
INFORMATION NOTE

Updated information on special education in selected places

1. The Subcommittee to study issues relating to the provision of boarding places, senior secondary education and employment opportunities for children with special educational needs requested the Research and Library Services Division to update the research report entitled "Special education in selected places" published in February 2006. The Table below covers the following aspects of the special education system in California of the United States, Ontario of Canada, England of the United Kingdom, Taiwan and Hong Kong:

- (a) background information;
- (b) distribution of students with special educational needs (SEN);
- (c) assessment for SEN;
- (d) individual education plan;
- (e) staff;
- (f) performance assessment;
- (g) integration;
- (h) parental participation;
- (i) appeal;
- (j) funding; and
- (k) transition programme.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong

	California	Ontario	England	Taiwan	Hong Kong
Background information					
Number of students with SEN	679 648 in 2006-2007.	Approximately 290 000, as at 2007.	1 562 540, as at January 2007.	85 947, as at July 2007.	20 408, as at 2007.
Category of disability	<ul style="list-style-type: none"> • Specific learning disability; • Speech or language impairment; • Mental retardation; • Emotional disturbance; • Autism; • Orthopaedic impairment; • Hard of hearing; • Multiple disabilities; • Visual impairment; • Deaf; • Traumatic brain injury; • Deaf-blind; and • Other health impairment. 	<ul style="list-style-type: none"> • Behaviour; • Communication: <ul style="list-style-type: none"> (a) Autism; (b) Deaf and hard-of-hearing; (c) Language impairment; (d) Speech impairment; and (e) Learning disability; • Intellectual ability: <ul style="list-style-type: none"> (a) Giftedness; (b) Mild intellectual disability; and (c) Developmental disability; • Physical: <ul style="list-style-type: none"> (a) Physical disability; (b) Blind and low vision; and (c) Deaf-blind; and • Multiple exceptionalities. 	<ul style="list-style-type: none"> • Moderate learning difficulty; • Behaviour, emotion and social difficulties; • Specific learning difficulty; • Speech, language and communications needs; • Autistic spectrum disorder; • Severe learning difficulty; • Physical disability; • Hearing impairment; • Profound and multiple learning difficulty; • Visual impairment; • Multi-sensory impairment; and • Other difficulty/disability. 	<ul style="list-style-type: none"> • Language disorder; • Hearing impairment; • Visual impairment; • Physical handicap; • Health impairment; • Learning disability; • Severe emotional disturbance; • Mental retardation; • Autism; • Development delay; • Multiple impairment; and • Other significant handicap. 	<ul style="list-style-type: none"> • Hearing impairment; • Visual impairment; • Physical disability; • Intellectual disability; • Attention deficit and hyperactivity disorder; • Autistic spectrum disorder; • Specific learning difficulties; and • Speech and language impairment.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Background information (cont'd)					
Age limit when special education is available	3 to 22.	6 to 18.	5 to 19.	From 3 onwards. Information on the upper age limit is not available.	6 to 18.
Responsible authority	The California Department of Education (CDE).	The Ontario Ministry of Education.	Local Education Authority (LEA).	The Ministry of Education.	The Education Bureau (EDB).
Relevant legislation	<u>State level</u> <ul style="list-style-type: none"> • California Education Code. <u>Federal level</u> <ul style="list-style-type: none"> • No Child Left Behind Act; • Individuals with Disabilities Education Act; and • Individuals with Disabilities Education Improvement Act. 	Ontario Education Act.	<ul style="list-style-type: none"> • Education Act 1996; • Special Educational Needs and Disability Act 2001 (SENDA); and • Disability Discrimination Act 2001. 	<ul style="list-style-type: none"> • Act of Special Education; and • Physically and Mentally Disabled Citizens Protection Act. 	<ul style="list-style-type: none"> • Education Ordinance; • Education Regulations; and • Disability Discrimination Ordinance.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Distribution of students with special educational needs					
Number of students with SEN in special education schools	8 134, as at 2005.	805, as at 2004.	84 170, as at 2007.	6 192, as at 2007.	7 448, as at 2007.
Number of students with SEN in non-special education schools	613 639, as at 2005.	275 626, as at 2004.	1 478 370, as at 2007.	79 755, as at 2007.	12 960, as at 2007.
Percentage of students with SEN in special education schools over total number of students with SEN	1.3%, as at 2005.	0.3%, as at 2004.	5.4%, as at 2007.	7.2%, as at 2007.	36.5%, as at 2007.
Percentage of students with SEN in non-special education schools over total number of students with SEN	98.7%, as at 2005.	99.7%, as at 2004.	94.6%, as at 2007.	92.8%, as at 2007.	63.5%, as at 2007.
Enrolment ratio of students with SEN in special education schools to non-special education schools	1:75, as at 2005.	1:342, as at 2004.	1:18, as at 2007.	1:13, as at 2007.	1:1.7, as at 2007.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Assessment for special educational needs					
When assessment for SEN takes place	Statutory requirement: within 60 days once parents have given consent.	Statutory requirement: the principal must provide the parents a written statement indicating when the Identification, Placement and Review Committee (IPRC) will meet, within 15 days of receiving a written request from the parents.	No statutory time limit for the assessment. Normally, the LEA decides within six weeks whether it will make such an assessment. Once an LEA decides to assess a child for a statement, it gives the parents a proposed or draft statement within a further 12 weeks. When the parent is given a draft statement, the LEA then considers any comments the parents may make about the statement, and must give the parents a final statement within a further eight weeks.	Information not available.	No statutory time limit for the assessment but the professionals, such as educational psychologists, psychiatrist, medical doctors, audiologists and speech therapists, will exercise their judgment and prioritize assessment for the students such that their well-being will not be jeopardized.
Team responsible for assessing students	The Individualized Education Program Team.	IPRC.	LEA.	Committee for the assessment of children with special needs and teaching aid.	EDB and the Department of Health.
Frequency of re-assessment for SEN	At least once every three years but not more than once a year, unless the child's teachers, parents or the local education agency make a request.	At least once a year.	At least once a year.	Once every two years.	Re-assessment is usually done when there are significant changes in the students' performance and hence a review of their educational needs is necessary.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Individual education plan					
