

# **Inclusive Education within the Jordanian Legal Framework: Overview of Reality and Suggestions for Future**

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## ***Abstract***

This article aims to review the concept of Inclusive Education (IE) within the Jordanian legal framework for persons with special needs since its inception in 1964 and to the present day. It reviews in depth laws' articles that relate to the concept of IE. This study evaluates the current practices in Jordan in terms of the extent of IE on the ground, responsible parties for its implementation, and follow-up mechanism. It provides suggestions for future development of the law with regard to the IE and the foundations of its implementation and supervision.

***Key words:*** Inclusive Education, Jordanian Law, Special Education.

## ***Introduction***

The Hashemite Kingdom of Jordan (Jordan) is one of the most progressive countries in the Middle East in many sectors, especially education services (MOE, 2008; Al Jabery & Zumberg, 2008). According to the Global Monitoring Report on Education for All, issued by UNESCO in 2008, Jordan ranked first in the Arab world and fourth in the world among countries with medium probability of achieving the goals of education for all. According to UNESCO's Education for Development Index, Jordan ranked the second among Arab countries and 55 among the World for the possibility of achieving Education for All (UNESCO, 2008).

Special Education is one of the educational services that witnessed a remarkable development in Jordan in terms of the quality of services provided and law, which organized these services (Algolaylat, 2013).

## **Background**

Jordan is located in the center of the Middle East, and its population is approximately 6.5 million people. The Jordanian community is considered one of the youngest communities in the World where 37.3% of the population are under the age of 15, and the rate of natural increase is 2.1%. Jordan is also considered to be an educated society where the illiteracy rate does not exceed 7%. Furthermore, 25% of the population are school students, and 23% of the Jordanian population holds a college degree (Department of Statistics, 2012).

There are no accurate statistics showing the real number of people with special needs in Jordan. Where the Department of Statistics says that people with special needs are 1.23% of the community, the Higher Council for Affairs of Persons with Disabilities (HCD) indicates that the ratio is 2% of the community. HCD attributed the discrepancy to a number of reasons, such as the lack of agreement on classifications and definitions of specific categories of disability, the high cost of conducting surveys, masking some of the disabilities because of community perception, and the lack of cadres (HCD, 2010).

## **Educational laws for people with special needs in Jordan**

There was no specific law for people with special needs in Jordan when the issuance of educational laws began. The educational situation for person with disabilities was organized by the regular education guidelines. The first law of education in Jordan was issued in 1964 known as Law No. (16). This law contains some items that pointed out the right of education for all, such as item (3/7) of Chapter II, which stipulates that "social justice, and equal opportunity to learn for all the sons and daughters in Jordan within the possibilities of the individuals themselves." Indeed, item (3/4) from the same chapter stipulates, "Education should help the normal growth for an individual in areas of physicality, mentality, social, and emotionality". Same item also stipulates, "Individual differences and development aspects of creativity for talented should be taken in account, and provide opportunities for "retarded" within the limits of their potential". (Jordanian Legislations).

The previous law was amended to Law of Education Provisional No. 27 of c 1988. The preceding items were canceled from the new law, and they have been replaced with an item referring to the right to education for all. Item No. (6/C) of Chapter II stipulates, "The need for education and social education is a right for all, each according to his capabilities and abilities" (Jordanian Legislations).

The Ministry of Social Development issued the first law for people with special needs in 1993. This law, known as the law of the Disabled Care No. 12 of 1993, entrusted the task of teaching people with special needs to the Ministry of Education while the Ministry of Social Development focused on operating rehabilitation, and other related services. With regard to Inclusion, this law like other previous laws argued the right to education for all without exception. Moreover, it prompted the Ministry of Media to show the importance of the integration of disabled people in society (Jordanian Legislations).

Under those circumstances, the Ministry of Education issued Education Law No. (3) in 1994. As stated in item (3\6) "Education is a social necessity, and the right to education is for all each according to its ability and capacity ". In addition, item (5/f) states "Expanding patterns of education in educational institutions shall include special education programs for the disabled

and talented depending on social justice and equal opportunities, especially those who are of school age" (MOE, Jordan).

