Module 2 : The History and Evolution of SEN

Student Aims:

- To learn and understand the legal definition of special education needs
- To learn and understand the legal definition of disability
- To learn how SEN education has evolved since the 19th century
- To learn about the importance of inclusion

2.1 Introduction

The history of SEN education in Britain is as long as the history of formal education itself.

From the time formal education was established in the UK, people have wondered how to teach pupils who have needs that lie outside the mainstream. Much of this comes down to inclusive teaching in a mainstream school as opposed to special schools that cater specifically for children with SEN.

In this module, you will learn more about this history of this debate from the 19th century until today. As you read, keep in mind that while this debate currently leans heavily toward inclusion, it is not yet fully settled in the minds of Britain’s ministers, educators and parents.
2.2 Definitions of SEN

Before diving into the history of special needs education legislation, it is important to understand a few important legal terms:

Special Education Needs (SEN)

Special Education Needs, or SEN, includes children who have difficulties or disabilities that make learning more difficult than it is for other children. Often, these pupils need different help or additional help to what is provided to other children in their classroom.

The law in the UK does not classify children who speak English as a second language as SEN pupils. However, second language children may also have learning difficulties and, in the case of hidden conditions such as dyslexia, dyspraxia or autism, these can sometimes be difficult to identify.

To have some difficulties with aspects of the curriculum is common in younger children. If they do not persist and children progress in line with their peers, these cannot be classed as special educational needs. Many children will struggle in some area at some point in their education. Schools, colleges and early education providers in the UK are designed to help pupils overcome these challenges by making adaptive changes or providing additional support. However, some pupils will require this support throughout their whole education. Children and young people may need help in one or more of the following areas:

Some pupils might need extra help in interacting and communicating. These children may have difficulties with communication, language or speech that make it hard for them to grasp a fuller understanding of language. Receptive language difficulties, the ability to understand what is being said, can make it difficult to understand key concepts. It may
also mean that they have difficulties communicating effectively or communicating appropriately with other pupils or with teachers.

Some pupils will require adaptations to the coursework that support their cognition and learning. This is often explained by difficulties with verbal processing, or with working memory. Their pace may be due to a difficulty in understanding, as may occur with children who have moderate or severe learning difficulties, but it may also be the result of difficulty with memory. Some children may struggle in one particular area of learning, such as numeracy or literacy.

Some pupils will require extra support in managing their emotional, mental health, or social difficulties. When pupils are struggling in their relationships with other pupils or adults, this can have a profound effect on their ability to learn and even affect the learning of other pupils.

Some pupils may struggle with physical or sensory impairments. In most pupils, this often translates to a visual or hearing difficulty that makes classroom life more difficult. However, it also covers a wide variety of physical needs that may require the support of the school.

**Disability**

The Equality Act 2010 defines a disability as ‘a physical or mental impairment which has a long-term (a year or more) and substantial adverse effect on their ability to carry out normal day-to-day activities.’

A disability may include sight impairments, hearing impairments, learning disabilities (such as dyslexia, dyspraxia autism) and long-term health issues like epilepsy, diabetes or asthma.
FACT

Only 17 per cent of disabled pupils attend special schools. The remainder attends mainstream schools.

Source: efds.co.uk

2.3 The History of SEN

Until the end of the 19th century, most children in the United Kingdom did not have the opportunity to go to school at all.

Before 1870, there were only a small number of schools in Britain and these were run not by the government, but by organised bodies such as the Church of England.

However, these schools were available only to children whose families could afford them.

There had been a few schools available for deaf and blind children from the 1790s. These schools were dedicated solely to educating children with these impairments; however, the focus was not on education as it is known today, but rather on training.
About 70 years later, there were around two dozen schools for blind or deaf children and adults across the country. Yet, rather than being inclusive environments designed to help people overcome obstacles, these remained insular and protective places which afforded pupils little access to the outside world.

Around this time, children with serious mental disabilities were referred to as ‘mentally defective.’ These children did not go to school at all but instead were sent away to infirmaries or workhouses.

Some of these children ended up in the now-infamous Victorian asylums; however, these places were reserved for those that were deemed to be educable in some form. The children who resided in these asylums received formal teaching and training.

**The Beginning of Formal Education**

In 1870, parliament passed the Forster Education Act of 1870. A similar act, the Education Act of 1872, was passed in Scotland. The Forster Education Act was the first of several acts passed by the government between 1870 and 1893 which created a foundation for compulsory education for children in England and Wales.

The 1870 act established local education boards across the country. These boards were designed to inspect schools to make sure the establishments were sufficient for education. The schools were also regularly inspected to maintain high standards.

The act also said that elementary education was required for all children between ages five and 13. Attendance was to be compulsory for all children.

The act also created public funds for the schools. However, parents were required to pay tuition unless they could not
afford it.

