which regulates this measure, so there may be differences among them.



Measure 8: To reduce the negative effects of early tracking (the early streaming of pupils by ability into different types of provision or schools) and to reduce the extensive use of grade retention¹

Agency recommendation	Findings
<p>8.1 Legislation across relevant public sectors has the goal of ensuring educational services enhance developments and processes working towards equity in inclusive education.</p>	<p>8.1.1 LOMCE stipulates:</p> <ul style="list-style-type: none">• <i>It is the responsibility of the public authorities to ensure the incorporation into the Spanish education system of learners who arrive from other countries or who enter the education system late for any reason.</i>• <i>The Education Administrations will guarantee that the enrolment of late entries into the Spanish education system is adapted to the circumstances, knowledge, age and academic record of these learners to ensure they are incorporated into the academic year which is best suited to their characteristics and previous knowledge, with the relevant support to ensure that they will pursue their education as successfully as possible.</i>• <i>It is the responsibility of the Education Administrations to develop specific programmes for learners who have serious language problems or lack basic competences and knowledge, in order to facilitate their integration into the corresponding academic year.</i>• <i>The development of these programmes will be simultaneous, in all cases, with the learners' attendance of normal classes, according to their level and progress.</i>• <i>It is the responsibility of the Education Administrations to adopt the necessary measures to ensure that the parents or guardians of learners who enter the education system late receive the relevant information and advice concerning the rights, obligations and opportunities which incorporation into the Spanish education system entails. (19)</i>

¹ Early tracking means the early streaming of pupils by abilities into different types of provision or school; this includes placing children into separate schools. The extensive use of grade retention means holding students back to repeat school years, instead of providing flexible individual support.



Agency recommendation	Findings
	<p>8.1.2 At present, the LOMCE (2013) follows the guidelines developed by the LOE, introducing small changes. It considers four types of specific educational support needs: learners with special educational needs, gifted learners, late entries into the Spanish education system and specific learning difficulties. The principle of equity guarantees educational inclusion (p. 21).</p> <p>8.1.3 Organic Law 2/2006 (LOE) Article 2 establishes the objectives of the Spanish education system, which include:</p> <ul style="list-style-type: none"> • the holistic development of the learners’ personality and capacities; • education to respect basic rights and freedoms, equality of men and women, and equal treatment and non-discrimination against people with disabilities. <p>8.1.4 Article 4 (LOE) establishes that basic education is compulsory and free. It covers 10 years (6–16 years old), but learners have the right to stay in it until 18 if needed. A fundamental principle is attention to diversity, although this basic education must guarantee a common education for all learners. When such diversity requires it, the relevant organisational and curricular measures will be adopted.</p> <p>8.1.5 In primary education, special emphasis will be placed on attention to diversity, individualised attention, prevention of learning difficulties and implementation of reinforcement mechanisms as soon as difficulties are detected. (LOE, article 19)</p>
<p>8.2 Policy outlines how support structures that impact upon inclusive education are diverse and easily available.</p> <p><i>(Support structures prevent early tracking and streaming of pupils at an early age).</i></p>	<p>8.2.1 Article 72: In order to reach the objectives, the administrations will provide the corresponding specialist teachers and qualified professionals, as well as the necessary media and materials for adequate attention to these learners. (LOE)</p> <p>8.2.2 The counselling department will start from the psycho-pedagogical evaluation of the learner and the guidance report at the end of compulsory schooling in order to prepare the individualised plan. This plan may be modified if needed.</p>



Agency recommendation	Findings
	<p>Co-operative learning and family involvement will be fundamental for these programmes. (Resolution of 20 May 1999)</p> <p>8.2.3 Among the ordinary measures (offered to all pupils) contemplated by the educational system for attending to diversity, the following must be mentioned:</p> <ul style="list-style-type: none"> • successive levels of curricular formulation, involving the progressive adaptation of the official curriculum and optional areas and subjects, which constitutes a resource for learners to enhance and develop their personal preferences; • the organisation of reinforcement and support activities in educational establishments, a very generalised measure of attention to diversity which is usually aimed at the instrumental areas (mathematics and language); • specific grouping. <p>Once ordinary measures of attention to diversity have been applied and have proved to be insufficient to respond to the educational needs of an individual pupil, the education system considers a series of extraordinary measures. These include repeating a cycle or school year, significant curricular adaptations, support measures for pupils with special educational needs, curricular diversification and, as a last resort, social guarantee programmes. (p. 9)</p> <p>8.2.4 Educational intervention must be based on learner diversity and understanding. In this way, all learners' development is ensured, as well as personalised attention according to their needs.</p> <p>Reinforcement mechanisms should be put into practice as soon as learning difficulties are detected. These mechanisms could be both organisational and curricular. The measures include support in the mainstream group, flexible grouping and curricular adaptations. (RD 126/2014, article 9)</p>
8.3 Assessment mechanisms are in place to identify the support needs of learners	8.3.1 The LOE stipulates that, in the case of pupils with special educational needs, the identification and evaluation of their needs will be carried out, as early as possible, by teams of professionals with