Rights of People with Disabilities Act No. (31) was issued in 2007. Under this law, the Higher Council for Affairs of Persons with Disabilities has been established as the sole institution responsible for providing various services for people with special needs. More importantly, this law defines Inclusion for the first time as "measures, programs, plans, and policies aimed at achieving the full participation of disabled people in life without any form of discrimination and with equal with others." This law has many items, which calls for inclusion. These items are:

- (H/3) "Integration in various walks of life and fields and at various levels, including the inclusion of people with disabilities and their plans for comprehensive development".
- (B/1) and provides "opportunities for public education, vocational education, and higher education for people with disabilities by categories of disability through the style of the merger".
- (B/2) "Adoption of integration programs between students with disabilities and non-disabled peers and implemented within the framework of educational institutions." (HCD, Jordan).

### ***Inclusive Education***

In order to achieve the goal of this article, which is to trace the path of Inclusive Education (IE) within the Jordanian legal framework for people with special needs, we must define the concept of IE with the concept of global laws. The UN Convention on the Rights of Persons with Disabilities defined IE as "the right of persons with disabilities to education with a view to realizing this right without discrimination and on the basis of equal opportunity" (UN, 2006).

According to the Individuals with Disabilities Education Act (IDEA), children with disabilities must be educated with children who are not disabled, and other educational alternatives that isolate these children can not be used except if the service cannot be achieved in the regular classrooms (IDEA, 2004). Indeed, the Confederation of Family Organizations in the European Union (COFACE) says, "Inclusion is not the same as integration. Whereas integration requires the child to adjust to an education system, inclusion must be about making the system adapt to each child" (COFACE, 2011).

United Nations Children's Fund (UNICEF) defines IE as "a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education" (UNICEF, 2012). Thus, this article reviews the IE definition that mention in the latest Jordanian law for people with special needs and its application, quality, and practices in Jordan schools and institutions. Based on all of the above, this article defines IE, as the process in which students with special needs receive the educational services and support they need in a regular classroom and with their peers, who do not have special needs.

### ***Inclusive Education Definition in Jordanian Laws***

Former laws did not specifically define the concept of IE, but it implicitly indicated this concept in some articles by mentioning the right of education for all people. In spite of that, the

People with Disabilities Law was issued for the first time in 1993. It does not define the concept of IE as an independent concept. The term of IE appears as an independent concept in Jordanian law as of 2007. Actually, this definition was clear and consistent with the universal laws' definitions. This law gives students with special needs the right to receive their education and higher education with their peers, and it stipulates that students with special needs have the equal opportunities with other students in terms of program planning, application, and follow-up based on the principle of inclusion.

**Inclusive Education Application in Jordanian Laws**

Before talking about providing services within the legal framework in Jordan, we need to talk about the institutions responsible for providing educational services to students with special needs. For students under the age of eighteen, three independent institutions oversee educational services. These institutions are the Ministry of Education, Ministry of Social Development, and the Higher Council for Affairs of Persons with Disabilities. For students over the age of eighteen, the responsibility rests on the Ministry of Higher Education as a sole institution, which provides educational services for students with special needs in colleges and universities.

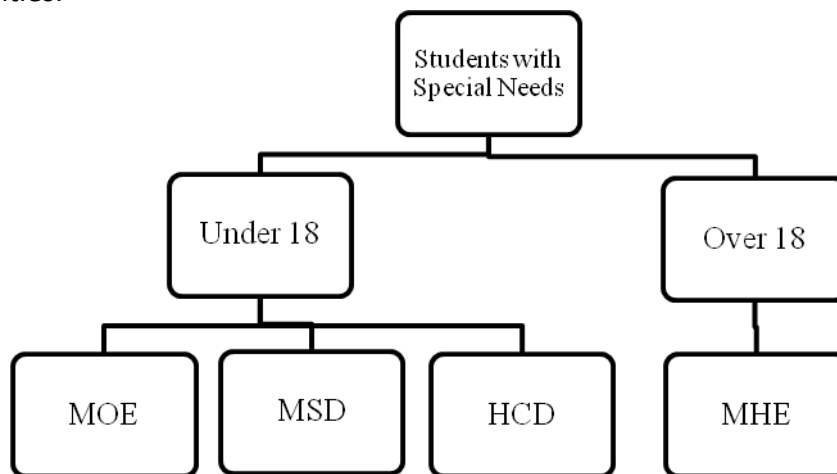


Figure (1) institutions responsible for providing educational services to students with special needs in Jordan

It is so obvious that there are many institutions responsible for applying IE in schools as well as the absence guidelines to provide these services.

