

Institute of Philosophy and Sociology, BAS

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**DISCRIMINATION OR EQUALITY  
OF CHILDREN WITH DISABILITIES  
IN BULGARIAN SCHOOLS**

Abstract

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The issue of the presence in mainstream schools of a growing number of children with disabilities / with special educational needs has become particularly relevant in recent years. According to the Convention on Persons with Disabilities, the right to education and training of such children is recognized, regardless of the severity of the disability. Every child has the right to equal opportunities for education, as well as the right to non-discrimination, participation, protection from abuse and violence and freedom of thought, expression and religion. The protection of this right is implemented from early childhood by guaranteeing the inclusion in kindergartens of children with disabilities and then expanded by ensuring participation in preschools and inclusion in the general education classes of educational institutions of every kind and degrees and in the universities.

The implementation of this policy brings to the fore a whole range of issues related to the accessibility of the educational system for children with special educational needs, their integration into it, the attitude of society towards them, the attitudes of parents of normal children, of teachers and psychologists in educational institutions.

The problem of education of children with disabilities, for the success of which their equality is of key importance, is of particular importance on several levels and in a different time perspective. At the macro level, it is important for society to develop to the maximum possible extent the potential capabilities of these children and to enable them to manage their lives to the greatest extent possible, to be self-reliant and independent. For the immediate environment of the child - for the family, it is important that the child integrates into mainstream school, which will contribute to his future integration into society and determine his life perspectives. Inclusion in the educational system also contributes to increasing the family's capacity to fulfill the various roles of parents, including work. For the child, receiving a quality education means developing abilities, accumulating knowledge and forming skills that allow the integration of the person in society, realization in professional and personal terms.

The topicality of the issue of equal treatment and discrimination of children with disabilities and special educational needs acquires new dimensions and given that we live in a time, when human rights have acquired the status of a fundamental value for modern societies and the subject of their observance is of primary importance.

In this context, the subject of research in the proposed dissertation is the inclusion of children with disabilities/with special educational needs in the educational system.

The subject of research are the conditions, attitudes and practices indicating the presence/absence of equality/discrimination towards these children.

The goal of the dissertation work is based on an analysis of the situation in Bulgarian schools to establish whether there is equal treatment for children with SEN or whether they face one or other discriminatory practices in relation to them.

The aim of the dissertation thus formulated is decomposed into the following **tasks:**

1. To present and analyze the conceptual apparatus relevant to the topic, constructing a theoretical framework of the study on this basis.
2. To make an analytical overview of the legal framework regulating the education of children with SEN and relate it to the socioeconomic and cultural context.
3. To examine the current policies and activities aimed at ensuring equality of children with special educational needs in school.
4. On the basis of empirical material, to establish whether there really are any discriminatory practices, what they are, who are their subjects and objects, and what are the factors that determine them.
5. To make recommendations related to practical actions in order to prevent, reduce and overcome the adverse consequences of discriminatory practices for social adaptation and personal self-affirmation.

#### **Hypotheses:**

1. Current legislation reliably protects children with disabilities from discrimination in the educational system.
2. The real physical conditions and mental attitudes and stereotypes of some of the social actors in the educational process are a prerequisite for the existence of practices that have a discriminatory nature.
3. Insofar as discriminatory behavior occurs, it is rather on the part of students rather than the teaching staff.
4. With a good partnership between parents of children with disabilities and pedagogical staff and with planning and use of appropriate social services for children with disabilities and their families, there will be adequate support for inclusion in a school environment and minimizing the risks of dropping out of the education system.

#### **Methods**

The following methods were used for the realization of the goals and tasks of the present study:

- analysis of scientific publications in the thematic area;
- research and analysis of normative documents regulating the education of children with SEN;

- research and analysis of the policies carried out in our country regarding children with disabilities / with SEN;
- secondary analysis of information from already conducted empirical legal-sociological research on discrimination in the educational system;
- analysis of cases (case study) based on documents of the Commission for Protection against Discrimination;
  
- analysis of information from own research using in-depth interviews with teachers, resource teachers, psychologists from schools with children with special educational needs and with parents.

**Limitations:** the study covers the territory of the country and in terms of time, it is focused on the practices of the last 15-20 years.

**The thesis** defended in the dissertation is:

In Bulgaria, there is the necessary legal basis that ensures equality and does not allow discrimination of children with disabilities in the educational system, but despite the tangible progress achieved in recent years in their integration into the educational system, due to material, informational and personnel deficits and existing stereotypes, the degree of correspondence between their needs and what is offered by educational institutions is different from that of normal children, i.e. has discriminatory elements.

The proposed dissertation is structured in an Introduction, three chapters, a Conclusion and an Appendix.

## **Chapter One PEOPLE WITH DISABILITIES IN SOCIETY – THEORETICAL FRAMEWORK**

### **1.Models for interpreting illness and disability**

The attitude towards people with disabilities and the practices established in different groups and societies towards them have their roots in the interpretations of illness and disability and in the change of these interpretations over time. That is why here the analysis of the practices established in our educational system, which form the equality/discrimination of children with disabilities, must have as its starting point the analysis of these key terms and concepts. For this aim, the main approaches and concepts in the interpretation of disabilities and the social interactions of people with disabilities in society will be presented and analyzed, and the main concepts relevant to the topic of the dissertation work will be defined.

#### **1.1. Medical model**

When entering the problematic in sociological science, it initially begins with the development and launch of an interpretive model of disability, which is called "medical". A particularly important role in its construction and further development was played by T. Parsons. It was he who was among the first in the 1950s to conceptualize the disease in a sociological context. He defines it as a state of change in the "normal" functioning of the individual as a whole, including "both the state of the organism as a biological system and its personal and social adaptations"<sup>1</sup>

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<sup>1</sup> Parsons, T., 1951. The social system, London, Routledge.

In his concept, T. Parsons considers the disease in three aspects: <sup>2</sup>

- the first aspect is (disease) the biological, which refers to the body and can be observed and described in medical categories, thereby detecting possible deviations of the biological organism and its functioning from the point of view of normal standards;

- the second aspect (illness) refers to the subject's experience of the disease. It includes the whole wide range of the subject's perceptions as a result of changes in the organism and in anticipation of the consequences they may have on his social functions;

- the third aspect (sickness) refers to the failure to perform functions associated with the role corresponding to the status that the subject occupies in the organization where he performs his work.