Availability of an individual education plan	The Individualized Education Program (IEP(US)).	The Individual Education Plan (IEP(CA)).	The Individual Education Plan (IEP(UK)).	The Individualized Education Program (IEP(TW)).	The Individualized Education Programme (IEP(HK)).
Required by legislation	Yes, required by the California Education Code.	Yes, required by Regulation 181/98 of the Ontario Education Act.	Nil.	Yes, required by the Act of Special Education.	No, the establishment of IEP(HK) is an educational, but not statutory requirement.
Personnel responsible for developing an individual education plan	The Individualized Education Program Team.	Principal/vice principal, special education teacher, classroom teacher, teacher-advisor and non-teaching specialist.	The SEN co-ordinator, head teacher and subject teacher.	School administration personnel, teacher and other professional specializing in special education or related fields.	Student support team with the school head or deputy head, the curriculum development teacher, subject teacher, resource teacher, student guidance personnel and non-teaching specialist.
When an individual education plan takes place	60 days from the date of receipt of the parent's written consent for assessment.	An IEP(CA) must be completed within 30 days after the student has been placed in the special education programme.	Information not available.	Developed by school within one month after the semester begins.	In mainstream schools, an IEP(HK) is usually recommended by specialists after detailed assessment. In special education schools, schools may initiate an IEP(HK) under their own policies and practices.
Frequency of review of an individual education plan	At least once a year.	At least once in every reporting period, and the school can have two to three reporting periods within a school year.	At least twice a year.	At least once per semester.	Two to three times per year.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Staff					
Teacher-to-student ratio	In 2004-2005 school year, teacher-to-student ratios were: <ul style="list-style-type: none"> • age 0 to 2 – 1:12; • age 3 to 5 – 1:33; and • age 6 to 22 – 1:19. 	Information not available.	Information not available.	Information not available.	As at 15 September 2007: <ul style="list-style-type: none"> • teacher-to-student ratio in special education schools was 1:5.5; and • Non-teaching specialist-to-student ratio in special education schools was 1:16.6.
Qualification	Special education teacher: <ul style="list-style-type: none"> • holds a minimum of a bachelor's degree; • completes the California High Objective Uniform State Standard of Evaluation for the subjects he/she teaches within two years from date of employment; and • has a full state certification or be enrolled in an approved education intern programme while teaching. 	Information not available.	Teachers who teach in a class of students with hearing impairment, visual impairment or multi-sensory impairment must possess Mandatory Qualifications in addition to a Qualified Teacher Status.	Information not available.	Teachers with recognized initial teacher training are qualified to teach students with SEN.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Staff (cont'd)					
Training	Information not available.	Information not available.	The Training and Development Agency for Schools has published the "National SEN Specialist Standards", and produced a CD-ROM "Identifying your Training Needs for Teaching Pupils with SEN" to help teachers identify specific training and development needs.	Information not available.	EDB has put in place a five-year teacher professional development framework on integrated education since the 2007-2008 school year. Under the framework, structured basic, advanced and thematic courses are offered and teachers in both special schools and ordinary schools are encouraged to attend. Seminars and workshops on specific topics related to SEN are also mounted by EDB throughout a school year.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Performance assessment					
Separate performance assessment for students with SEN from mainstream students	The California Alternate Performance Assessment.	Nil.	Nil.	Information not available.	Nil.
Special accommodation for students with SEN during performance assessment	Yes.	Yes.	Yes.	Yes.	Yes.
Integration					
Required by legislation	Yes, required by the Individuals with Disabilities Education Act and the California Education Code.	Yes, required by Regulation 181/98 of the Ontario Education Act.	Yes, required by SENDA and the Disability Discrimination Act 2001.	Yes, required by the Act of Special Education.	No explicit legislation but the Disability Discrimination Ordinance makes it unlawful for educational establishments to discriminate against a person with a disability unless there is an unjustifiable hardship for the educational establishments.
How long has integration been in place	Since 1975.	Since the 1970s.	Since 1976.	Since 1967.	Since the 1970s.
Grant/award incentive by the relevant authority	Yes, the State Improvement Grant awarded by CDE.	Yes, an award for exemplary practice in integration by the Ontario Ministry of Education.	Nil.	Nil.	Nil.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Parental participation					
Parental rights	<ul style="list-style-type: none"> • Participate in the development of IEPs(US); • Receive prior written notices of assessment and placement; • Parental consent required before assessment and provision of service; • Right to refuse to consent; • Right to receive independent educational assessments; • Right to access the educational records; and • Be informed of policies regarding children attending private schools. 	<ul style="list-style-type: none"> • Be consulted in the development and review of an IEP(CA); • Receive a copy of an IEP(CA); • Receive a copy of a Parents' Guide to Special Education; and • Participate in all IPRC discussions about the children. 	<ul style="list-style-type: none"> • Be involved in identifying the children's needs and making decisions about the children's education; • Be offered advice and support on SEN matters; and • Be offered resolution services in resolving disputes with the school or LEA. 	<ul style="list-style-type: none"> • Attend the relevant hearings about the children; • Participate in the programme design of an IEP(TW) and education placement; • Become members of a consultative committee to enhance the development of special education and facilitate the process of resolving complaints; • Receive information, consultation, counselling, and parent education services offered by the school; and • Become members of the school parent association. 	<ul style="list-style-type: none"> • Be involved in the choice of school placement; • Work closely together with schools via Parent-Teacher Associations in schools; • Participate in school meetings to establish and review the learning goals and progress of students; and • Be involved in the design of IEPs(HK).