The religious teaching done in the schools was also required to be non-denominational. Parents had the ability to remove their children from religious education.

**Encountering Issues**

The law saw a few opponents. Some people wanted to be able to send their children to schools that promoted a specific denominational education for their children. The Church of England was also concerned because it had previously run some schools and it did not want to lose its control over the education in these schools.

Some people also rejected the idea of mass education. Others did not think that the government should have to pay for pupils whose parents couldn’t afford to.

Although these facets of the law encountered opposition, most of the law was retained as previously written.

**The Beginning of SEN Education**

Once government-run schools were established, education in the UK was finally taking off. However, elementary classes had large numbers of students in them. Teachers were paid by the results of the children’s memory tests and had to employ rote learning to keep their jobs. Although the children were in the classroom, there were still a large number of pupils who made little progress in learning. At this moment, the complexity of learning became apparent for the first time.

SEN was never addressed in the Forster Education Act of 1870. However, teachers began to realise that there were a variety of impairments that could prevent a pupil from learning successfully in this type of classroom setting. To combat this issue, specialist spaces for blind and deaf pupils were attached to the government-run schools. Still, it was not until 1893 in England and Wales and 1890 in Scotland that all
deaf children between ages seven and 16 and all blind children between ages five and 16 had the right to go to school.

It would still be another 24 years before rights were granted and provisions made for a wider group of SEN pupils to attend school.

The 1899 Elementary Education Act

The 1899 Elementary Education Act (Defective and Epileptic Children) was created to protect ‘children who by reason of mental or physical defect are incapable of receiving benefit from the instruction in ordinary schools but are not incapable by reason of such defect of receiving benefit from instruction in special classes or schools.’

Essentially, this was the first act in Britain that provided for the education of SEN children who had physical and mental disabilities.

However, someone had to decide which children were suffering from which disabilities. Earlier that decade, Dr Francis Warner investigated the district poor law schools and the London School Boards. Out of the 100,000 children in those districts, he reached a conclusion that approximately 1% of them needed care and training that should be given in special schools. He made this judgement based on their mental and/or physical conditions.

Dr Warner suggested that schools appoint a doctor who could carry out physical examinations on the children. He believed that these physical exams could serve as a basis for a judgement regarding whether a child would succeed in an ordinary school or in a special school. In some cases, he said, the child might be found incapable of succeeding in school at all.

At this point, doctors began to take a role in education, particularly the education of SEN pupils. Although the methods
used changed over time, these examinations remained for a long time a cornerstone regarding which school a child attended.

At the time, there was still public resistance to the idea of providing education for disabled children, much less providing special education for them. Out of 327 school boards, only 133 were using their powers for SEN education in 1908. Essentially, providing education for disabled children was still being done on a voluntary basis bound by charity rather than duty.

It was not until 1914 that education for ‘mentally defective’ children became mandatory. The same did not happen for ‘physically defective’ children until 1918. Even when it became mandatory, there was still pressure to remove children with mental disabilities from education and instead train them within separate institutions. However, the government refrained from doing so.

Around this time, the Local Education Authorities also became required to certify which children in their area were ‘defective’ under the Mental Deficiency Act of 1913. A local doctor would examine them to search for signs of ‘mental defects’ in physical symptoms, which was a common medical practice at the time. Hidden disabilities were not yet understood at that time.

The children who were judged to be incapable of learning in special schools were then passed on to a local mental deficiency committee. Many of these children ended up in the Victorian-era asylums, which had increased in number to 2,000 by the year 1914. The children were kept alongside other long-stay residents that had been labelled ‘idiots, imbeciles and morons.’

All of this was in line with what was happening in British science during this period. British eugenicists equated people who had disabilities with crime, immorality and poverty. By
segregating them from the ‘healthy’ part of society, they aimed to strengthen Britain and keep society from ‘contamination.’

The schools and institutions hosting children disregarded formal education in favour of training. The goal was to teach the children a skill that would keep them off the streets and prevent them from begging or becoming a ‘public nuisance.’

Between 1900 and 1950, nearly 500,000 disabled British children were identified this way. Almost half spent their childhoods in institutions. Most of these children were from working-class or poverty-stricken backgrounds and had become impaired due to a lack of medical care, poor nutrition and poor housing conditions.

This is how the British education system continued throughout most of the first half of the 20th century.

The 1944 Education Act

In 1944, parliament passed the 1944 Education Act which was the first act which guaranteed secondary education for all Britons. A new selection process was developed. Beginning at age 11, students were sorted out between the ‘able’ and the ‘less able’. The able pupils were a minority and they were sent to Grammar schools. The less able pupils made up the bulk of the pupils and they were sent to Secondary Modern Schools.