Agency recommendation	Findings
<p>at an early stage.</p>	<p>different qualifications, and in the way education administrative authorities determine (p. 6).</p> <p>8.3.2 In addition to the guidance teams working for the educational establishments of a district or area (zone or sector teams), specialised specific teams and early intervention teams have been set up in some Autonomous Communities. Regardless of the education authority to which they report, guidance teams have among their duties the detection, assessment and diagnosis of special educational needs as well as counselling, collaborating and participating in the educational process of pupils with special educational needs. (p. 11)</p> <p>8.3.3 Article 74: Identification and evaluation of the educational needs of these learners will be done by staff with adequate qualifications as soon as possible. (LOE)</p> <p>8.3.4 Article 74: At the end of each school year, the results reached by each learner will be evaluated according to the objectives proposed from the initial assessment. This evaluation will allow the proper guidance and modifications of the plan as well as the schooling modality so, whenever possible, they have access to greater integration. (LOE)</p> <p>8.3.5 Section 58 modifies article 76 of LOE and establishes the administration's duty to adopt the necessary measures to identify gifted and talented learners and evaluate their needs at an early stage. It also establishes their duty to create action plans, as well as curricular enrichment programmes, which allows them to develop their abilities to the maximum level. (Organic Law 8/2013, LOMCE)</p> <p>8.3.6 Article 78 establishes the duty of Education Administrations to favour the enrolment of late entry learners. It will be guaranteed during compulsory education. Their incorporation to the system will be according to their circumstances, knowledge, age and academic history, so they can be enrolled in the most appropriate year. (LOE)</p> <p>Article 18 of RD 1105/2014 adds that:</p> <p><i>When these learners do not know Spanish or a co-official language, they will receive specific attention simultaneous to their attendance in the mainstream group, with which they will share as much time</i></p>



Agency recommendation	Findings
	<p><i>as possible.</i></p> <p>8.3.7 Article 79 establishes the duty of Education Administrations to develop specific programmes for those learners lacking linguistic skills, competences or basic knowledge, so they can follow the course. These programmes will be simultaneous to their inclusion in mainstream groups. It also establishes the duty of administrations to adopt the necessary measures so parents get the necessary knowledge about the Spanish education system in every aspect. (LOE)</p> <p>8.3.8 Section 12, which modifies article 20 of LOE, establishes that, in primary education, measures will be taken so the conditions for evaluation meet the needs of learners with SEN. It also establishes that special attention will be paid in this stage to personalised attention for learners, early diagnoses and the establishment of support measures in order to succeed. (Organic Law 8/2013, LOMCE)</p> <p>8.3.9 Section 59 adds article 79 bis, which establishes the duty of Education Administrations to identify learners with specific educational needs and promptly assess their needs. The principles underpinning their schooling will be normalisation and inclusion. Identification, assessment and intervention will be done as soon as possible. (Organic Law 8/2013, LOMCE)</p> <p>8.3.10 The decision to enrol pupils in a mainstream or special educational establishment, as well as the guidelines on the most suitable educational treatment to offer (types of schooling, curricular adaptations, etc.) is made subsequent to a diagnosis and is the responsibility of the services established by each Autonomous Community in order to respond to the educational and psycho-pedagogical counselling demands of schools, pupils and teachers. (p. 11)</p> <p>8.3.11 Education Administrations will have to establish precise procedures and resources to identify learners' specific educational needs as early as possible. Comprehensive care of these learners will begin as soon as the needs are identified and will be based on normalisation and inclusion. (Title 2, Article 71, Organic Law 2/2006)</p> <p>8.3.12 The assessment of the need or suitability for special education will be done by the corresponding education authority, based on a multi-dimensional evaluation of the learners carried</p>



Agency recommendation	Findings
	out by professional staff. This assessment will be reviewed periodically. (RD 334/1985, article 3) 8.3.13 Whenever the learner's progress is not adequate, educational reinforcement measures will be taken. These measures will be adopted at any time during the year, as soon as difficulties are detected. They will have the objective of guaranteeing the acquisition of the essential competencies to continue their educational process. (RD 126/2014, article 12)
8.4 Data is available relating to learners' rights to age appropriate education.	8.4.1 Late-entry learners who are more than two years behind in their curricular competence may be placed in classes lower than their ages. Measures will be taken so their school integration and bridging of the gap are eased. As soon as they get over the gap, they will join a class corresponding to their age. (RD 126/2014, article 14)

Measure 8 evaluative comments

One of the main aspects to improve is that, even though the legislation establishes that repeating a cycle or year is an extraordinary measure, in daily practice it is one of the most common measures taken by schools, mainly in secondary education.

The percentage of learners repeating a year is around 4.2% in primary education. This percentage rises to around 11.1% in compulsory secondary education and 14.3% in post-compulsory secondary education. (Figures of education in Spain, 2016, Ministry of Education, Culture and Sport)

In the [publication of the figures on education](#) published by the Ministry of Education, Culture and Sport, the suitability rate during the year 2014/2015 was:

- 8 years: 93.7%
- 10 years: 89.5%
- 12 years: 84.9%
- 14 years: 71%



- 15 years: 63.6%.