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Appeal					
Underpinned by legislation	Yes, by the Individuals with Disabilities Education Act.	Yes, by Regulation 181/98 of the Ontario Education Act.	Yes, by the Education Act 1996.	Yes, by the Physically and Mentally Disabled Citizens Protection Act.	No, but the Code of Practice on Education provides practical guidelines on how to develop policies to prevent disability discrimination.
Appeal process	<p>Parents can:</p> <ul style="list-style-type: none"> file a complaint with CDE if they believe the child's school district has violated the law; consider settling disputes through mediation; or request a due process hearing if they are not satisfied with the CDE decision and/or mediation. 	<p>Parents can:</p> <ul style="list-style-type: none"> file an appeal against IPRC decisions or its reviews with the secretary of the school board, who will set up a special education appeal board; consider settling disputes through mediation; or further appeal to the Special Education Tribunal (SET) if they are not satisfied with the school board decision and/or mediation. 	<p>Parents can appeal to the Special Educational Needs and Disability Tribunal (SENDIST) if they disagree with the decisions made by LEA.</p>	Information not available.	<p>Parents can participate in a mediation mechanism where they can file a disability discrimination case with EDB. Upon receipt, the Regional Education Office of EDB will study the details from relevant parties and arrange a mediation meeting for the parents and the school representative within two weeks to work out a solution and reach a settlement. If the dispute fails to be resolved in mediation meetings, EDB would consult outsiders in the form of a Case Study Group. The Group is tasked with the responsibility to review the case, explore solutions and put forward mediation proposals to EDB. EDB will then decide on how to proceed with the settlement after considering the proposals made by the Case Study Group, their practicability, resources implications and other related factors.</p>