Therefore, according to T. Parsons, the disease has three correlated levels:

- first - the presence of a difference from (deviation from) the norm at the biological level,

- second - the subjective experience of a person,

- third - the lack of opportunity to fulfill the roles in accordance with society's expectations.

The main characteristic of the medical model is the connection with the individual and the search for a solution to the problems through medical means.

In Andrew M. Gordon's interpretive model <sup>3</sup>, which was developed in response to stated limitations of Parsons' model, disability is associated with a "disrupted/compromised role". According to him, the sick role model is applicable to the analysis and explanation of persons with acute illness and injury, but it loses much of its explanatory potential when applied to the analysis and interpretation of people with long-term or chronic illness.

Fixation on the disease and putting a label on the individual leads to negative experiences on his part, loss of confidence in his own abilities and in the possibility of leading an independent lifestyle. Being placed in a certain group represents a risk of social rejection, due to stereotypes, prejudices, social norms. Stigma, according to Goffman, is "a special kind of connection between the attribute and the stereotype" that causes discredit to a person who is its bearer.

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<sup>2</sup> Parson, T., "On the Concept of Value-Commitments". In *Sociological Inquiry* 38(2):135 - 160 · January 2007.

<sup>3</sup> Parson, T., "On the Concept of Value-Commitments". In *Sociological Inquiry* 38(2):135 - 160 · January 2007.



The status of disabled people is not like any other status that a person has in society, but a dominant status and as such is capable of affecting the performance of various functions and roles, so much so that it becomes difficult for people to perform alternative roles. Therefore, this approach poses the problem of understanding the conditions under which disability becomes a dominant status, i.e. the mechanism through which personal characteristics, emotions, cognitive processes and attitudes are built, which identify the status of the disabled and become the basis for the development of social relationships of these people.

### **1.2. Social model**

The social model of disability arises as a result of the application of an approach that identifies and explains specific problems encountered by people with disabilities, taking into account all socio-cultural factors.

Developed in the 1970s by UPIAS activists, it has gained academic legitimacy through the work of Vic Finkelstein (Finkelstein 1980; 1981), Colin Barnes (Barnes 1991) and especially Mike Oliver (Oliver 1996).

The difference in the not infrequently used interchangeably terms "impairment" and "disability" should be emphasized. These two concepts are related to the analysis of the needs of people with disabilities. The term "impairment" is defined by the World Health Organization and its context is medical - it is associated with a violation of mental, physiological and anatomical structure or function. And "disability" or "disability" refers to a process that is the result of the attitude of others" and places before this group of people psychological, social, economic barriers, as well as barriers related to the accessibility of the environment.

The social model of disability is a tool with which it is possible to reveal the mechanisms of disabling people with disabilities in contemporary society, so that policies and practices able to facilitate the eradication of these mechanisms can be developed and implemented. Social barriers limit the opportunities for the full participation of people with disabilities in all areas of public life, for their social realization and personal affirmation, and can be defined as deactivating factors.

### **1.3.A biopsychosocial model**

A further step forward, in line with the spread of holistic thinking and systems approach, is the development of a biopsychosocial model. The transition from the medical to the biopsychosocial approach makes it possible to consider any problem as the result of the

influence of multiple factors of a different nature. Undoubtedly, the disease can be related to genetic factors and the functioning of a certain organ, but over time, it has been found that thoughts and attitudes influence the symptoms and their development and maintenance. In the treatment, the social circle and the family play an essential role, which play a key role in the recovery.

The biopsychosocial model gives people with disabilities greater control and the opportunity for a more active role. It is based on an approach focused on the protection of human rights, based on empowerment, i.e. on realizing one's personal potential and improving personal skills to realize it. This model requires society to look at people with disabilities and treat them without stereotypes, but like other citizens, including them with their special needs in the usual places of life without architectural, psychological and cultural barriers that limit participation and equal opportunities to choose from in different everyday contexts. From the positions of

the biopsychosocial model people with disabilities can, like other people, make decisions and be responsible for their lives.

The lack of stigmatization and generalizations has the potential to give new motivation to people with disabilities who are driven by their disability experiences and who have never pursued educational or professional goals.

A leading organization in the fight for human rights of people with disabilities is the Council of Europe. The European Social Charter of 1961 contains explicit provisions for the rights of persons with disabilities - the right to independence, social integration, and participation in community life. Given the importance of education and professional training for the integration of the individual in society, special attention is paid to the rights of people with disabilities in this area.

## **2. Children with disabilities and children with special educational needs**

According to a UNICEF report, the number of children with disabilities worldwide is estimated at almost 240 милиона.<sup>4</sup> Also, according to data from UNICEF and the Ministry of Education and Science, published in September 2021, there are over 26,000 children and students with special educational needs in the preschool and school education system in Bulgaria.

The understanding that children with disabilities deserve to be treated equally and to be supported by the state and society has not only moral but also constitutional and legal foundations. Article 51, para. 3 of the Constitution of the Republic of Bulgaria regulates the institute of "special protection of the state and society", under which persons with physical and mental disabilities are found. In this sense, it can be said that the constitutional legislator has built prevention and protection mechanisms for people with disabilities. This applies even more strongly to children with disabilities.<sup>5</sup> According to the provisions of Article 10, item 1 and item 3 of the Child Protection Act, every child has the right to protection for his normal physical, mental, moral and social development and to the protection of his rights and interests, as "not no restrictions on rights and privileges based on race, nationality, ethnicity, gender, origin, property status, religion, education and beliefs or the presence of a disability are allowed."<sup>6</sup>

For the purposes of this research, focused on the field of an institutional system - the educational one, I will present the main concepts that are defined in one or other relevant normative or administrative acts in Bulgaria.

The concept of "special educational needs" is defined in the normative acts of the Ministry of Education and Science and directs us to the Regulations for the Implementation of the Law on Public Education (Regulations for the Implementation of

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<sup>4</sup> UNICEF, Seen counted included, Using data to shed light on the well-being of children with disabilities, for every child, November 2021

<sup>5</sup> Constitution of the Republic of Bulgaria Promulgated, SG No. 56 of 13.07.1991, in force since 13.07.1991.