Measure 9: To support improvement in schools with lower educational outcomes

Agency recommendation	Findings
<p>9.1 Clear mechanisms exist to identify schools with lower educational outcomes.²</p>	<p>9.1.1 Article 14. Every school must meet minimum requirements to provide a quality education. The Government will establish those requirements. These requirements refer to teacher qualifications, learner-teacher ratios, teaching and sport facilities, and the number of school places. (Organic Law 8/1985)</p> <p>9.1.2 At the end of primary education, there will be an individualised evaluation of the learners to check the degree of acquisition of the different competences (linguistic, mathematical and science and technology), as well as the stage objectives. The State, after consulting the Autonomous Communities, will establish the evaluation criteria and the general characteristics of the tests. (LOMCE, section 13)</p>
<p>9.2 Policy outlines how methods of assessment, inspections and other accountability measures contribute to school improvement processes.</p> <p><i>(Accountability measures support inclusive practice and inform further improvement of provision for all learners.)</i></p>	<p>9.2.1 At the end of each school year, the results obtained by each learner will be assessed, according to the objectives set in the initial assessment. This will allow the staff to provide appropriate guidance and modify the learning programme in order to favour, whenever possible, their access to a system of greater integration. (LOE, article 74)</p> <p>9.2.2 The Education Administrations may establish specific improvement plans for public schools whose results in the final evaluation of primary education are lower than the established standards. (LOMCE, section 13)</p> <p>9.2.3 The Education Administrations may establish specific improvement plans for schools whose results in the final evaluation in primary are lower than the established levels. (RD 126/2014, article</p>

² This recommendation does not directly come from the Agency work covered in the CPRA activities. A number of project recommendations have implicitly, but not explicitly referred to this issue. However, the piloting work and detailed discussions with PG countries showed it is necessary to have this explicit recommendation linked to this measure.



Agency recommendation	Findings
	<p>12)</p> <p>9.2.4 The results of the evaluations at the end of primary education will offer:</p> <ul style="list-style-type: none"> • families information about their children’s progress in the education system; • key elements for the early detection of learning difficulties and information about the result of the teaching-learning process to schools and teachers; • another tool for schools, teachers and Education Administrations to tackle a change in methodology. (RD 1058/2015) <p>9.2.5 Schools, depending on the results of their learners in the CSE final evaluation and according to the diagnosis and information given by them, will establish ordinary and extraordinary measures with regard to their curricular proposals and teaching practice. These measures will be reflected in improvement plans of general or individual results which make it possible, with the collaboration of parents and using educational support resources, to increase the learners’ motivation and effort to overcome difficulties. (RD 1105/2014, article 21)</p>
<p>9.3 Policy aims to increase the capacity of all schools to meet a greater diversity of needs and support learners within their local communities.</p> <p><i>(Schools are supported to use innovative teaching methods, practical learning approaches and individual plans, focusing on learners’ capabilities.)</i></p>	<p>9.3.1 In almost all Autonomous Communities, guidance departments have been set up in secondary education establishments and, in some communities, in infant and primary education schools. The result has been a closer bond between specialised support services and schools, which has improved the response to special educational needs. (p. 11)</p> <p>9.3.2 Article 72: Administrations will promote the training of teachers and other professionals in relation with the handling of these learners. (Organic Law 2/2006, LOE)</p> <p>9.3.3 Section 66 of LOMCE modifies some aspects of article 87 of LOE. In order to facilitate and guarantee the right to education of learners with specific educational needs, the administrations must reserve places for them in public and publicly-funded schools. They can also increase the maximum number of learners per classroom by up to 10% to meet the immediate needs of schooling due to late</p>



Agency recommendation	Findings
	entries, transfers, placement measures of a learner, etc.
9.4 Policy outlines clear incentives for schools to take all learners from their local community.	9.4.1 Learners will enrol in the corresponding primary school. In any case, parents may choose the school in which to enrol their children, as long as it has the necessary human and material resources. (RD 696/1995, article 14) 9.4.2 In primary education, Education Administrations will ensure every child has a place in a school in their municipality or the established schooling area. (Organic Law 2/2006, article 81)
9.5 Policy requires school strategic plans to outline preventive educational action against dropouts. <i>(Including necessary measures so that learners who become disengaged find new educational alternatives.)</i>	–

Measure 9 evaluative comments

In the Spanish education system, there are no incentives for schools to take all learners from their local community, as it is compulsory to offer a free school place in their own municipality or established school area. (LOE, article 81)



Measure 10: To improve the quality of school staff, focusing on the quality of teachers, quality in continuing professional development, developing teacher competences and reinforcing school leadership