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Appeal (cont'd)					
Time limit in filing appeal	Request for a due process hearing must be filed within three years from the date that the parents know or have reason to know of the facts that are the basis for the hearing request.	Request for an appeal against IPRC decisions or its reviews must be filed with the secretary of the school board within 30 days of receiving the IPRC's statement of decision; or within 15 days of receiving the IPRC's statement of decision arising out of a follow-up meeting with the IPRC.	Request for an appeal must be filed within two months to SENDIST, starting from the time when the LEA concerned sends its final written decision to the parents.	Information not available.	No time limit.
Number of appeals received	Information not available.	SET received 10 appeals in 2005.	SENDIST received 3 110 appeals in 2006-2007.	Information not available.	In 2007, there was no formal written complaint that the mediation mechanism had to handle.
Type of appeals received	Information not available.	<ul style="list-style-type: none"> • Against identification and/or placement (90%); and • Unknown (10%). 	<ul style="list-style-type: none"> • Against content of the statement (48%); • Against refusal to assess (40%); • Against refusal to make a statement (8%); • Against decision to cease to maintain a statement (2%); • Against refusal to re-assess (2%); • Against refusal to change the name of the school (1%); and • Against failure to name a school (0.03%). 	Information not available.	Not applicable.
Outcome of appeals	Information not available.	<ul style="list-style-type: none"> • 80% still on-going as at 2006; • 10% was ruled out of jurisdiction of SET; and • 10% withdrawn. 	<ul style="list-style-type: none"> • 30% issued a decision; • 2% struck out; • 30% conceded; and • 38% withdrawn. 	Information not available.	Not applicable.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Funding					
Legislation in place to regulate the amount of funding for special education	Yes, under the Individuals with Disabilities Education Improvement Act, the federal government has established a seven-year path to reach the spending goal of financing 40% of the additional cost of educating children with disabilities.	Nil.	Nil.	Yes, under the Act of Special Education, the annual special education budget of the central government shall account for no less than 3% of the sum allotted to education spending, while the annual special education budget of the local government shall account for no less than 5% of the sum allotted to education spending.	Nil.
Amount and percentage of funding on special education with respect to total education budget	US\$3.9 billion (HK\$30.4 billion) ⁽¹⁾ , which was 7.5% of the total state education budget in 2005.	CAN\$2.1 billion (HK\$15.3 billion) ⁽²⁾ , which will be 12% of the total state education budget in 2008-2009.	£4.5 billion (HK\$70.3 billion) ⁽³⁾ , which was 13% of the total education budget in 2006-2007.	<ul style="list-style-type: none"> • NT\$6.29 billion (HK\$1.52 billion)⁽⁴⁾, which was 4.3% of the total education budget of the central government in 2007; and • For Taipei City, NT\$2.8 billion (HK\$678 million), which was 5.3% of the local education budget of Taipei City in 2007. 	HK\$1.3 billion, which is 2.6% of the total funding for education under the General Revenue Account (GRA) in 2007-2008 ⁽⁵⁾ .

Notes: (1) The average exchange rate of US\$ to HK\$ for 2007 was US\$1 = HK\$7.801.

(2) The average exchange rate of CAN\$ to HK\$ for 2007 was CAN\$1 = HK\$7.30.

(3) The average exchange rate of £ to HK\$ for 2007 was £1 = HK\$15.62.

(4) The average exchange rate of NT\$ to HK\$ for 2007 was NT\$1 = HK\$0.242.

(5) According to EDB, the expenditure on education comprises recurrent expenditure and capital expenditure (non-works items) under GRA, capital expenditure under the Capital Works Reserve Fund (mainly for capital works projects) and Loan Fund. As the expenditure under the Capital Works Reserve Fund and Loan Fund fluctuates considerably year to year, EDB considers it more meaningful to provide the information on recurrent expenditure and capital expenditure under GRA only.

Table – Special education in California, Ontario, England, Taiwan and Hong Kong (cont'd)

	California	Ontario	England	Taiwan	Hong Kong
Funding (cont'd)					
Cost per student with SEN in mainstream schools	US\$12,525 (HK\$97,707) in 1999-2000.	Information not available.	Information not available.	Information not available.	Information not available.
Cost per student with SEN in special education schools		CAN\$70,000 (HK\$511,000) in 2004-2005.	Information not available.	Information not available.	HK\$152,450 in 2007-2008.
Cost per student without SEN in mainstream elementary schools	US\$6,556 (HK\$51,143) in 1999-2000.	CAN\$7,841 (HK\$57,239) in 2004-2005.	Information not available.	NT\$84,890 (HK\$20,543) in 2005.	HK\$28,410 in 2007-2008.
Cost per student without SEN in mainstream junior high schools		CAN\$9,055 (HK\$66,102) in mainstream secondary schools in 2004-2005.	Information not available.	NT\$99,556 (HK\$24,093) in 2005.	HK\$36,200 in mainstream secondary schools in 2007-2008.
Cost per student without SEN in mainstream high schools			Information not available.	NT\$171,273 (HK\$41,448) in 2005.	
Transition programme					
Transition programme included as part of the individual education plan	Yes.	Yes.	No, but the transition programme is included as part of the statement of SEN.	Yes.	Yes.

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