<sup>6</sup> Child Protection Act, Am. and add. DV. no. 99 of 20.11.2020

the Law on Public Education, Additional Provisions, § 3. 2. (amend. - SG, No. 43 of 2014, in force from 23.05.2014). Special educational needs may be experienced by children who encounter various difficulties in their studies due to:

- sensory impairments (sight impairment or hearing impairment);
- physical disabilities;
- mental retardation;
- language - speech disorders;
- specific learning difficulties;
- emotional or behavioral difficulties;
- communication disorder and of communication;
- chronic diseases that lead to SEN;
- multiple disabilities.

Encouraging children with special educational needs and providing them with equal access to education, however, does not mean equal care for all children, but differentiation of care according to their different needs. For those children who do not have an equal start, and some of whom are children with special educational needs, it is necessary to take special care with a view to their full participation in the educational system. Education should give every child the opportunity to develop their potential, i.e. to receive quality education, which implies continuous upgrading of knowledge and skills and opportunities for social realization.

The terms "integrated learning/education" and "inclusive education" in Bulgaria are defined in the National Plan for the Integration of Children with Special Educational Needs and/or Chronic Diseases in the Public Education System, 2004-2007. Integrated education in the Plan refers to its inclusive role. The aim of integrated education is to provide access to all children to appropriate, affordable and effective education in their community, by including everyone in society, regardless of their ethnicity and the presence of a disability.

Integrated education makes it possible for every child, regardless of the type of disability, to be included in the educational system by providing him with a supportive environment, an individual plan according to his needs, didactic materials and aids. Education is the right of every child and in this aspect; integrated education strives to provide affordable and quality education to every child in his community.

Especially for children, for their socialization and inclusion in society, the attitude towards them of a wider circle of their environment is very important. In this plan, the importance of discrimination and prejudice stands out. There is no doubt that social discrimination and stigmatization lead to marginalization and social exclusion, which can be a prerequisite for the development of children with disabilities, even for survival, in cases of physical and mental violence against them.

It is discrimination and prejudice that are significant factors that prevent children with disabilities from gaining full inclusion in society. For this reason, in modern policies regarding children with disabilities, emphasis is placed both on building their identity and on obtaining and guaranteeing the same rights and protection as other children.

### **3. Discrimination as a social phenomenon and a legal concept**

Discrimination, generally speaking, means distinction, violation. It represents a violation and limitation of rights, acts of violence and negative attitude due to belonging to a certain group of persons. The term itself is derived from *Discriminatio*, meaning "difference, different", "making a difference".

In other words, in its classical sense, discrimination was understood as our attitude towards those who are different from us, and therefore it was not loaded either positively or negatively. Over time, the concept began to be used to name an unfair treatment in which rights and benefits are taken away from a minority. This is a prerequisite for the subsequent introduction into use of concepts of unfair privileged treatment, in which a given social group is unjustifiably given social advantages or exempted from certain inherent responsibilities ("positive discrimination").

Discrimination is related to treating an individual or group based on being perceived as part of a particular group/category, rather than based on their personal qualities. In discrimination, individuals are viewed as members of groups defined by sharing some of a certain, historically variable set of characteristics. These groups are treated as inferior and treated unfavorably. The behavior towards members of groups formed based on race, gender or national origin was most often discriminatory.

Empirical studies outline the place of discrimination among the problems existing in modern Bulgarian society. In total, all the studies of the last three decades put poverty first, and in some years unemployment. It turns out that for the majority of Bulgarians, the poor economic

situation is a problem much more serious and severe than discrimination and the use of rude/hostile language.

Discrimination is a phenomenon that is observed in almost all areas of public life such as education, incl. access to quality education, employment, provision of social services, etc.

Along with the popular understanding of discrimination, legal definitions are of particular importance in social practice. According to the UN Human Rights Committee, which oversees the implementation of the International Covenant on Civil and Political Rights, discrimination is: "...any difference, exclusion, restriction or preference based on race, colour, sex, language, religion, political or other beliefs, national or social origin, property, birth or any other characteristics, and which has the purpose or effect of prejudicing or impairing the recognition, enjoyment or exercise by any person, on conditions of equality, of all rights and freedoms."

In literature, and in life, we talk about different types of discrimination - direct and indirect, hidden, /conscious/ and unconscious, multiple.

People with disabilities are sometimes subject to both direct and indirect discrimination and exclusion in various areas of life, whether because of social prejudice, whether because of structural problems in society or because of their own disabilities. As forms of discrimination against disadvantaged people, whether disabled, deaf, etc. non-acceptance of work, non-acceptance in social and cultural groups, unequal treatment, non-representation in the media, films, etc., as well as non-provision of support mechanisms (interpretation for the deaf and dumb, for example) for disadvantaged people are observed.

## **Second chapter**

### **SOCIALIZATION AND EDUCATION OF CHILDREN WITH DISABILITIES**

#### **1. Nature of socialization and specificity of socialization of children with disabilities**

##### **1.1. Nature of socialization. Types of socialization and agents of socialization**

In general, socialization is a process of active interaction of the individual with his immediate environment and with the macro-environment, during which the latter acquires knowledge, values, norms and behavioral patterns, adapts to specific conditions and situations and integrates into society. Due to the complex and complicated nature of

socialization and its exceptional significance for society and its functioning, it is the subject of research in a number of sciences, such as sociology, psychology, social psychology, pedagogy, cultural studies, ethnography, etc.

Socialization relates to two other elements of the social system - culture and education. Complementary to socialization is enculturation, a term used in cultural anthropology to refer to the process of passing on culture from one generation to another. In this way, socialization makes possible the transmission of culture, without which man would be unable to adapt to either the natural or the social environment.

## **1.2. Socialization and education**

Socialization and education are closely related and interpenetrating processes. Because of this, the terms denoting them are often used as synonyms in everyday life.

Education is a process by which society transmits accumulated knowledge and skills from one generation to another. In the broadest sense, education can include any action or experience that has a formative effect on a person's mind, character, or physical skills. It has a fundamental impact on the abilities and potential of individuals and communities to achieve development and socio-economic success. Education is one of the key factors for the development and strengthening of people's opportunities, it contributes to the building of a sense of self-respect, self-confidence and the realization of the potential of each individual. That is why it is extremely important, especially for people with disabilities.