Agency recommendation	Findings
<p>10.1 Policy outlines how all school staff develops the skills to meet the diverse needs of all learners.</p> <p><i>(Appropriate training and professional development is provided to all school staff including teachers, support and administrative staff, counsellors, etc.).</i></p>	<p>10.1.1 The in-service programmes adapt knowledge and teaching methods to scientific progress and to specific didactics, as well as to all those aspects of co-ordination, guidance, tutoring, attention to diversity and organisation aimed at improving the quality of education and the functioning of schools. In addition, there must be specific training on the subject of equality under the terms established by the Act on Integrated Protective Measures against Gender Violence. (p. 29)</p> <p>10.1.2 Newly recruited teachers (in public schools) will work under the tutorage of experienced teachers. Tutor and trainee will share responsibility for the lesson plans the latter designs for their learners. (LOE, article 101)</p> <p>10.1.3 Education authorities will adopt the adequate measures to include training on special education in basic training and development, so all teachers in compulsory education have knowledge about the specific educational needs of learners with disabilities. (RD 334/1985, additional disposition 4)</p> <p>10.1.4 The Education Administration will foster the training of support teachers and tutors in the use of oral and visual communication systems and sign language. Schools with learners that use these communication systems will include contents about them in the area of Spanish language. (RD 696/1995, article 8)</p>
<p>10.2 Policy supports the development of high quality and appropriately trained teacher educators.</p> <p><i>(With improvements in recruitment, induction and continuing professional development.)</i></p>	<p>10.2.1 In-service training constitutes a right and a duty for teachers of non-university education and a responsibility for the Education Administrations and the schools. (p. 29)</p> <p>10.2.2 One of the principles which inspire the Spanish education system is considering teachers as an essential factor for the quality of education, social recognition of teachers and support for their work. (LOE, article 1)</p> <p>10.2.3 Initial teacher education will be adapted to the qualification requirements of the general</p>



Agency recommendation	Findings
	<p>education system. The contents will ensure that future teachers acquire the necessary capacities to face the challenges to work in the education system and can adapt to new training requirements.</p> <p>To teach in the education system regulated by the Law, it will be necessary to hold the corresponding academic qualification and to have completed the pedagogic and didactic training stipulated by the Government.</p> <p>It is the duty of the Education Administrations to set up the relevant agreements with universities for the organisation of the pedagogic and training mentioned above. (LOE, article 100)</p> <p>10.2.4 Teachers and other staff in special education schools must have the appropriate qualifications and the necessary specialisation, experience and skills, for which the necessary measures for training and development will be adopted. (RD 334/1985, article 25)</p> <p>10.2.5 The provincial teacher training plan will include as priorities the updating and training of teachers and other staff. (RD 696/1995, article 5)</p> <p>10.2.6 The Education Administrations will create training plans and programmes for teachers who work with deaf, hearing-impaired and deaf-blind learners. (Law 27/2007, article 7)</p>
<p>10.3 Policy supports flexible training opportunities in initial and continuing professional development, for all teachers.</p> <p><i>(Schools and teacher education institutions will work together to ensure good models in practice schools and appropriate placements for teaching practice.)</i></p>	<p>10.3.1 Every year, the Spanish Ministry of Education, Culture and Sport, through the National Institute for Education Technologies and Teacher Training (INTEF), establishes the priorities to which the teachers' continuing professional development plans must adapt. It also offers State continuing professional development programmes and establishes the pertinent agreements with other institutions to this end.</p> <p>In addition, the LOMCE establishes a series of guidelines that must be respected by the continuing professional development programmes offered by the education authorities responsible for planning and organising them in their jurisdiction. They must provide teachers with a diversified range of activities and meet their training needs, as well as establishing other training priority guidelines.</p>



Agency recommendation	Findings
	<p>The Education Administrations provide a varied range of free training activities and take the necessary measures to foster teacher participation in these activities. Furthermore, they facilitate teacher access to qualifications which allow mobility between the different teaching areas, including universities, through appropriate agreements with the universities.</p> <p>The Ministry of Education, Culture and Sport, in collaboration with the Autonomous Communities, fosters the international mobility of teachers, teacher exchanges and visits to other countries. (p. 29)</p>
<p>10.4 All teaching staff are supported and develop a clear understanding of effective learning strategies.</p> <p><i>(Such as learning to learn and active learning approaches.)</i></p>	<p>10.4.1 The Education Administrations will promote the training of teachers and other professionals in relation to the attention to learners with specific needs for educational support. (LOE, article 72)</p> <p>10.4.2 Teachers who work with learners with SEN will prepare the appropriate curricular adaptations to help these learners achieve the educational objectives, with the advice and support of the educational and psycho-pedagogical guidance teams or the counselling departments. (RD 696/1995, article 6)</p> <p>10.4.3 In CSE, the guidance departments will pay special attention to the identification of the educational needs of learners with SEN and to the monitoring of their educational process, providing the necessary advice to teaching staff, especially to the teachers who work with these learners. (RD 696/1995, article 15)</p> <p>Guidance departments will advise the pedagogical co-ordination commission and the didactic departments in secondary and VET schools so learners with SEN may reach the general objectives established for these stages. (RD 696/1995, article 16)</p>
<p>10.5 Policy supports schools to develop strategic plans of staff training in inclusive education.</p>	<p>–</p>
<p>10.6 Policy outlines the specialised</p>	<p>10.6.1 RD 1594/2011, article 3, establishes the university degrees necessary to work in early childhood</p>