Again, students were selected according to educational disability in an attempt to prevent any disruption to the new system. The Local Education Authorities were required to make arrangements for any children in the district that were deemed to have impairments.

The system created 11 categories of children. Each of these categories was based on a different impairment.

These categories included children being classified as:
- Blind
- Partially blind
- Deaf
- Partially deaf
- Delicate
- Diabetic
- Educationally sub-normal
- Epileptic
- Maladjusted
- Having speech defects

Children with physical handicaps were labelled ‘seriously disabled’ and were always educated in separate, special schools. The local boards hoped that the other categories of children would be able to go to the regular schools. However, this did not happen due to overcrowded classrooms, prejudices, incorrect interpretations of the law and widespread teacher resistance.

Rather than integrating students, a number of new schools were opened to house them between the 1950s and 1970s.

By 1970, there were still 70,000 children who were deemed uneducable under the 1913 Mental Deficiency Act. To deal with this, the government granted them the right to education under a new category and then opened another 400 special schools, most of which previously housed old training centres.

**The 1976 Education Act**

The 1976 Education Act was created to remove the need for special schools. The act instead created comprehensive schools designed to house children of all abilities. It was the first time disabled students were legally required and allowed to go to a mainstream school. However, the act was poorly planned and those involved were afraid of a decline in standards as well as economic cuts. Even though SEN students were allowed to go to mainstream schools, they were not catered for in the
Margaret Thatcher repealed the 1976 Education Act and replaced it with the 1979 Education Act, which was two pages long. The new act reinstated selection and allowed the local authorities the right to select pupils for secondary education. However, this legislation did not work as planned. There was a lack of understanding regarding how popular comprehensive schools were. Parents wanted to send their children to schools that catered to several abilities. Reintroducing selection saw a strong opposition on behalf of the local population in several areas of Britain.

To get its bearings back, the government began to take greater control over state education. It created the Council for the Accreditation of Teacher Education in 1984, which was the first group to set standards for training courses for teachers.

However, parents began to receive more powers, too. The 1980 Education Act required that parents were allowed to choose a school and were able to appeal the decision if they did not get the chosen school. School governing bodies were also required to include a minimum of two parents. The act also created public funds for 30,000 students to attend private schools.

**The 1981 Education Act**

The 1981 Education Act was designed to pick up where the 1976 act had left off. Some parts of the UK had integrated pupils successfully; however, the total proportion had not declined significantly. The act actually served as a basis for increasing segregation in schools and more schools reported introducing higher standards when admitting students. Yet, parents still wanted more comprehensive schools.

Reports demonstrated that local councils had failed to successfully implement the act. To remedy this, the UK
government offered financial incentives. Subsequent acts throughout the 1980s found new ways to organise costs. Ultimately, this led to a massive divestment from education during the 1980s.

The 1981 act also granted parents even more power over their children’s education. Local authorities were required to do more than identify pupils with disabilities. They were required to identify what these pupils’ needs were. They were also required to create procedures to meet those needs and statements of special educational need that would explain how they planned to meet those needs.

The 1988 Education Reform Act

The 1988 act was the most important act since the 1944 Education Act. It took power away from local authorities and schools and instead introduced the nationalised system that remains in place today. This was the act that created the National Curriculum, local management of schools’ city, technology colleges and grant-maintained schools.

British Schools in the 1990s

Selection was removed and then brought back again during the 1970s. However, it did not go away in the 1990s and was instead rebranded to be ‘specialisation’. Rather than dealing with the stigma that went along with selection, the government used the term ‘specialisation’ to encourage selection with the rationale that students excel in different areas and that ignoring that fact was foolish.

However, the global tide was beginning to change. The 1994 UN special report on segregation in education compelled Britain to focus on more inclusive education that did not just send pupils to the same school but to a school that catered for all pupils.
British Schools Today

In 2001, the UK Government and the Department of Education created the Special Educational Needs Code of Practice, further revised in 2015.

The code of practice was created to ensure that children had alternatives if they were not making progress in school. It created room for school staff, teachers, SEN coordinator, parents and the child to create a plan for achieving key learning objectives.

The goal of the code is to create the right conditions for consistency in education. To do this, the code focuses on identifying needs early so that major problems can be identified. Above all, it is one of the first strong acts to include the input of the children in school, attempting to keep their voices at the heart of the decision-making process. The Code of Practice replaced statements of special educational need with Educational and Health Care Plans (EHCPs), designed to meet both health and educational needs through co-ordination provision with the student at the centre.

You will learn more about the SEN Code of Practice in Module 4.

Conclusion

Formal education is still a fairly new concept within British history and public education has only been around for a little over a century. No one has yet figured out the perfect way to ensure that every pupil is fairly and properly educated in the UK. However, educators, politicians and parents can all learn from past mistakes in order to create a better system in the future.

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