Due to the importance of education, activities are needed as a priority to ensure every child's right to quality education and to prevent dropping out of school, focusing on students from vulnerable groups, including children with disabilities, and encouraging children to participate in formal and non-formal education and training.

Informal education includes all those social relations that produce an educational, educative or socializing effect - that is, acceptance by the subject of knowledge, orientations and meanings and his adaptation to rules and regulations determined by the situation or social environment in which he fits - without is intentionally intended or expressly expected by the participants in that particular situation.

A school is a formal educational institution. And although it not only educates and gives knowledge, but also has functions in relation to other elements of socialization and is actually a powerful socializing factor, it is first of all specifically and purposefully aimed at the transmission of knowledge, at the education of new generations. In addition to training, the school is also a place to acquire relational and intersubjective experience,

fundamentally built on the backbone of the teaching and learning processes, but also outside of them. The child, in his capacity as a student, gains access to a more general regulation and normative system that largely reflects the norms and rules for the functioning of social groups that are no longer of a primary type. The socializing function of the school is situated in a concrete reality, a reality which today is characterized by an extremely differentiated, sometimes contradictory sociocultural background.

### **1.3. Specificity in the education and socialization of children with disabilities**

In the 19th century and until the 60s of the 20th century, it was a common practice for the education of disabled children who have special educational needs to be predetermined by the accepted medical model of disability and to be organized in specially created educational institutions. Adopting another model of disability, which emphasizes the social factors and barriers affecting the lives of people with disabilities, sets a new perspective on children's education as well. Attention is directed to the specific characteristics and needs of these children and the ways in which the educational system can respond adequately to them.

It is obvious that due to the specific needs of children with disabilities, they need more attention, support and understanding. The main thing is that they should be perceived as full citizens in the maintenance process, and not as a passive object of external influence, taking into account their interests, needs and possibilities.

It is possible to systematize the main specificities found in some or all children with disabilities, which leave a serious impression on their education, upbringing and socialization.

- Perceiving the environment as hostile, aggressive and rejecting. Consequently, disabled children form multiple defenses that are objectified in withdrawal and distancing. The inclusion of these children in the general education system and their inclusion is a challenge for all participants in the educational process, as sometimes they are unprepared for such a situation. The literature points to the emergence of serious problems in the school environment due to the barrier between a child with expectations and members of his family, on the one hand, and children without health problems and their parents, on the other. Sometimes children who do not have a health problem react to the difference of a child with a disability with aggression and rejection. At this moment, the support of an adult is important for the adaptation of children with disabilities,



thereby reducing their fear and anxiety, which contributes to revealing their abilities as students.

- Difficulty meeting the need to comply with the mandatory set of rules that govern the teacher-class relationship. Some of the children with special educational needs are very emotional and, like all other children, have a lot of energy, and in the standard school, where they have to integrate; there are generally accepted rules of behavior during the lesson. These rules are difficult to implement and startling for some children with special educational needs, but they are a necessary condition for integration into the educational environment, otherwise they remain outside the educational system.
- Your own pace of development and learning. Depending on the specifics, children with special educational needs need time to make sense of and understand the studied material. Sometimes they delve into researching and getting to know some detail and want to have time to think about it. In the mainstream school, where children with SEN must be integrated, the learning process is built in such a way that certain schedules are followed - the children are burdened with many activities, complete the tasks set in the plan in the shortest possible time and do not have time to search for creative solutions and reflection. If specialized computer applications are used to teach children with SEN, they should not be tied to a fixed and time-distributed learning strategy. Rather, such programs should have elements of artificial intelligence and adapt to the pace of the child's work and the answers and decisions he gives.<sup>7</sup>
- Sensitivity to mistakes and remarks. Modern education is organized in such a way that it creates fear in children precisely of them - for incorrect answers and wrong results; the child receives a low grade. Mistakes and attempts to correct these mistakes sometimes have a cognitive and educational character for children. Unfortunately, the standard educational process is built in such a way that the fear of making a mistake and a low grade breaks children and they do not dare to experiment with unconventional solutions or ideas. Software

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<sup>7</sup> Ivanova A., G. Ivanova, K. Deneva. The role of information technologies in the integration of children with special educational needs and specific learning difficulties, Sofia, p.14.

products for children with SEN must also be tailored to this specificity. If they make a mistake, they should be given some alternative option, because with a few consecutive wrong attempts, they may become discouraged and give up working.

It is obvious that working with children with special educational needs requires a specific approach and organization of activities, specific planning and analysis. Analysis and planning work not only cannot be improvisation, but must be shared with both the class teacher and the child's parents. A modern planning tool is the individualized educational plan, which combines analysis, a proposed path of intervention, network connections and educational continuity between different services and the family.

#### **1.4 Integrated and inclusive education of children with special educational needs**

The initiator of the integrated education was the Austro-Hungarian pedagogue Johann Kleine, who in 1839 published "Guide to the education of blind children from the earliest childhood at home and in the local school". Over time, the practice of removing children with disabilities from special schools and entering general schools is becoming more widespread, developing and diversifying. In parallel with the development of the practice, the relevant terminology also develops. Integrated education means ensuring that all children have access to appropriate, affordable and effective education in their community; it enables every child, regardless of the type of disability, to be included in the educational system by providing them with a supportive environment, an individual plan according to their needs, didactic materials and aids.

Now there are many models for integrated education, and in some of them the priority is total integration, which implies in certain cases an auxiliary role of special schools, if the integrated student has problems with learning the learning material. Another model that is proposed is that of partial integration, which involves visiting a mainstream school once a week, it being important that the visits are individual and not group. The student attends certain classes according to a preliminary individual plan, according to an individual assessment of his needs.

The Anglo-Saxon world prefers the term "inclusion" to the term "integration", the aim being to work on personal and collective changes without canceling or downplaying the specifics. The logic of "insertion" recognizes the right of people with

disabilities (students, in our case) to have a place in school and in society, guaranteeing their legal and physical insertion, without however caring about the quality of their presence, interpersonal relationships and socialization; the approach is normative and supportive.