Agency recommendation	Findings
training pathways for specialists who support school communities to implement inclusive education.	<p>education or primary education.</p> <p>To work as a therapeutic pedagogue, teachers must have one of the following degrees:</p> <ul style="list-style-type: none">• Degree to teach Primary Education, majoring in Therapeutic Pedagogy• Teaching Degree for Special Education, or the equivalent degree previous to Bologna• Degree in Psycho-Pedagogy• Degree in Philosophy and Arts (Pedagogy, Special Education). <p>In order to work as a speech and language therapist, teachers must have one of the following:</p> <ul style="list-style-type: none">• Degree to teach Primary Education, majoring in Speech Therapy• Degree which allows working as a Speech Therapist• Teaching Degree for Speech Therapy• Degree in Speech Therapy. <p>10.6.2 RD 860/2010, article 5, establishes that in order to be a school counsellor, a teacher must have a Degree in Pedagogy, Psychology or Psycho-Pedagogy.</p> <p>10.6.3 Order EDU/3498/2011 establishes that the Master’s Degree necessary to work as a school counsellor must include at least the following modules:</p> <ul style="list-style-type: none">• Development, learning and education;• Educational processes and contexts;• Society, family and education;• The educational guidance and psycho-pedagogical counselling fields;



Agency recommendation	Findings
	<ul style="list-style-type: none"> • The educational guidance and psycho-pedagogical counselling processes; • Inclusive education and attention to diversity; • Educational research and innovation and change management; • Practicum; • Final Master’s project. (Article 2, section 5)
<p>10.7 Policy supports research into the effectiveness of different routes into teaching.</p> <p><i>(Including course organisation, content and pedagogy to best develop the competence of teachers to meet the diverse needs of all learners.)</i></p>	<p>10.7.1 The principles of the Spanish education system include encouraging and promoting educational research, experimentation and innovation. (LOE, article 1)</p> <p>10.7.2 One of the duties of teaching staff is research, experimentation and continuous improvement of the teaching processes. (LOE, article 91)</p> <p>10.7.3 One of the competencies of the teaching staff is to promote initiatives in the area of experimentation and pedagogic research and in the training of teachers in the school. (LOE, article 129)</p> <p>10.7.4 Education Administrations will promote and encourage research in the field of special education, facilitating the participation of all the professionals involved. (RD 334/1985, additional disposition 6)</p> <p>10.7.5 The Ministry of Education will facilitate and promote educational innovation and research experiences, as well as the development of didactic and curricular materials, with the objective of improving the quality of education for learners with SEN. (RD 696/1995, article 5)</p>



Measure 10 evaluative comments

In Spain, public schools do not hire teachers; it is the regional Education Administration that decides how many teachers a school needs, depending of the number of learners and their characteristics.

Most Autonomous Communities offer schools the possibility to create research groups in the schools or ask for specific training they feel is necessary to develop their educational duties.

Initial training of primary teachers includes aspects and modules on inclusive education. However, the inclusion of these aspects and modules in the training of secondary school teachers depends on the curriculum of each university, as it is not compulsory to include them. This is an aspect which must be taken into account for future reforms at university level.

Measure 11: To improve transition from education to work by increasing the coherence between employment incentives, education and VET; improving the quality and accessibility of apprenticeships; promoting cross-sector co-operation; simplifying the systems of qualifications

Agency recommendation	Findings
<p>11.1 Policy ensures that VET programmes should address labour market skill requirements.</p>	<p>11.1.1 The training provision will be adapted to the needs of disadvantaged individuals or groups (early leavers, people with disabilities, ethnic minorities, etc.) to facilitate their social and workplace inclusion. (Organic Law 5/2002)</p> <p>11.1.2 The curriculum of this level of VET will meet the characteristics of the learners and their needs to enter the labour market. The pedagogical criteria will be adapted to the specific characteristics of the learners and will promote group work. (Royal Decree 127/2014, article 5)</p> <p>11.1.3 Given the specific nature of the special education centres, compulsory education objectives will undergo more significant adaptations and the programmes for transition to adult life or complementary vocational training will fundamentally aim to develop abilities linked to professional occupations, personal independence and social integration. (pp. 15–16)</p> <p>11.1.4 The objective of VET is to prepare learners for work in a professional field and ease their adaptation to workplace opportunities which may arise during their professional life, contribute to</p>



Agency recommendation	Findings
	<p>their personal development and the exercise of democratic citizenship. (LOMCE, section 32)</p> <p>11.1.5 The training possibilities of the environment will be taken into account, especially for the workplace training modules. (RD 1147/2011, article 8)</p>
<p>11.2 Policy aims at matching labour market skill requirements and learners' skills, wishes and expectations.</p>	<p>11.2.1 Programmes for transition to adult life will be adapted to the needs of the learners. These adaptations will be based on the information contained in the psycho-pedagogical evaluation and the counselling report prepared at the end of the basic education, and the socio-occupational possibilities of the environment and the future training itinerary the learner may follow. These plans will be monitored and modified when necessary.</p> <p>The interests and abilities of each learner will be taken into account so they can be incorporated into their personal development process and the objectives proposed for their personal plan. (Resolution of 20 May 1999, Annex I)</p> <p>11.2.2 VET offer will favour lifelong learning, adapting to the different expectations and personal and professional situations. (Organic Law 5/2002, article 1)</p> <p>11.2.3 Among the objectives of the National System of Qualifications and VET are:</p> <ul style="list-style-type: none"> • to enable learners for the exercise of professional activities, so both individual needs and those of the production and work systems can be met; • to foster a quality, updated and adequate training provision for every learner, in line with the qualification needs of the labour market and personal expectations for career progression (Organic Law 5/2002, article 3). <p>11.2.4 Professional information and counselling have, among others, the following objectives:</p> <ul style="list-style-type: none"> • Give information and counselling on the different training possibilities available, identifying lifelong learning possibilities and how to access them, the established academic requirements and training plans and training aids. All this must be adapted to the conditions, needs and