**Service Reality**

Even though the laws give the right of providing IE services to the MOE, there are other institutions responsible for providing services, such as MSD and HCD. For example, the Department of Special Education at the MOE was set up in 1993 according to the law of the Disabled Care No. 12, which gives the educational mission for students with special needs to the MOE (MOE, 2008). On the other hand, there are other educational services such as special institutions for students with special needs that are not supervised by the MOE. In other words, the law was not clear enough to give the task of providing and following-up IE in all institutions that provide educational services to students with special needs. The MOE's mission is limited to the schools affiliated with it, but other centers that provide educational services are belonging to either the HCD or MSD.

From here, this study reviews the subject of provide education services and the guidelines into two parts: first students with special needs who receive education in regular schools through MOE, and the other part is students with special needs who receive education in separate centers through MSD and HCD.

First, the MOE provides IE Services through what is known as resource rooms, which are growing significantly since the beginning of its establishment until now (Amr, 2011). In fact, the only category that receives this kind of service is students with learning disabilities. There are 511-resource rooms serving 12.300 students (Al Khatib & Al Khatib, 2008). Based on this service, students with learning disabilities are separated from regular classrooms and sent to the resource rooms to receive educational services suited to their level in some subjects such as language and mathematics ( Department of Special Education, MOE). This study did not find any other category of special education receiving IE in regular schools except few individual attempts of some schools. For example, the experiment of Abdul Hameed Sharaf secondary school where some students with mental disabilities, physical impairment, and visual impairment were receiving IE. There were also other IE efforts to integrate people with hearing disabilities in MOE's schools in Amman and Irbid (Algolaylat, 2012).

IE used in the MOE's schools does not comply with the definition adopted by the Jordanian law and universal laws that have been mentioned previously because students are separated from regular classes for a period of time to receive some educational services. In addition, the MOE provides services completely separated for some students with disabilities and gifted where these students are distributed to all schools or centers by category to which they belong.

Secondly, schools and centers that provide educational services to students with special needs are not completely supervised by the MOE but multiple agencies supervising them. In addition to the authority of MSD and HCD on some special education instructions, the United Nations Relief and Works Agency (UNRWA) administered about 3% of the regular schools in Jordan (Melhem & Isa, 2013). An important question here: is there any method specified by the law to follow-up educational services provided by all responsible parties? The answer is no because the law does not refer to a clear mechanism to evaluate these services. Additional concern is how the law is supporting the transition of students from these isolated environments where they receive education services to the IE.

It seems that IE is a more stable service for students with special needs in the colleges and universities of Jordan. The Ministry of Higher Education (MHE) is the only party responsible for these students, and it gives the responsibilities to Jordanian universities, which are independent administratively and financially. However, these universities apply the concept of IE as defined by this study as special needs students attending classrooms with their peers. A study done by (AL Jabery and AL Khamra, 2013) has been confirmed such services provided in Jordanian universities.

### ***Conclusion and Suggestions***

There were numerous laws that focus on persons with special needs in Jordan, especially with regard to IE. Although the latest law defined the concept of IE, there are still many questions and criticisms surrounding the extent of the achievement of this concept. On the one hand, there are numerous agencies responsible for applying this concept. On the other

hand, there are no clear mechanism in the law to pursue this application. However, this study provides a number of suggestions, which may help the actual application of this concept in the Jordanian laws for people with special needs. These suggestions are:

- Unify the party responsible for the implementation and monitoring of IE in law to be the MOE, especially if it has an independent department for special education.
- Determine the mechanism of monitoring the implementation of IE to be solely the responsibility of the HCD.
- Transfer money that spent on resource rooms to teacher training in Inclusive Education. A study done by (Alzyoudi, 2006) has indicated that there is negative attitudes among teachers in public education in Jordan to implement the IE.
- Integrate all students with special needs in general education and not isolate them in private schools or institutions.

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