Behind the concept of "integration" (to integrate = to make complete both quantitatively and qualitatively, mostly by adding complementary elements, inserting into an economic, social, political, civil structure) lies the systemic vision belonging to our best tradition. Therefore, the quality of educational-teaching action is determined by mutual adjustment - active adjustment between the individual and the context, as well as by the availability of effective and efficient resources adapted to the situation. Legislation introduced from the mid-seventies to the nineties, after outliving the understanding that simple inclusion did not guarantee the best educational attention for children with problems, outlined a new vision of the school as emphasis was placed on changes in institutional tools, on individualized planning in educational offers, openness to flexible and functional organizational methods, extension of learning time, group activities among students, collegial programming between teachers and social and health workers, support for teachers, reduction of the number of students in a class in the presence of children with disabilities. According to this new idea of the education of children with disabilities, the respect of the personal educational needs of everyone in the school is guaranteed, through the quality and flexibility of programmatic, organizational and didactic interventions.

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## **2. Institutional-normative framework and policies for the education of children with disabilities**

Institutional-normative arrangements and policies for the education of children with disabilities take place at several levels - at international, European, national and local levels. It is done through conventions, standards, laws, regulations, strategies and action plans.

The main principles related to the practical implementation of the education of children with special educational needs are formulated in the document "UN Standard Rules for Equality and Equal Opportunities for People with Disabilities" (1993), which serves as a basis for changes in educational policy in Bulgaria regarding children with disabilities. Of particular importance is Rule 6, which states: "Education of people with disabilities must be an integral part of national educational planning, curriculum development and school organization."

In the European Union, the topic of the education of children with disabilities is one of the priorities, and in strategic documents of the union emphasis is placed on their inclusive education, so that all children, including those with special needs, attend school together.

One of the main international human rights documents is the European Social Charter, which was adopted in 1961, and which includes explicit provisions for the rights of people with disabilities to independence, social integration and participation in public life. In the Education and Non-Discrimination sector, there are special provisions relating to the rights of people with disabilities. In the "Education" area, the need for school integration of children with disabilities, as well as access to professional education for children with disabilities, is proclaimed.

The Bulgarian government makes consistent and systematic efforts to fulfill the requirements of the UN Convention on the Rights of the Child to eliminate all forms of discrimination and ensure equal access to education. In recent years, the Ministry of Education and Science (MES) has initiated and carried out the synchronization of

legislation and all regulations with the requirements of the European Union, thereby improving educational standards to achieve quality education.

From the point of view of the new vision for the education of children with disabilities, the need to make a number of changes in the legislation can be seen. In 2003-2004, the MES initiated serious legislative changes that guarantee equal access to education and the inclusion of all children in the national education system.

After the establishment of an adequate legal basis, practical actions are necessary for the application of the outlined policy in accordance with the Bulgarian educational and cultural traditions, as well as with the economic and social conditions.

In Bulgaria, inclusive education is implemented on the basis of the Ordinance on Inclusive Education, adopted in 2017, which defines the state standard. The practical implementation of the vision for the education of children with disabilities is realized on the basis of various program documents. Already in the first years, a plan for the integration of children with special educational needs was developed and implemented. In December 2003, the Council of Ministers adopted the "National Plan for the Integration of Children with Special Educational Needs and/or Chronic Diseases in the Public Education System", with a period of action 2004-2007, which marked the beginning of the creation of a supportive environment for practical implementation of integrated learning.

The main goal of the National Plan is the introduction of integrated education for children with special educational needs in the public education system. Planned activities include the creation of a national community council and district community councils for inclusive education to coordinate, manage and evaluate the practical implementation of the national plan. These councils organize regular working meetings between various national institutions - the Ministry of Education and Science, the Ministry of Health, the Ministry of Labor and Social Policy, the State Agency for Child Protection, the Agency for Social Assistance, Non-Governmental Organizations (NGOs) and all their local branches in municipalities, regional administrations, directors of kindergartens and schools and other interested parties. Among other things, the National Plan stipulates a requirement to publish periodic reports on its implementation.

### **3. European practices**

In the modern world, characterized by a market economy, dynamic development of technologies and globalization, there is a need for a higher quality of the workforce, which is a function of the person's education, the level and quality of the formed knowledge and skills. The priority is the issue of the professional realization and self-affirmation of each person, of their place in the economy, which will contribute to ensuring their security, to overcoming poverty and achieving a dignified way of life. People with disabilities should be seen as active subjects, with opportunities to exercise their full rights, control and autonomy over their own lives. It is necessary to include them in social life, which is related to the implementation of policies that lead to overcoming barriers and guaranteeing the exercise of civil, cultural, economic, political and social rights.

The European Union supports the development and implementation of measures at national level to ensure high-quality sustainable social protection for people with disabilities, incl. and through the exchange of policies. A focus in European strategy documents is access to quality education for people with disabilities and lifelong learning, as education will provide them with opportunities for independent living and inclusion in the community. In order to realize their rights to full participation in public life, it is necessary to have access to quality, person-oriented services provided in the community, thereby providing support to children with disabilities and their families.

### **Third chapter**

#### **THE SITUATION IN BULGARIAN SCHOOLS – EMPIRICAL ANALYSIS**

Undoubtedly, the legal framework protects the rights of people with disabilities and their equality, incl. and in the education system. But what is the real situation? Are children with SEN in the educational system on an equal footing: are they discriminated against in the process of interaction with other social actors participating in the educational process, is the degree of correspondence between what is offered by educational institutions and their needs the same for them and for other children? An answer to this question can be given by analyzing empirical information.

#### **Sources of empirical information**

In order to answer the main question posed in the dissertation, information from various sources is analyzed:

- conducted in December 2018, a nationally representative empirical legal-sociological research on problems of discrimination for state and municipal schools in the country;
- files kept in the Commission for Protection against Discrimination;
- interviews with educators (principals, teachers, resource teachers and psychologists – 3 principals, 7 resource teachers, 11 teachers and 5 psychologists.

In the already conducted study of schools in the country, every k-th element of the general population falls into the sample, starting with a randomly selected element with a number between 1 and k. The selection step (k) is determined depending on the size of the population and the size of the sample. In each school, a principal and one teacher of both sexes, randomly selected, were interviewed. The total volume of conducted interviews and completed questionnaires is 900.

In order to obtain information that is richer in terms of content, in-depth interviews were also conducted within the framework of the dissertation research. Their goal is to delve deeper, to look for answers to questions such as: why and for what reasons things happen, what are the motives of different groups of subjects, are there options for change, in which direction should intervention be taken. The chosen method makes it possible to observe the behavior of the interviewees and participants.