Agency recommendation	Findings
	<p>interests of the people that demand the information.</p> <ul style="list-style-type: none"> • Advise on the training and professional itineraries which best suit their personal interests and circumstances, adjusting expectations and preferences, and identifying career goals. • Guide learners towards the VET studies which best fit their personal circumstances (Organic Law 4/2011, article 54). <p>11.2.5 The curricula established for Basic VET by the Education Administrations will address the learners' characteristics and will foster teamwork. (RD 127/2014, article 5)</p> <p>11.2.6 Basic VET is organised according to the principle of attention to diversity. Attention to diversity measures will seek to meet specific educational needs and the attainment of learning results linked to the professional competencies of the area; it will also be based on the right to inclusive education. (RD 127/2014, article 23)</p> <p>11.2.7 Royal Decree 127/2014, of 28 February (on Basic VET): The curriculum of this level of VET will meet the characteristics of the learners and their needs to enter the labour market. The pedagogical criteria will be adapted to the specific characteristics of the learners and will promote group work.</p> <p>11.2.8 VET centres will follow the curricula established by the Education Administration, depending on the characteristics and expectations of the learners, paying special attention to the needs of people with disabilities.</p>
<p>11.3 Policy outlines the development of partnerships and networking structures.</p> <p><i>(Partnerships with a pool of local employers to ensure close co-operation with regard to learners' supervised practical training and finding employment)</i></p>	<p>11.3.1 It is the responsibility of the Education Administrations to regulate the conditions under which schools which teach vocational training or art and design may appoint to the School Council a representative proposed by the business organisations or employments institutions present in the school's area. (LOE, article 126)</p> <p>11.3.2 Dual VET projects will have to be authorised by the Education Administration and will be formalised through an agreement with the collaborating company. (RD 1529/2012, article 31)</p>



Agency recommendation	Findings
<i>after graduation.)</i>	
<p>11.4 Policy outlines how transition from education to employment is supported by adequate provision.</p>	<p>11.4.1 In complementary vocational training or programmes for transition to adult life, pupils receive instruction from technical teachers of vocational training, who teach technical-practical courses, as well as from the aforementioned basic education teachers. (p. 15)</p> <p>11.4.2 Organic Law 4/2011, of 11 March (modifies some aspects of Organic Law 5/2002): VET programmes can be adapted so that they can combine studies and other circumstances, such as personal situations that make studying difficult. In order to do so, VET studies can be developed both through classroom-based and distance learning. (Section 8, adds Additional Disposition 6)</p> <p>11.4.3 VET schools will apply the established curricula according to the characteristics and expectations of the learners, with special attention to the needs of learners with disabilities. Among the requirements schools must comply with are:</p> <ul style="list-style-type: none">• Suitable conditions which allow the access, circulation and communication of people with disabilities.• They must have toilets and hygiene and sanitary facilities suitable for the number of learners and the needs of both learners and staff, as well as those adapted to the needs of people with disabilities in the proper proportion. <p>Evaluation processes will be adapted to meet the methodological adaptations for learners with disabilities and their access to evaluation will be ensured. (Royal Decree 1147/2011, articles 8, 46 and 51)</p> <p>11.4.4 The organisation of these studies will be flexible so they can be adapted to the different situations of the learners. The methodology will be adapted to the needs of the learners and to the progressive acquisition of lifelong learning competencies. Attention to diversity underpins the organisation of these studies. The measures will be oriented to meet the specific educational needs of the learners and to achieve the learning results connected to the professional competencies of the</p>



Agency recommendation	Findings
	<p>degree and will answer to the right to inclusive education.</p> <p>The methodological measures for attention to diversity will also allow learners to acquire the adequate linguistic competence. The access requirements for these studies are:</p> <ul style="list-style-type: none"> • being 15 years old and not older than 17; • having studied the first year of CSE or, exceptionally, the second year; • being proposed by the teaching team, who will let parents know; parents must consent (Royal Decree 127/2014; articles 12, 13 and 15). <p>11.4.5 The LOMCE states that the general objectives for pupils with special educational needs must be those generally established for all pupils, with the necessary curricular adaptations. For those unable to achieve the objectives, public administrations are to promote training programmes adapted to the pupils' specific needs, aiming at facilitating their social and labour inclusion. (p. 16)</p> <p>11.4.6 The Ministry of Education will foster work guidance and labour integration of young people with SEN, in collaboration with other administrations and public and private institutions, especially the labour administration and the social agents. (RD 696/1995, article 4)</p> <p>11.4.7 In programmes for transition to adult life, the basic objectives are the development of abilities of personal autonomy, social and community integration and active life integration, to the best of their ability and the necessary support. (Resolution of 20 May 1999, Annex I)</p>
<p>11.5 Policy supports the availability of meaningful VET options for learners to choose from.</p>	<p>11.5.1 Given the specific nature of the special education centres, compulsory education objectives will undergo more significant adaptations and the programmes for transition to adult life or complementary vocational training will fundamentally aim to develop abilities linked to professional occupations, personal independence and social integration. (p. 15)</p> <p>11.5.2 Article 75, LOE: So as to facilitate the social and work integration of learners with special educational needs who cannot reach the objectives of compulsory education, training offers will be</p>