#### Files kept by the Anti-Discrimination Commission

For the aims of the analysis of cases, materials of the CCP were used in 4 cases and a substantive analysis of the relevant documents was made. Such material is available, and it can be seen that during the period 2017-2020. in the work of the extended panels of the commission, an increase in complaints filed by parents of minor children against educational institutions, local administrations in connection with the right to equal treatment of their children by the pedagogical staff was registered, mainly on the basis of the signs: "age" "personal situation", "disability" and "education".

The starting point for constructing an analysis model is the definition of discrimination as unequal or less favorable treatment of a person compared to another person in comparable similar circumstances, because the former belongs to a certain group, due to the presence of certain characteristics. Existence of discrimination - hidden,

also exists when such unequal treatment is realized as a result of the action of seemingly neutral provisions, criteria or practice, which are not objectively justified in view of a legal goal.

Disability discrimination can be defined as unfavorable and/or offensive behavior based on the idea that disabled people are inferior to others.

The spatial framework in our case is predetermined - the schools in Bulgaria. The ground by which the presence/absence of discrimination is observed - disabilities - is also pre-determined.

In the interaction in which unequal treatment is realized, there are subjects - apart from the child with disabilities, these are teachers, the principal, other personnel in the educational institutions, parents, other students. In the course of interaction, certain relations are established between subjects.

Since the available information is from a more general study, the focus of which is not on children with disabilities and special educational needs, and therefore the information needed in view of the topic is fragmentary and does not cover all the parameters we are interested in, the analysis cannot be structured according to the developed model.

Given the above, it is structured as follows:

1. socio-cultural context - environment, general atmosphere, attitudes that exist towards people with disabilities and especially towards children from this group;
2. presence of forms of discrimination in schools, especially towards students;
3. discrimination and unwanted behavior towards children with disabilities;
4. children with disabilities at the school;
5. material / architectural environment;
6. . judgment about the risk of children with disabilities being discriminated against;
7. the realities –
8. attitude of teachers
9. attitude of classmates



The results of the research in the schools show the judgments of the teachers about discrimination in general as a problematic phenomenon in the Bulgarian society. According to 44% of the surveyed school representatives, it is a serious (30.8%) and very serious (13.2%) problem. At the other extreme - that it is not at all or a minor problem are 38.1%. Compared to the other problematic phenomena, it recedes significantly and is ranked only in fifth place, far behind poverty, corruption and crime. Spatial specification for one's own settlement, however, further reduces severity estimates. As for the prevalence of discrimination against people with disabilities, however, the opinion of about a third of the school representatives is that it occurs frequently. The information related to the teaching profession, although it does not refer to students, is useful for delineating the atmosphere in schools in general terms, for forming an idea of the attitudes towards the considered group of people, including children. When asked if they would accept to work in the same room with a colleague with disabilities, only 2.5% gave a negative answer. Asked about another hypothetical situation – how they would feel if their direct supervisor was a disabled person, more than half (55.9%) answered that they would feel completely comfortable. It would be indifferent to 25.5%. 18.6% believe that they would experience certain or great discomfort. The resulting picture suggests that there are absolutely no negative attitudes towards people with disabilities in Bulgarian schools on the part of the teaching staff. There is no reason to expect that there will be a difference when it comes to the treatment of children with disabilities.

Respondents in the study expressed their opinion that, in general, students in their schools were not discriminated against and the percentage of those who did not know about the existence of a case of discrimination in their schools was 86%, and only 14% stated that they were aware of unequal treatment (without giving information on what basis) towards students. In the course of further specification, it becomes clear that in the overwhelming number of cases, other grounds are concerned.

As for the material environment, the physical accessibility of schools – a factor that can put children with disabilities at a disadvantage compared to others, the situation is different. In order for the right to education of students with SEN to be realized in full and in a quality way, it is necessary to have an environment that is equally accessible to students with different physical (including sensory) capabilities. More than half of respondents to the national survey reported that their educational institution did not have an accessible architectural environment suitable for people with disabilities. Studies and interviews show that there are still no conditions created for children with

impaired left-right orientation or with impaired vision. (There are no embossed elements or color accents for orientation either on the floor or on the walls). There are no handrails for students with partial paresis of the lower limbs, with crutches, which makes it difficult for them to access the classroom, and the width of the steps, although standard, is inadequate. The doors are wide, but the distance between the tables is not adapted to a wheelchair. The child would not be able to move to a more extreme rank, or join a desk, due to lack of space in the overcrowded (22-26 children) classrooms. The noise level in the corridors is too high, and children with disabilities are sensitive, easily tired - they can hardly stand noise.

The information on another question from the research can also refer to the necessary characteristics of the environment and the resources that enable successful equal education of children with disabilities, given their specific needs. When a question was asked to the research participants about the presence of deficits in the social, communication and language skills of certain groups of students, those with disabilities were placed in third place with 34.7%. The opinion expressed by the respondents shows that there is a need for additional work, pedagogical and psychological support, in order to overcome the problem and prevent the potential risks of them dropping out of the educational system.

As for the attitude of students, in general towards children with disabilities, the information received from the teachers shows that compassion is most often shown towards them. A little less are the answers that there is no special attitude. However, it is noteworthy that almost 10% of the responses, according to which there is a feeling of superiority among non-disabled students in relation to children with disabilities. The percentages indicating hatred and fear are minimal, but all this shows the need for serious and systematic work with children and their parents.

Educators find that in primary education, children show sympathy during play, but it is more difficult for them to accept a different rhythm of work in educational activities. In the middle course, if the disability is motor - they ignore it, expect the child to be independent. If he experiences difficulties, they do not help or help with reluctance and episodically. For normal children, the presence of a disabled child is not a problem. These children are difficult to accept by the parents of the children in the norm all day in the class, especially if they are dependent on the support of another person and if they slow down the rhythm of learning in the class. They are accepted if they are quiet and have an accompanying teacher or parent. If children have problem behavior - for

example, shouts or there are repetitive actions that distract the attention of the teacher from working with other children, the child quickly becomes unacceptable and the parents reject his stay in the class. It has been established that, in general, parents of normal children prefer not to have children with disabilities and special educational needs in the class.

The analysis of cases from the practice of the CPD shows both the presence and absence of discriminatory treatment, but also serious information deficits and unfounded expectations that give rise to dissatisfaction and a sense of injustice. The conclusion of the one particular case is that due to the insufficient training of the pedagogical staff on the specifics of working with children with SEN, they are not able to meet the challenges in this process. The education of children with disabilities requires the digestion of new alternative models, the basis of which is the need to understand the child, his specific needs, sensitivity and flexibility towards him. Still, some of these children need the support of psychologists so that they can adapt to the school environment and learn the necessary skills and habits for their adequate social adaptation and personal affirmation. Failure to provide a supportive environment puts these children at risk of dropping out of the education system, which constitutes disability discrimination.

In the second analyzed case, there is low awareness of the regulatory framework, which gives rise to a subjective feeling of discrimination. The legal framework specifies the rights and obligations of all members of the school community, which enables their legal regulation. The requirement established in normative acts in the educational system that there should be a partnership between parents and teachers, which is a necessary condition for the realization of the child's equal access to the educational system and the realization of his potential, is also neglected. Namely, knowledge and compliance with the regulations by all interested parties (pedagogical staff, parents, students) is a prerequisite for protecting children's rights in the best way.

In the other case, activities are planned for the child in accordance with the requirements of the Ordinance on Inclusive Education, some of which are not accepted as necessary by the child's family, thus preventing the possibility of adequate support that would assist the socialization process. The lack of understanding on the part of the mother and the extended family that the child with SEN needs special care and attention leads to a breakdown in communication between parents and the pedagogical staff, whose good partnership is in the interest of the child's development. The aggravation of

the relations between the individual participants in the process does not constitute discrimination and unequal treatment towards the child. It can be summarized that the problems here are largely generated by insufficient understanding and adequate interpretation of the situation on the part of the family, inconsistency in behavior and requests, and burdening other social entities with commitments that exceed their regulated ones.

From the presented cases from the practice of the Civil Code, it can be seen that complaints from parents about discrimination on the grounds of "disability" are about different forms of unequal treatment of their children. In some of the cases, it is evident that the parents were not familiar with the regulations, which regulate the rules for the functioning of the educational institution, for example, their submission of applications for the use of scholarships by their children, conditions for the use of scholarships, as well as and the use of a school uniform. In other cases, it was found that when planning their children's individual plans, they were informed and signed protocols, thereby agreeing on the planned activities concerning their child's development, and then contesting the planned activities.

Despite what has been achieved, children with disabilities and their families still need additional support, but there are still not enough social services, for which it is necessary to direct financial, informational and human resources. The practice shows that in some of the cases the parents' complaints about the violation of their children's rights and discriminatory actions against them are well-founded, and their children are denied the opportunity to use the psychological support necessary for their adaptation in the educational environment, and in at the same time, other children with similar needs and under the same conditions are given such an opportunity. The said actions constitute unequal treatment of the child, as he is placed at a disadvantage compared to another child in a comparably similar situation.

### **3. Equality in the education of children with SEN - issues, possible and necessary measures, good practices**

The current situation in Bulgaria in the given area is a response to the struggle of the parents of children with disabilities for the right of their children to attend mass schools and for the enforcement of the principles of integration, equal access and social inclusion in the community. Over the years, serious progress has been made in this direction in Bulgaria, with general schools opening their doors to children with

disabilities. Moreover, in the last few years, the state of inclusive education in our country has significantly changed in a positive direction. Society is increasingly showing a tendency towards non-segregation and anti-discrimination thinking and corresponding attitudes are being formed. A normative base of national (national plans, programs and strategies; regulatory documents – laws, regulations, etc.) and local significance (municipal programs, regulations, etc.) has been developed. There are more and more schools with an adapted architectural and material environment.

For the realization of what is laid down in the normative and program documents, significant structural and organizational activities have been carried out at the level of the Ministry of Education: 28 regional resource centers have been created to work with children with SEN in general education schools; the percentage of Roma children in auxiliary schools has been reduced and the process of closing this type of schools has been started; more and more children with SEN go to general education schools from the very beginning of their inclusion in the education system.<sup>8</sup>

However, children with disabilities and special educational needs and their families are still faced with many difficulties. The new challenges for the Bulgarian education system are to provide real access to general education schools for children with special educational needs, providing them with an environment that values all children and is able to educate them depending on their unique characteristics, interests, abilities and educational needs. Building the facilitating relationship starts with the person's deficit, but focuses on adapting and personalizing the learning environment, thereby trying to minimize the gap between capacity and performance, between what the deficit dictates and what a person if be supported, can potentially do.

Teachers and other pedagogical staff play a key role in the process and its effectiveness. Interaction with different people, with people with disabilities, sometimes scares and stresses the teaching staff. The fear of misunderstanding and failure in the teaching staff, dependence, are sensations and mechanisms that are activated. Entering into a relationship with "others", more specifically with a person different from us, implies a redefinition of many concepts; it means inclusion, recognition of one's own limits and one's own weaknesses.

Teachers play a fundamental role in the processes of inclusion and protection; for school and learning, they represent a valuable and irreplaceable resource.

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<sup>8</sup> Valchev G. Educational segregation and inclusive education of children with special educational needs - conflicts and compromises. Burgas Free University, 2010, p. 6.

Within the inclusive process, this resource - the teachers - not only regulates the process, but also optimizes the context. Teachers are an important part of the integrating environment. In fact, they act in two ways: on the one hand, they perform coordination and programming functions in the process, on the other hand, they act as a model, that is, they influence the attitudes and, accordingly, the performance of the learners.

As for the problems and deficits related to the education of children with disabilities in general education schools, they can be systematized in a substantive plan and from the point of view of the relevant social actors.

The representatives of the non-governmental sector, including the "Karin Dom" Foundation, addressed to the responsible institutions recommendations for improving the conditions, environment and understanding of the role of inclusive education in Bulgaria, in order for their recommendations to be realistically taken into account, they must be presented and evaluated in the context of the contemporary state of society and its possibilities.

Since the identification of children with special educational needs in the various regions of the country is of primary importance for the success of integration, it is necessary that this be done in a timely manner in all municipalities and that early impact programs be implemented. In practice, there are no or insufficient specialists, services and support for children who live in small settlements far from the regional cities.