Agency recommendation	Findings
	<p>promoted which are adapted to their specific needs. Places in VET will be reserved for learners with disabilities.</p> <p>The percentage of places reserved for learners with disabilities cannot be less than 5% (Organic Law 4/2011, additional disposition 2).</p> <p>11.5.3 The objectives of VET include:</p> <ul style="list-style-type: none">• Promote effective equality of opportunities between men and women, as well as among people with disabilities;• Access training that allows all types of professional options and work within them (Organic Law 8/2013, LOMCE, section 33, which modifies article 40 of LOE). <p>11.5.4 The most appropriate measures will be established to adapt evaluation tests to access VET for learners with SEN. (Organic Law 8/2013, LOMCE, section 34, which modifies article 41 of LOE)</p> <p>11.5.5 In VET, flexibilisation measures and methodological alternatives will be established in the teaching and evaluation of foreign languages for learners with disabilities, especially for those with difficulties in their oral expression. (Organic Law 8/2013, LOMCE, section 35, which modifies article 42 of LOE)</p> <p>11.5.6 The curriculum of this level of VET will meet the characteristics of the learners and their needs to enter the labour market. The pedagogical criteria will be adapted to the specific characteristics of the learners and will promote group work.</p> <p>Education Administrations can establish measures so learners with disabilities have preference when choosing a company for workplace training. (Royal Decree 127/2014, of 28 February on Basic VET, articles 5 and 10)</p> <p>11.5.7 Education Administrations may establish and authorise training offers in VET adapted to the needs of learners with SEN so they can continue their studies. These programmes may include</p>



Agency recommendation	Findings
	<p>professional modules from a basic VET diploma and other modules adapted to their needs. (Royal Decree 127/2014, of 28 February (on Basic VET), additional disposition 4)</p> <p>11.5.8 The Ministry of Education will guarantee a VET offer appropriate for learners with SEN. (RD 696/1995, article 4)</p> <p>11.5.9 In order to ease the social integration and inclusion of disadvantaged individuals or groups, public administrations, especially municipalities, will adapt the training provision for early school leavers, people with disabilities, ethnic minorities, long-term unemployed and, in general, those at risk of social exclusion. (Organic Law 5/2002, article 12)</p> <p>11.5.10 Education Administrations may organise training programmes with the objective of training people over 17 who left the education system early with no qualification, so as to ease their access to professional activity adapted to the production sector and environment needs, as well as to facilitate employability and get a VET qualification. (RD 1147/2011, article 28)</p> <p>11.5.11 The basic VET diploma will allow learners to study an intermediate VET degree or to access the exams to get their CSE certificate.</p> <p>Evaluation will be adapted to the needs and characteristics of the learners.</p> <p>Education Administrations may establish and authorise training offers in VET adapted to the needs of learners with SEN so they can continue their studies. These programmes may include professional modules from a basic VET diploma and other modules adapted to their needs. (Royal Decree 127/2014; articles 17 and 23, and additional disposition 4)</p> <p>11.5.12 So as to facilitate the social and work integration of learners with special educational needs who cannot reach the objectives of compulsory education, training offers will be promoted which are adapted to their specific needs. Places in VET will be reserved for learners with disabilities. (Article 75, Title 2, Organic Law 2/2006)</p>



Agency recommendation	Findings
	<p>11.5.13 VET programmes can be adapted so they allow combining studies and other circumstances, such as personal situations that make studying difficult. In order to do so, VET studies can be developed both through classroom-based and distance learning.</p> <p>Education Administrations will guarantee complementary training for those learners who require support, paying special attention to learners with specific educational needs based on disability. (Organic Law 4/2011, of 11 March, section 8 (modifies some aspects of Organic Law 5/2002))</p>
<p>11.6 Policy supports the availability of supervised practical training.</p>	<p>11.6.2 The training provision will be adapted to the needs of disadvantaged individuals or groups (early leavers, people with disabilities, ethnic minorities, etc.) in order to facilitate their social and labour inclusion. (Organic Law 5/2002, of 19 June, of Qualifications and Vocational Training; article 12)</p> <p>11.6.5 Programmes are available for the transition to adult life, designed for pupils with special educational needs associated with more severe and permanent disabilities who, in light of the low degree of development and skill achieved after basic education, are unable to avail of the two training alternatives discussed above. These programmes are intended to last two years, but may be extended to three, and are generally provided in special schools. The priority objectives are to:</p> <ul style="list-style-type: none"> • help these pupils to develop the necessary conduct and habits to lead an adult life as independently as possible; • enable them to use the services that society makes available to all citizens; • wherever possible, to train them to undertake occupational activities related to very specific and clearly defined jobs (p. 17). <p>11.6.7 Measures will be established by Education Administrations so learners with disabilities have priority when choosing a company for their supervised practical training. (RD 127/2014, article 10)</p> <p>11.6.8 In dual VET programmes, a minimum of 33% of the training hours will take place in a company the school has an agreement with.</p>