Services for children with disabilities, which are also key to educational activity and success, are too often provided only to the child and do not include the family.

There is a need to increase the knowledge and skills of general education teachers for working with children and students with SEN; by changing existing attitudes that working with children with special educational needs is highly expert and should be carried out by the resource teacher or other resource specialist. Additional specialized training of teachers and coordinating team is needed for early and timely identification of the needs of additional support of each child or student.

A serious problem is the deficit of material and financial resources. More investments are needed in the educational infrastructure and the modernization of the material base in kindergartens and schools, which will help to turn them into an attractive social environment. Schools are struggling to provide an accessible architectural environment.

In the presence of a legal and by-law framework, at the moment it is necessary to focus efforts on increasing the awareness of society and changing the attitudes and stereotypes of the parents of children who do not have specific educational needs. Integration cannot be realized if the process does not start from the family environment, where children are brought up in a spirit of tolerance and respect for their different peers. The process is slow and difficult, but it is necessary in order to realize the inclusion and equality of children with SEN in all spheres of public life.

For the inclusion of children with SEN in mainstream schools, it is necessary to provide them with a supportive environment, an environment that includes heterogeneous components:

- technical infrastructure (accessible architectural environment of the respective kindergarten or school to the building itself, to the classroom and to all premises in the educational institution; provision of technical aids);
- personnel resources (providing a team of specialists, resource teachers to work with the children in the classroom and support the learning of the learning material);
- the methodology, etc. (adaptation of curricula and textbooks, preparation of individual plans to support children's participation with active participation of parents).

It is necessary to ensure a positive climate and good relationships in general education schools, so that the school environment meets the needs of children with disabilities and helps their adaptation. Access to education should be equal for all children.

## **CONCLUSION**

The development of increasingly complex and multifaceted concepts of disability and disability underpins disability policies. The transition from the dominance of one or other modifications of the medical model, which relates the disability exclusively to the individual and seeks solutions through medical means, although it places the issue in a social context and relates to the performance of social roles, through the social model identifying and explaining problems, who meet people with disabilities in a socio-cultural context, to the biopsychosocial model, based on the general theory of

systems and applying a holistic approach, sets a new perspective on the education of children with disabilities / with special educational needs, strongly influences both the normative base and practices , related to their training.

The analysis of the institutional-normative framework and policies on the education of children with disabilities, which set the framework and construct the school context in which practices of discrimination or equality of children with disabilities are formed, show synchronization of the legislation with that of the EU, full alignment with the international conventions and the recommendations of the relevant international organizations - UN, UNESCO, UNICEF. With a view to the realization of the new vision for the education of children with disabilities, a number of changes have been made to the basic legal framework of education in Bulgaria in order to support the further development of the inclusive education system - after it has been postulated that in Bulgaria it is principle and part of the right to education, in 2015 a new Law on preschool and school education was adopted.

In accordance with the new normative and program documents regulating the education of children with SEN, new institutional structures are being formed. Regional support centers for inclusive education are being established, which provide organizational and methodical support to kindergartens and schools in terms of providing additional support for the personal development of children and students with disabilities, as well as providing resource support to children and students with special educational needs. needs, in the cases provided for in the Preschool and School Education Act. In each regional inspectorate of education, a team for complex pedagogical assessment is established, which assesses the educational needs of children with disabilities in connection with the practical implementation of integrated education.

It is established that the inclusion of a child with a disability in the general education system represents a serious challenge due to the barrier between a child with disabilities and members of his family, on the one hand, and children without health problems and their parents, on the other. The mental attitudes and stereotypes of some of the social actors in the educational process are a prerequisite for the existence of practices that have a discriminatory nature. It is found that children who do not have a health problem sometimes react to the difference of a child with a disability with aggression and rejection. At this moment, the support of an adult is important for the adaptation of children with disabilities, thereby reducing fear and anxiety and is a prerequisite for



revealing their abilities as students. In general, parents of normal children prefer not to have children with disabilities and special educational needs in the class.

Regarding actual cases of discrimination against children at school, the share of those in which it is based on disability or chronic illness is minimal. This is exclusively about unequal treatment by classmates and other persons, not pedagogical staff.

The thesis of the dissertation is confirmed, that in Bulgaria there is the necessary legal framework that ensures equality and does not allow discrimination of children with disabilities in the educational system, but due to material, informational and personnel deficits and existing stereotypes, there are conditions and practices that are associated with the specific needs of these children put them at a disadvantage, deprive them of equality, i.e. have discriminatory elements. Unequal treatment, which by definition is discrimination, occurs in relation to any resources (human, material, informational) necessary to satisfy specific needs related to education, to achieve compliance between specific needs and what is offered by the educational system. The deficit or the lack of appropriate resources (availability and access to resource teachers, technical means, access to the learning environment, availability of specific aids, the possibility of inclusion in extracurricular activities organized by the school, etc.) become barriers that are a prerequisite for the difficult implementation of children's rights related to the provision of quality and accessible education.

**Contributions of the dissertation:**

1. An analytical overview of the concepts of disability was made and their projections in the education policies of children with disabilities were derived.
2. The development of the normative and institutional framework for the inclusion of children with disabilities in the educational system has been traced in a social context.
3. The developed model for analyzing the situation regarding the discrimination/equality of children with disabilities provides an opportunity to conduct empirical research.
4. On the basis of rich empirical information, the real situation in the educational system in Bulgaria is outlined.

5. Identified and systematized the challenges and issues facing social subjects with regard to the educational process and their determinants.
6. Systematized proposals for management actions have been formulated with a view to optimizing the learning environment for children with disabilities

#### Publications on the subject of the dissertation

1. Hristova P. Equality and/or discrimination of children with SEN in Bulgarian schools In: Political Horizons, year V, issue 4, August, 2021, pp. 108-129. ISSN: 2534-966X
2. Hristova P. Socialization of children with SEN in the educational system In: Political horizons, year V, issue 6, December, 2021, p.141-157. ISSN: 2534-966X.
3. Hristova P. Policies for the prevention of the risk of children with special educational needs dropping out of the educational system In: Panorama of Labor, issue 5/2021, pp. 16-34. ISSN 2683-0612 /online.