Agency recommendation	Findings
	<p>Training activities in the company and the school will be co-ordinated by means of monthly meetings. (RD 1529/2012, article 30)</p> <p>11.6.9 Education Administrations can establish measures so learners with disabilities have preference when choosing a company for workplace training. (Royal Decree 127/2014, article 10)</p>
<p>11.7 Policy outlines how sustainable employment opportunities are supported through the availability of appropriate, on-going support.</p>	<p>–</p>
<p>11.8 Policy outlines how VET programmes are reviewed periodically.</p> <p><i>(Both internally and/or externally in order to adapt to current and future skill needs.)</i></p>	<p>11.8.1 In the National System of Qualifications and VET, two fundamental aspects are contemplated:</p> <ul style="list-style-type: none"> • Professional information and guidance • On-going evaluation of the system to guarantee its quality. <p>Guidance involves the need to advise on labour access opportunities and on training offers to facilitate incorporation and reintegration into the work world. The evaluation of the quality of the system must achieve its permanent adaptation to the needs of the work world. (Organic Law, 5/2002, justification)</p> <p>11.8.2 One of the instruments of the VET system in Spain is the evaluation and quality improvement of the system, which provides relevant information about how it works and its adaptation to the individual and production system training needs. (Organic Law 5/2002, article 4)</p>



Measure 11 evaluative comments

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Measure 12: To improve educational and career guidance across all phases of inclusive education

Agency recommendation	Findings
<p>12.1 Policy outlines the mechanisms for ensuring effective transition across educational sectors and phases.</p> <p><i>(There are well-organised transition processes among services to ensure continuity in the support required when learners move from one form of provision to another.)</i></p>	<p>12.1.2 The objectives of CSE are [...] to prepare the learners for their subsequent studies and incorporation into the workforce. (LOE, article 22)</p> <p>12.1.3 It is the responsibility of the Education Administrations to promote co-ordination between the education projects of primary schools and secondary schools so that the incorporation of learners to CSE may be gradual and positive. (LOE, article 121)</p> <p>12.1.4 In order to ease the transition from primary education to CSE, the Education Administrations and the schools can group the subjects of the first year of CSE into knowledge areas. (LOMCE, section 15)</p> <p>12.1.5 When learners finish primary education, the educational and psycho-pedagogical guidance teams will prepare a report on the educational process of these learners during the stage and will submit it to the school where the learners will continue their studies. (RD 6963/1995, article 14)</p> <p>The necessary planning will be carried out so learners with permanent special needs who attended a mainstream primary school will continue their studies in CSE. (RD 696/1995, article 15)</p> <p>12.1.6 To facilitate the transition from primary education to CSE, special attention will be paid to co-</p>



Agency recommendation	Findings
	<p>ordination between both stages so as to bridge pedagogical and organisational differences and the possible imbalances in the learner's educational progress. To do so, the final report indicating their level in the final evaluation will be taken into account. (RD 126/2014, article 8)</p> <p>12.1.7 At the end of the sixth (final) year of primary education, a report will be prepared indicating the level reached by the learner. This report will be given to parents or guardians and will have informative and guiding character for their future schools, as well as for teaching teams, parents or guardians and learners. The level reached will indicate whether it is appropriate to apply programmes for learners with SEN or any other measures. (RD 126/2014, article 12)</p> <p>12.1.8 The official evaluation documents are: the academic record, the assessment record, the transfer personal record, the counselling report of each CSE year and the academic backgrounds of CSE and <i>Bachillerato</i>.</p> <p>The academic record will include the school's and learner's data, their grades, stage promotion decisions, educational support measures and curricular adaptations adopted for the learner.</p> <p>The academic background will include the learner's data, the options chosen, the subjects studied every year, the evaluation results, decisions about promotion and retention, average grade of the stage, information about changes of school, curricular and organisational measures applied, and the dates on which each milestone was reached.</p> <p>When a learner changes school, the school of origin will send the new school the academic background and the transfer personal record. This record will include the term grades of the year, the curricular and organisational measures taken, and any other comment the school considers necessary. This personal record will serve to ensure continuity in the learning process. (RD 1105/2014, additional disposition 6)</p> <p>12.1.9 Special attention will be paid to co-ordination between primary and secondary schools so the transition between these two stages is eased (overcome pedagogical and organisational differences).</p>



Agency recommendation	Findings
	(Royal Decree 126/2014, of 28 February, article 8)
<p>12.2 Policy outlines how career counsellors/officers support learners and employers regarding employment possibilities.</p> <p><i>(Support is provided with job applications, inform and support employers and facilitate contact between both parties.)</i></p>	<p>12.2.1 The tutor will design a tutorial action annual programme, which will be included in the educational school project. It will include specific information and guidance activities which help learners make adequate decisions about their educational and professional path when they finish Basic VET. (RD 127/2014, article 24)</p>

Measure 12 evaluative comments

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